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HOUSE OF COMMONS
OFFICIAL REPORT

PARLIAMENTARY
DEBATES

(HANSARD)

Monday 31 October 2016

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The House met at half-past Two o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

Oral Answers to Questions

HOME DEPARTMENT

The Secretary of State was asked—

International Students

1. **Ian Mearns** (Gateshead) (Lab): What recent discussions she has had with the Secretary of State for Education on the contribution made by international students to the UK. [906877]

The Secretary of State for the Home Department (Amber Rudd): I am in regular discussions with the Secretary of State for Education on all aspects of policy relating to international students. We will shortly be launching a consultation on changes to the non-EU work and study migration routes. I encourage all interested parties to participate.

Ian Mearns (Gateshead) (Lab): The Government have previously suggested that tens of thousands of international students break the terms of their visa by overstaying. We also know, however, that international students contribute almost £11 billion to the UK economy and that about 30% of university revenues come from non-EU international students. Analysis conducted by the Home Secretary's own Department shows that only 1% of international students break the terms of their visa arrangements. Will she confirm that the figure is 1% and, if so, what steps will she take to encourage more international students who are a benefit to our economy and our universities, particularly in places such as the north-east of England?

Amber Rudd: The hon. Gentleman is right. Student immigration plays an important role in supporting our world-class university system, which is a great part of the British economy in terms of exports. He refers to some very encouraging work from my Department about getting a more precise hold on the number of those who overstay. That work is at an early stage, so I would not put too much weight on it yet. We are, however, watching it carefully and hope it will be able to give us more confidence in the numbers of students who leave as well as arrive.

Mr Philip Hollobone (Kettering) (Con): Is it not the case that post-Brexit we can design a student visa system that will attract the best and brightest from

around the world, both within and outside the EU, while at the same time regularising the treatment of English students and EU students in Scotland, which is presently different?

Amber Rudd: I can reassure my hon. Friend that our policy will remain as it is, both post-Brexit and pre-Brexit. It is to encourage the brightest and the best to come to this country, where they contribute to our economy and cultural life.

Wes Streeting (Ilford North) (Lab): Barely a fortnight ago, the Chancellor told the Treasury Committee that policy should be guided by public opinion in regards to the treatment of international students and the visa system. Does the Home Secretary agree with the Chancellor? If so, will she finally let common sense and public opinion prevail by removing international students from the net migration cap, which is what the Chancellor seemed to suggest?

Amber Rudd: I certainly agree with the Chancellor that international students make an incredibly important contribution to our economy and our cultural life. On whether international students should be a part of the immigration statistics, they are part of the Office for National Statistics' stated statistics and it is not for me to change that arrangement.

Michael Fabricant (Lichfield) (Con): In my experience, some time ago when I was doing another job, I found that when I was setting up broadcasting stations, whether in New York city or Gaborone, Botswana, it often helped if I was dealing with people who had been educated in Britain. I therefore certainly agree with the thrust of the question from the hon. Member for Gateshead (Ian Mearns). Is not the point that we, the United Kingdom, should decide who should come here, not Brussels? That will be the case after Brexit.

Amber Rudd: I agree with my hon. Friend that every student who has studied here can become an important ambassador for this country internationally. That is an incredibly important part of the soft power of this country, extending our influence. I would say to my hon. Friend, however, that international students are welcome now and we want to continue to attract the best and the brightest. We will continue to do so after we leave the European Union.

Joanna Cherry (Edinburgh South West) (SNP): Scottish business, the trade unions, the education sector and every political party in the Scottish Parliament, including the Conservative and Unionist party, agree that Scotland needs a return of the post-study route to allow talented students to remain and contribute to the Scottish economy. Similar views are shared by the all-party group on migration, the Home Affairs Committee, the Scottish Affairs Committee, the House of Lords Science and Technology Committee and the Cole Commission on UK exports. Can the Home Secretary explain which organisations advised against the return of the scheme? Indeed, were there any at all who gave such advice?

Amber Rudd: We think we have the right balance on welcoming the brightest and the best students to this country, and allowing them to stay where they can get a

graduate-level job. We have to ensure that the system is fair in attracting people to our best universities and does not allow people to overstay where they do not have graduate-level jobs. If the hon. and learned Lady will indulge me, I will write to her regarding the particular question on what advice we have received.

Joanna Cherry: I would be interested to know what advice was received, but the truth of the matter is that, when compared with countries such as Canada and New Zealand, what the UK Government are offering students in Scotland is pathetic. Is not the real reason why the Home Office is picking on our universities in Scotland a result of the Prime Minister's blinkered pursuit of her unrealistic net migration target? Is it not time to remove students from that target and recognise that one-size-fits-all immigration policies are neither necessary nor desirable for Scotland, nor indeed for the rest of the UK?

Amber Rudd: I do not share the hon. Lady's view. I think our figures are pretty clear. When we talk about net immigration figures, we know that they take account of students coming in and students going out. We have the right way of measuring the number of students who come in, and I do not think it inhibits our appeal to international students, because the fact is that they do want to study here in the UK. We have two of the top 10 universities in the world—and long may that continue.

Ben Howlett (Bath) (Con): The Home Secretary is aware that international students contribute over £7 billion to the UK economy and receive 60% approval ratings in the polls, too. Given those figures, is it not clear that in a post-Brexit world, we should split up the immigration figures better to communicate with the public what UK immigration looks like? Will she agree to meet me and colleagues to discuss this issue?

Amber Rudd: I am always delighted to meet my hon. Friend. There has been a lot of airing of this particular issue about the breakdown of the immigration figures, but I think there is a reasonable amount of clarity about which part of them are students and which part are not.

Ms Angela Eagle (Wallasey) (Lab): Members of all parties agree that international students coming here to study is a good thing. Therefore, will the Home Secretary say something about how welcome they feel when hate crimes against black, Asian and minority ethnic people went up 41% in the month after Brexit? Many people over here as students report that when they are seen on the streets of our country, they are being told to go home. Should we not make our country more welcoming and deal with this post-Brexit problem?

Amber Rudd: I wholeheartedly agree with the hon. Lady, and I hope she will join me in spreading the word that international students are welcome here. There should be no hate crime here, which is why I launched my hate crime action plan at the end of July. I can give her some reassurance that the unpleasant and unwelcome spike in hate crime in August has now fallen off.

Ms Diane Abbott (Hackney North and Stoke Newington) (Lab): To return to the question raised by my hon. Friend the Member for Ilford North (Wes Streeting),

we know that international students contribute £7 billion to export earnings, support 137,000 jobs across all regions of the UK and help to make us a world leader in the international knowledge economy, so does the right hon. Lady accept that we are not persuaded by her arguments not to remove international students from migrant totals, and will she undertake to look at the issue again?

Amber Rudd: I think that the hon. Lady and I are in danger of violently agreeing on the benefit of international students to the economy and to this country in general. However, I think she is tilting at the wrong windmill here by focusing on whether international students are part of the immigration figures or not. As I explained earlier, this is a net figure, so it takes account of the people who come and the people who go. The hon. Lady may be exaggerating the impact that she would expect from the removal of international students from the figures.

Orgreave

2. **Christian Matheson (City of Chester) (Lab):** When she plans to announce the establishment of a public inquiry into events at Orgreave in 1984. [906878]

The Secretary of State for the Home Department (Amber Rudd): Following the request of the Orgreave Truth and Justice Campaign for an inquiry or independent review into the events that occurred at the Orgreave coking plant on 18 June 1984, I have today issued a written statement, setting out my decision. I have concluded that there is no case for either a statutory inquiry or an independent review.

Christian Matheson: This is an astonishing and, frankly, shameful decision by the Government. They have led those families up the garden path for the last two years. Does the Home Secretary not understand that the disinfecting light of a public inquiry is the only thing that will give those communities and those families the confidence they need in the South Yorkshire police force?

Amber Rudd: I urge the hon. Gentleman not to leap to anger quite so quickly. This Government have taken the time and looked at the documents. I have been in post for three months, and I have met the families and the campaigning MPs. The fact that I have reached a different decision from the one that the hon. Gentleman wanted does not mean that it is in any way dishonourable. This was a difficult decision to make. I have made it in consideration of all the facts, and I believe that it is the right one.

Alec Shelbrooke (Elmet and Rothwell) (Con): Once again, the name "South Yorkshire police" besmirches the brave officers on the front line. I have raised this issue in the House on several occasions, and I raise it again now. Will my right hon. Friend, along with my right hon. Friend the Policing Minister, meet me to have a serious discussion about whether South Yorkshire police and West Yorkshire police can be merged to become Yorkshire police, so that the name "South Yorkshire police" does not do an injustice to the officers who are bravely putting their lives on the line every day?

Amber Rudd: My hon. Friend has raised this matter with me before, and I can tell him that my right hon. Friend the Policing Minister will indeed meet him to discuss it. South Yorkshire police is under new leadership, and I am hopeful that it can make good progress. My right hon. Friend spoke to the police and crime commissioner today to explain the decision that the Government have reached.

Mr Dennis Skinner (Bolsover) (Lab): Is the Home Secretary aware that her predecessor made it clear to my right hon. Friend the Member for Leigh (Andy Burnham) some months ago that there would be an inquiry into Orgreave? This decision is not really any different from the one that we suspected beforehand. Why have the Government—and it appears to be the Government—now made a decision that is contrary to the one that the previous Home Secretary, now the Prime Minister, announced in response to a question from my right hon. Friend several months ago?

Amber Rudd: I can tell the hon. Gentleman that I have taken this matter very seriously. I have spoken to the former Home Secretary about the decision, and I have ensured that all matters and papers have been carefully considered. We have taken our time to arrive at this decision. No commitment was made before; there was only a willingness to look at all the evidence—and perhaps the hon. Gentleman will acknowledge that there was no such willingness on the part of the Labour Government—in order to ensure that the right decision was made after all the information had been absorbed.

Mrs Theresa Villiers (Chipping Barnet) (Con): I welcome the Secretary of State's decision. While public inquiries can be successful in some instances, too often they cost huge amounts of money, take many years to complete, and do not even answer the question that has been asked.

Amber Rudd: I thank my right hon. Friend for making that point. In a way, the easier political decision would have been for the Government to agree to an inquiry, but I cannot see that that would be in the public interest, given the substantial policing changes that have taken place since 1984.

Andy Burnham (Leigh) (Lab): Given that the Independent Police Complaints Commission found evidence of perjury and perversion of the course of justice, and given that in the last month new evidence of orchestrated violence and the mass manufacture of police statements has emerged from former police officers who were at Orgreave, are we not right to conclude that the establishment stitch-up that the Home Secretary has announced today is nothing more than a nakedly political act?

Amber Rudd: No. The right hon. Gentleman is entirely wrong. He chooses to politicise the issue when there are no politics here. As he knows, I had a meeting with the campaign group, and we had a frank exchange of information. The fact that he disagrees with the decision I have made does not mean that it is the wrong decision. I have made it honestly, and it is based on the evidence.

Sir Edward Leigh (Gainsborough) (Con): If the Government have decided against a public inquiry, I wonder whether the House will have the courage to

establish a Select Committee inquiry. I understand why the Government are dubious about setting up another public inquiry, involving wall-to-wall lawyers, costing tens of millions of pounds, and taking years. However, if the Government could free up an ad hoc Select Committee, as can be done under the Osmotherly rules when there is a head of steam behind an issue—a proper Select Committee, led by a senior Member of Parliament and able to interview all witnesses about matters including advice to Ministers—we could deal with issues of this kind much more cheaply than a public inquiry.

Amber Rudd: That is a very interesting suggestion. I believe that such a set-up would be a matter for the House, but I am sure that other Select Committees have heard my hon. Friend's suggestion, and they may indeed take up the opportunity themselves.

Dan Jarvis (Barnsley Central) (Lab): There will be huge concern across south Yorkshire and further afield at the Home Secretary's decision. May I therefore ask her specifically if she will meet with the Orgreave Truth and Justice Campaign to discuss this matter further?

Amber Rudd: I spoke to the head of the Orgreave Truth and Justice Campaign this morning, and I am not surprised that she was very disappointed. I set out my reasons and I have written her and the campaign group a six-page letter. I suggest to the hon. Gentleman that they be given a chance to digest its contents before we set up any meeting.

Ms Diane Abbott (Hackney North and Stoke Newington) (Lab): I do not think the Home Secretary fully understands how disappointed and let down the Orgreave families and campaigners will be by her decision. A six-page letter does not compensate for the violence and injustice that occurred at Orgreave so many years ago. We know the South Yorkshire police lied about what happened at Hillsborough, yet only five years earlier the same South Yorkshire police, including many of the same commanders, behaved in a very similar way at Orgreave. The Orgreave families and campaigners need the same justice as Hillsborough had; they need the same type of independent inquiry to establish the truth.

Amber Rudd: I respectfully say to the hon. Lady that the Hillsborough situation was quite different from Orgreave; 96 people died at Hillsborough and it was right that we had an inquiry that analysed exactly what happened on the day. In this situation at Orgreave there were no miscarriages of justice, there were no deaths—*[Interruption.]* There were no convictions, the hon. Lady should be aware. Therefore Orgreave does not merit the same status as that needed for a public inquiry, which was required for Hillsborough.

Europol/European Arrest Warrant

3. **Emma Reynolds (Wolverhampton North East) (Lab):** What assessment her Department has made of the potential merits of the UK remaining a member of (a) Europol and (b) the European Arrest Warrant mechanism after the UK leaves the EU. [906879]

The Minister for Policing and the Fire Service (Brandon Lewis): As the Prime Minister and the Home Secretary have made clear, law enforcement co-operation with our European partners will continue after the UK leaves the EU. We will do what is necessary to keep our people safe. At the Home Office we are exploring all options for co-operation once the UK has left the EU, but it is currently too early to speculate on what future arrangements may look like.

Emma Reynolds: I thank the Minister for that answer, but may I press him? Have the Government decided whether they will seek to retain the European arrest warrant after we leave the EU, and has the Home Secretary had some stern words with the Brexit Secretary, who voted against it only two years ago? Also, have the Government decided to sign up to the new Europol regulations, and if not, when are they going to do so? If they miss the January deadline for that, there could be some severe implications for our membership; what would they be?

Brandon Lewis: The decision on whether we opt into the further Europol regulations will be announced to Parliament shortly. We will take that decision very soon; we are giving good consideration to where we are on that and will make an announcement to Parliament in due course.

The hon. Lady is right that the European arrest warrant provides a basis for a swift, and indeed cost-effective, extradition process across member states, but I will not presume what may or may not be in an agreement. We are in the early days of negotiations and will be going through that over the Brexit period.

Charlie Elphicke (Dover) (Con): While some seem to want to water down the referendum result and drag us back into the EU, if not necessarily by name, does the Minister agree that co-operation on security, and particularly cross-border security, is important, and that when we take back control we must ensure that we keep that very important co-operation that keeps us safe and secure?

Brandon Lewis: My hon. Friend makes a good point. Our co-operation and membership of Europol will obviously continue in full with us as a full and strong contributing member of Europol, which of course predates the European institutions. We have been very clear that our co-operation with member states, and our determination to ensure the security and protection of the people of this country, will continue when we are no longer a member of the EU.

Lyn Brown (West Ham) (Lab): After the Paris Metro bombing in 1995 it took 10 years to extradite Rachid Ramda from the UK, but after the London tube bombings in 2005 it took just 56 days to extradite Hussain Osman from Italy to the UK. The difference in time in bringing murderous terrorists to justice was a result of the European arrest warrant. I cannot believe that the Minister will not guarantee that, however Brexit is negotiated by this Government, there is no question whatsoever of our ending our commitment to the European arrest warrant. Can he please guarantee to the House today that the European arrest warrant will continue?

Brandon Lewis: I thank the hon. Lady for trying to tempt me into pre-judging what other EU member states may decide to agree to as part of the negotiations. We will be negotiating and I can guarantee that we will continue to put the security and protection of the people of this country absolutely first and foremost.

Fraud

4. **Huw Merriman (Bexhill and Battle) (Con):** What steps she is taking to protect people from fraud and its effect on families and communities. [906880]

7. **Craig Williams (Cardiff North) (Con):** What steps she is taking to protect people from fraud and its effect on families and communities. [906883]

The Secretary of State for the Home Department (Amber Rudd): This Government are going further than any before to protect individuals and communities from fraud. We have established a new programme through the Joint Fraud Taskforce to ensure that the most vulnerable in our society are protected. Individuals should also be supported to protect themselves. Many cyber-attacks could be defeated by simple best practice.

Huw Merriman: As the Home Secretary will be well aware, economic crime in Sussex disproportionately targets the elderly. My constituency has one of the highest dementia rates in the UK. If the number of pubs and bars can influence the police funding formula, could Ministers consider using dementia rates in the same way?

Amber Rudd: I am grateful to my hon. Friend for that suggestion. In fact, our constituencies share the same county of East Sussex—the county with the third highest number of over-80s—so I am familiar with the problem that he highlights. We are redoing the police funding formula and I will take his suggestion as part of the consultation.

Craig Williams: My right hon. Friend will be aware of the concerns raised by my constituents in Cardiff about criminal activity within the financial system. With the Criminal Finances Bill going through the House, will my right hon. Friend update us on how we are cracking down on these criminals?

Amber Rudd: The UK is indeed one of the best places to do business, but the proceeds of organised crime and overseas corruption have for too long been able to move through the UK with considerable impunity. Significantly, the Bill will introduce new offences and measures to allow us to go after the money, the middlemen and the crime barons themselves.

21. [906900] **Stephen Hammond (Wimbledon) (Con):** Several of my constituents have fallen foul of the pernicious crime of vishing, which often targets the elderly. What are the Government doing to protect people from such scams? Will she ask Ofcom to look at international calls?

Amber Rudd: My hon. Friend is right to raise this issue. The Joint Fraud Taskforce is focusing on helping individuals to spot such attempts by fraudsters. The new

“Take Five” nationwide fraud prevention campaign, which encourages people to take five minutes to consider the motives behind a cold call, will help people not to be tricked in that way. I will certainly look at his suggestion.

Online Child Sexual Exploitation

5. **Lucy Frazer** (South East Cambridgeshire) (Con): What steps the Government and UK law enforcement agencies are taking to tackle online child sexual exploitation domestically and internationally. [906881]

The Parliamentary Under-Secretary of State for the Home Department (Sarah Newton): The Government’s response includes law enforcement agencies taking action against online offenders, developing new capabilities to find and safeguard victims and working with the internet industry to remove illegal images. We have led the global response to online child sex exploitation through the WePROTECT Global Alliance, working with countries, companies and civil society organisations to develop a co-ordinated response.

Lucy Frazer: I thank the Minister for that answer. How are the Government supporting a multi-agency approach to assist local authorities in tackling child exploitation issues?

Sarah Newton: I thank my hon. Friend for that question. The child sexual exploitation response unit will ensure that local authorities with concerns about CSE can draw upon the support of specialist professionals. The unit will be supported by a soon to be launched centre of expertise run by Barnado’s, which will bring together best practice. Finally, a new system of multi-agency inspections is being delivered, the first of which focused on children at risk of CSE.

Online Radicalisation

6. **Nigel Huddleston** (Mid Worcestershire) (Con): What steps she is taking to safeguard vulnerable people from online radicalisation. [906882]

12. **James Berry** (Kingston and Surbiton) (Con): What steps she is taking to safeguard vulnerable people from online radicalisation. [906888]

The Minister for Security (Mr Ben Wallace): We are taking robust action to tackle online radicalisation and to counter the poisonous ideology promoted by extremists. In 2010, the Home Office and police set up the Counter-Terrorism Internet Referral Unit to tackle and disrupt terrorism-related material. The Government are also supporting community-based initiatives that challenge extremists’ core communications and provide credible counter-narratives.

Nigel Huddleston: Will the Minister tell the House how much online material has been removed as part of this initiative?

Mr Wallace: Since February 2010, internet companies have removed 220,000 pieces of terrorism-related material following referrals from the CTRU.

James Berry: The Select Committee on Home Affairs has issued two reports calling on Twitter and Facebook to take much tougher action on extremist material, much of which breaches their own terms of use. Does the Minister agree that social media companies should do much more to prevent and remove this material voluntarily, without the need for a request from police officers, which is at the taxpayer’s expense?

Mr Wallace: Yes, I agree with my hon. Friend. Although the industry has taken some positive steps to address the issue, the internet is still being used to recruit, radicalise, incite and inspire. The CTRU’s relationship with the industry continues to be successful, but we would like internet companies to be more proactive and take more of a lead in tackling the global threat.

Mr David Hanson (Delyn) (Lab): Some 12 months ago, Zack Davies was sentenced to life imprisonment following his attempt to behead an Asian citizen in a random attack in a Tesco supermarket in Mold, in my constituency. He was radicalised on the internet by neo-Nazi and Hitler-worshipping material. Will the Minister focus on that issue as well as on Islamist terrorism?

Mr Wallace: The right hon. Gentleman is right; interestingly, the Prevent strategy is seeing a growth in far-right referrals. In some areas of the country, these Prevent referrals outnumber those about the other parts we are worried out.

Margaret Ferrier (Rutherglen and Hamilton West) (SNP): In what many see as a blow to the Government’s Prevent scheme, the Muslim Council of Britain has announced that it will be setting up its own anti-radicalisation programme. The Home Secretary appears to be losing the confidence of Muslims, so what does she intend to do to reverse that loss of trust?

Mr Wallace: I thank the hon. Lady for her question, but she is, of course, wrong. The Prevent programme set up by her Government in 2003 has had considerable successes throughout the communities. We should reflect on the fact that Prevent is about safeguarding vulnerable people from being exploited and saving many people’s lives, across the country and abroad. Repeating the echo chamber of people saying that this is about targeting one group or the other is a fallacy.

Immigration

8. **Mr David Nuttall** (Bury North) (Con): What steps her Department is taking to reduce levels of immigration into the UK. [906884]

The Minister for Immigration (Mr Robert Goodwill): The latest figures show that our reforms to cut abuse across non-EU visa routes and our toughened welfare provisions are working, but there is no doubt that there is more to do. As we conduct our negotiations to leave the EU, it will be a priority to retain more control of the numbers of people who come here from Europe.

Mr Nuttall: Given that there is still some way to go, how confident is the Minister that the measures taken by the Government will result in our meeting the target of reducing net migration to the tens of thousands?

Does he agree that ending the free movement of people principle imposed on us by the EU is essential if we are to stand any chance of meeting that target?

Mr Goodwill: There is no doubt that this is a challenging target, but I love a challenge. We are committed to bringing net migration down to the tens of thousands, and we have already taken significant steps to control immigration. The UK's departure from the EU will give us control over EU migration, and we will shortly be publishing a consultation document on further changes to the non-EU work and study routes.

Paula Sherriff (Dewsbury) (Lab): A constituent of mine is awaiting an appeal in respect of a spouse visa application. Correspondence from the tribunals service stated that the process would take 15 weeks, but we have now been informed that it could take up to 18 months. Why are appeals taking so long? Why does the information given to applicants not reflect these delays? The lack of clarity is causing undue stress to applicants and their loved ones.

Mr Goodwill: Although I cannot comment on an individual case, I hope that the hon. Lady will give me the details. It is, however, absolutely right that we took measures to stamp out sham marriages and other routes whereby people can use marriage as a way of getting fraudulent entry to the UK. That does mean that some of the hoops people have to jump through can be slightly smaller than before.

Mrs Anne Main (St Albans) (Con): Many of my constituents would like illegal immigration stamped out, as well as there to be monitoring of how much migration there is. I was pleased to hear on the weekend reports of a Jetstream 41 turboprop plane being brought in to help control our borders. Will the Minister tell the House a little more about what he is hoping to achieve with that?

Mr Goodwill: We are determined to prevent illegal migration, from whatever route it comes. That can be through people getting on vehicles coming through the channel crossings, or through general aviation or general maritime routes. We are determined to clamp down on all of those.

Dr Rupa Huq (Ealing Central and Acton) (Lab): The policy to limit migration is at odds with the promise that we heard in the referendum campaign from the Secretary of State for International Development. She said that if we voted to leave, chefs from the sub-continent could have their visa restrictions relaxed to avoid a curry crisis. Was that pledge of the same value as the one that we saw on the side of a bus promising money for the NHS—meaning that it will never happen—or will the Government address the skills shortage in our economy rather than aping the UK Independence party?

Mr Goodwill: I will certainly take no lessons from Labour, as it was the party that allowed people to come in from outside the EU with no skills at all. Indeed, search parties were sent out to encourage mass migration. I lay down a challenge to the restaurateurs in our country to train our own people, because we have

tremendously talented people in the UK who would love to train and work in that environment. We do not always need to bring people across from the sub-continent.

Domestic Abuse

9. **Mike Freer** (Finchley and Golders Green) (Con): What steps she is taking to ensure that all forms of domestic abuse are recognised and investigated. [906885]

The Parliamentary Under-Secretary of State for the Home Department (Sarah Newton): The Government have introduced a range of new offences, including the offence of coercive or controlling behaviour. Victims who experience behaviour that stops short of serious physical violence but that amounts to extreme psychological and emotional abuse can now bring their perpetrators to justice. Every police force has published domestic abuse action plans, and new guidance and training has been introduced by the College of Policing.

Mike Freer: I thank the Minister for her answer, but in same-sex relationships and in orthodox religious communities domestic violence is often under-reported. What more can be done to train police officers to support victims and encourage them to come forward?

Sarah Newton: My hon. Friend is quite right that domestic abuse can take many forms and affect all groups in society. New police domestic abuse guidance explicitly captures the fact that lesbian, gay, bisexual and transgender people may be abused by their partners in specific ways that are connected to their sexual orientation or gender identity. The Home Office is also funding the charity Galop to run a dedicated national helpline to provide emotional and practical support for LGBT people experiencing domestic abuse.

Jenny Chapman (Darlington) (Lab): New reports suggest that nurses are three times more likely to be victims of domestic abuse than the general population. Will the Minister undertake to speak to colleagues in the Department of Health about what the NHS, as an employer, may need to do to support this group?

Sarah Newton: The Government have an absolute zero-tolerance policy for any sort of domestic abuse or violence. I will certainly take up the hon. Lady's recommendation of speaking to my colleagues in the Department of Health to see what more we can do to prevent this awful crime from happening to our much-appreciated nurses.

Indefinite Leave to Remain

10. **Steve McCabe** (Birmingham, Selly Oak) (Lab): What estimate she has made of the number of non-UK EU nationals currently residing in the UK who will be entitled to apply for indefinite leave to remain after the UK leaves the EU. [906886]

The Secretary of State for the Home Department (Amber Rudd): The Government have been clear that they want to protect the status of EU nationals already living here. The only circumstances in which that would not be possible are if British citizens' rights in European member states were not protected in return.

Steve McCabe: My question was what estimate the Secretary of State had made of the numbers, because on 10 October her colleague the Secretary of State for Exiting the European Union said that by the time we leave, five out of six migrants will have, or be entitled to, indefinite leave to remain. That is 2.5 million people. Is that the policy of the Government?

Amber Rudd: I saw those reports. They were based on existing public research, which estimates that around 80% of EU migrants already here will have been resident in the UK for up to five years by the start of 2019. However, it is too simplistic and too early to reach definitive conclusions about what the outcome will be when we do leave.

Greg Mulholland (Leeds North West) (LD): There are EU nationals who are working, contributing and paying tax and who have children at school in every parliamentary constituency in the UK. If it is not cynical using them as a bargaining chip, why on earth will she not finally do the right thing and announce that they will be allowed to stay in this country?

Amber Rudd: In answer to an earlier question, the Prime Minister has already said that that is the intention. It is only to ensure that there is a reciprocal arrangement that we have held back from giving that final commitment, which we sincerely hope will be made.

Refugees: Age Identification

11. **Sir Henry Bellingham** (North West Norfolk) (Con): What steps she has taken to ensure that young adult refugees are not entering the UK as children; and what checks she plans to put in place to improve age identification of such refugees. [906887]

The Minister for Immigration (Mr Robert Goodwill): Where clear and credible documentary evidence of age is not available, criteria including physical appearance and demeanour are used as part of the interview process to assess whether a person is under 18. That can be followed, where necessary, by a local authority assessment in line with case law and approved by two social workers.

Sir Henry Bellingham: Does the Minister agree that this country has always been very compassionate and understanding towards children fleeing persecution? Does he also agree, however, that every young adult over 18 whom we admit means one fewer child in desperate need being allowed in, and that we could extend checks to social media and university records, for example, to ensure that our generosity is not abused?

Mr Speaker: Or that my generosity is not abused by a Member asking two questions, rather than one. It seems a bit rum.

Mr Goodwill: It is essential that a safe, lawful and efficient process to transfer eligible children is in place, but we must also ensure that the right safeguarding and security checks are carried out. Our focus remains to ensure that the minors who are eligible to come here arrive safely. This must be done through a proper process, with the agreement of the French in the case of the

Calais children. The French have agreed to support the children in safe places in France while we carry out essential checks.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): The charities working with the children in Calais are reporting, first, that the UK assessment and transfer process has paused and, secondly, that there are 1,500 children and teenagers being held in the container camp, without proper water or food and without enough adults, social workers or youth workers to look after them and to prevent tensions and violence from rising. Will the Minister look into this urgently and make sure that the UK transfer system is restarted very quickly, and that the French urgently provide proper protection and support for these very vulnerable young people?

Mr Goodwill: I echo the points that the right hon. Lady makes. These are exactly the representations that I have received from many NGOs which are working very hard to assist us, and our own people are on the ground to ensure that that is done. It is very important indeed that, as we continue to process those children who are eligible to come here, that is done safely, and the French are determined to help us with that.

Mr David Burrowes (Enfield, Southgate) (Con): On the subject of refugees, may we focus on the real issue of the safety of children? As children are being transferred from the containers to specialist centres across France, can the Minister confirm that Dubs and Dublin children have all been identified, that they will be transferred as soon as possible to the UK, and that they will be kept safe under the close supervision of NGOs and Home Office officials?

Mr Goodwill: I can give my hon. Friend the assurance that we are working hard to identify children who would qualify under Dubs and Dublin. It is very important indeed that we ensure that the most vulnerable, particularly the children under 13 and those who may be vulnerable to sexual exploitation, are prioritised under the Dubs amendment procedure.

Kevin Brennan (Cardiff West) (Lab): Bashir Naderi, who is 19, was trafficked to the UK at the age of 10 from Afghanistan after his father was murdered by the Taliban. I understand that this afternoon he was on his way to Gatwick to be removed from the country but that that has now been stopped. Will the Home Secretary accept my plea and that of my hon. Friend the Member for Cardiff Central (Jo Stevens), whose constituent Bashir is, to intervene urgently to stop this removal?

Mr Goodwill: Although it would be inappropriate for me to comment on individual cases, I am aware of this case. It is on my desk at present.

Heidi Allen (South Cambridgeshire) (Con): I thank the Home Secretary and the Minister for their dedication to the issue in recent weeks. I understand that children are now being moved from the containers to resettlement camps around France. When might we see all the Dublin and Dubs children being extracted from there and brought here?

Mr Goodwill: We are assisting with that transfer process, and once those children are in a place of safety away from the people traffickers who would seek to exploit them, we will be able to carry out that work in a more methodical way. We hope to have the process completed within weeks.

Stella Creasy (Walthamstow) (Lab/Co-op): Further to the question from my right hon. Friend the Member for Normanton, Pontefract and Castleford (Yvette Cooper), we know that there are currently 30 young girls, some as young as under 12, in the container camp in Calais. Can the Minister confirm that the Home Office staff left the site on Saturday? If so, when will they go back and restart the rescue of those children and their transfer to the UK?

Mr Goodwill: We must remember at all times that the camp is in France. We must work closely with our colleagues in the French authorities to ensure that children are removed from the container camp and taken to a place of safety where they can be processed in a more orderly way.

Mr Julian Brazier (Canterbury) (Con): Although the House is raising so many genuinely felt concerns about the children in Calais, may I remind the Minister that by far and away the largest crisis involving children in the world at present is that in and around Syria?

Mr Goodwill: Which is precisely why the Government are determined to relocate 20,000 of the most vulnerable people from the camps in Syria and 3,000 vulnerable children from the region, which removes the pull factor that, of course, has meant that so many people have taken that hazardous journey across the Mediterranean or the Aegean.

Mr Speaker: With un lawyer-like brevity, Mr Alistair Carmichael.

Mr Alistair Carmichael (Orkney and Shetland) (LD): Instead of treating refugees as if they were broken-mouthed ewes, surely we should be working with the authorities and the Government in France to ensure that we never again see the shambolic and shameful treatment that we saw last week.

Mr Goodwill: With equal brevity, I agree.

Ms Diane Abbott (Hackney North and Stoke Newington) (Lab): I reassure the Minister that the Opposition do know that the camp is in France, but we are weary of French and British officials trying to pass the buck, even at this late stage, when desperate children's lives are at stake. We know that there are more than 1,000 young people in the container compound at Calais without proper supervision and the help that they need. The Minister says that the assessment and transfer process has paused. Can he share with the House when it will begin again?

Mr Goodwill: The transfer process has been paused at the request of the French so that the relocation can take place and the children are not in the container camp,

which so many people are critical of. We continue to work closely with our French colleagues to actually resolve this situation.

Heroin Addiction

13. **John Mann (Bassetlaw) (Lab):** What assessment she has made of the effectiveness of interventions by her Department in dealing with heroin addiction in England. [906889]

The Parliamentary Under-Secretary of State for the Home Department (Sarah Newton): Recovery from drug misuse remains at the heart of our approach. More people are recovering from their dependency now than in 2010, and the number of heroin and crack cocaine users in England has continued to fall, with the number going below 300,000 for the first time since 2011. We are developing a new drugs strategy with other Government Departments and key partners, which will be published soon.

John Mann: With most drug services having been privatised across England in the past three years, the figures that the Minister has just quoted are fake, aren't they? They are fake figures. Outcomes are no longer being measured on a health basis, are they? Will the Minister tell us what the outcomes currently are when it comes to heroin treatment?

Sarah Newton: I am grateful to the hon. Gentleman for his question—[*Laughter.*] Decisions about services and how they are commissioned are made locally, as he well knows. The figures are far from fake; they are independently reported. I would think that he, as a local MP, would actually be praising his local services, because the latest data I have show that people have quick referrals to their service—96% of people who need access to treatment are receiving it within three days. In fact, his local area has a really good track record of engaging with people, and making sure they do not drop out of treatment and get good results from treatment programmes.

Mr Speaker: I must say to the Minister, who is a very forgiving soul, that gratitude to the hon. Member for Bassetlaw is not always a commodity in plentiful supply.

Extradition Orders: Vulnerable People

14. **Mr Barry Sheerman (Huddersfield) (Lab/Co-op):** What steps she is taking to ensure that vulnerable people are given adequate protection when facing extradition orders. [906890]

The Minister for Policing and the Fire Service (Brandon Lewis): A judge must consider various statutory bars to extradition. It must be refused if a judge finds that it would be incompatible with a person's human rights or an individual's physical or mental condition, meaning that it would be unjust or oppressive to extradite.

Mr Sheerman: The Minister knows that the law has changed and the Home Secretary can no longer intervene in these cases. When young people are on the autism spectrum or suffering from mental health challenges,

can we make sure that court officials, especially judges, understand their circumstances and challenges better? I am referring particularly to the case of Lauri Love.

Brandon Lewis: Without commenting on that particular case, which is before me at the moment—I will be making a decision by mid-November—the hon. Gentleman is right that those are the kinds of things that judges need to look at. They are the things that the judicial system does look at, and that is one of things that has come out of the change that was made when Parliament voted on this not that long ago.

Topical Questions

T1. [906867] **Alberto Costa** (South Leicestershire) (Con): If she will make a statement on her departmental responsibilities.

The Secretary of State for the Home Department (Amber Rudd): The Modern Slavery Act 2015 gave law enforcement agencies new powers, which must now lead to results. Progress is being made, but there is still much more to do. That was why on Anti-slavery Day last week, I announced an £8.5 million fund to transform our domestic police response. That will include funding for more than 50 additional analysts, specialists and investigators. Last week at the Vatican, I announced the £11 million modern slavery innovation fund, which forms part of the £33 million that we have dedicated to overseas aid. The fund will support, trial and test innovative ways of tackling modern slavery. These funds reflect the Government's commitment to apprehend the perpetrators and protect the victims of these terrible crimes. I look forward to the first meeting of the prime ministerial modern slavery taskforce this week.

Alberto Costa: Leicestershire County Council is looking at how it can support unaccompanied asylum-seeking children. What assurances can my right hon. Friend give to Leicestershire County Council about providing full reimbursements of costs incurred under the national transfer scheme?

Amber Rudd: I pay tribute to Leicestershire County Council and all the local authorities that have stepped up and accepted unaccompanied children under the national transfer scheme. I assure my hon. Friend that the Government are committed to funding local authorities for the care of unaccompanied asylum-seeking children. In July we significantly increased the rates by up to 33%. We will keep these arrangements under review.

Carolyn Harris (Swansea East) (Lab): We are experiencing a cut of over 30% to fire and rescue services funding, with 10,000 jobs lost. Rescues are at an all-time high, with firefighters carrying out, on average, more than 100 rescues per day. Speed is essential when responding, but with fewer firefighters and fewer fire stations, the possibility of a slow response could mean the loss of life. Will the Minister acknowledge that now is the time to invest in the fire and rescue services and stop the reckless cuts—to prioritise saving lives, not saving money?

The Minister for Policing and the Fire Service (Brandon Lewis): First, I welcome the hon. Lady to her new position. I also take this opportunity to express my

sympathy to all those affected by the recent devastating fires in Exeter, Birmingham, Doncaster and Cheshire, and to thank the firefighters for their efforts. They do save lives every day, as she outlined.

The hon. Lady should bear in mind that authorities still have more that they can do to reduce costs, as they say themselves. Over the past few weeks I have been talking at many conferences at which people have recognised the need to improve procurement and work collaboratively. She should also bear in mind that, since 2010, fire authorities' non-ring-fenced reserves have managed to rise by 150%. There is still money so that we can ensure that authorities find future efficiencies.

T2. [906868] **Chris Davies** (Brecon and Radnorshire) (Con): One area that we have not covered today is rural crime. Many farmers in my constituency are greatly concerned about the prospect of becoming a victim of rural crime. What more can the Department do to help to reassure farmers that we will keep them and their businesses safe?

The Parliamentary Under-Secretary of State for the Home Department (Sarah Newton): I am grateful to my hon. Friend for raising this really important subject. It is absolutely crucial that we support our farmers to ensure that the UK maintains a thriving farming industry. I welcome the Dyfed-Powys rural policing strategy, which sets out the force's commitment to work with the wider rural community and other agencies to prevent crime and enforce the law. The modern crime prevention strategy published by the Government in March supports this approach.

T4. [906870] **Lisa Nandy** (Wigan) (Lab): Last Thursday, "Newsnight" reported serious allegations of sexual assault by the most senior lawyer on the child abuse inquiry, Ben Emmerson, QC. The disclosure was made in early September, but no action was taken until 29 September. The Home Secretary's predecessor hand-picked Mr Emmerson for the inquiry. Can she therefore tell us why it took so long for action to be taken, why the investigation into his conduct was dropped, and why he is still reportedly being paid £1,700 a day even though he no longer works on the inquiry?

Amber Rudd: My right hon. Friend the Prime Minister and I have set out what we knew at the time and its relevance. It is really important that this inquiry continues. The hon. Lady asks questions that are for the head of the independent inquiry. It is essential for the authenticity of this inquiry that it is held independently. It is not run by the Home Office, and that is an essential part of its integrity. I urge her to stop knocking the inquiry and start getting behind it.

T3. [906869] **James Cleverly** (Braintree) (Con): Essex constabulary and Essex county fire and rescue service have a long track record of working closely together and are seeking to do more of that in the future. What can my right hon. Friend's Department do to support police and fire services and encourage them to work more collaboratively?

Brandon Lewis: My hon. Friend is right that we are delivering on our manifesto pledge by allowing, through the Policing and Crime Bill, police and crime commissioners

to take on the governance of fire authorities. There is also a statutory duty to collaborate, which applies to all the services that work together. It is important that our police and fire services work closely together, and I know that those in Essex are keen to be at the forefront of that work.

T6. [906873] **Vicky Foxcroft** (Lewisham, Deptford) (Lab): Lewisham uses the London crime prevention fund to employ officers dedicated to working in a serious youth violence team, but the post-April 2017 funding levels are not clear. How will the Minister ensure that serious youth violence work is properly funded regionally so that it is delivered at a local level?

Brandon Lewis: The hon. Lady raises a point that is an aspect of our annual funding formula. This year's decision will take place after the autumn statement and the House will vote on it in February. We have also delivered our manifesto pledge by announcing that we will review the police funding formula. I have written to, and am engaging with, all chief constables and, indeed, police and crime commissioners across the country.

T5. [906871] **Huw Merriman** (Bexhill and Battle) (Con): Police officers across this nation put their bodies on the line when protecting us. Some 23,000 officers were assaulted last year and sentences do not appear to be acting as a deterrent. Can Ministers assure me that they are liaising with other Departments to challenge sentencing guidelines and to vest in the Attorney General the power to challenge unduly lenient sentences?

Brandon Lewis: My hon. Friend makes a very important point, about which both the Home Secretary and I feel very strongly. We had an Adjournment debate about the issue the week before last. It is important that people acknowledge that police officers should be respected. They police by consent, which is unique to our country; we should be proud of that. My hon. Friend is right that sentencing should reflect the crime. I am in discussions with colleagues in other Departments, including on whether we prosecute for a criminal offence or under police Acts. There are some issues that we need to look at, but it is right that police officers should feel that they are respected and safe in their job.

T8. [906875] **John Mc Nally** (Falkirk) (SNP): Dungavel detention centre should close, but only as part of a wider plan to reduce the use of detention. Is not the Immigration Minister embarrassed to preside over one of the most bloated detention estates in the European Union and the only one without a fixed time limit?

The Minister for Immigration (Mr Robert Goodwill): Pre-departure detention is always the last resort and we aim to minimise the number of those kept in detention. The new facility at Glasgow airport will facilitate the closure of Dungavel and will be a more purpose-built facility.

T7. [906874] **Stephen Hammond** (Wimbledon) (Con): To give some certainty to the many EU citizens who live in Wimbledon and the surrounding area, will the Minister say when he expects to be able to announce the reciprocal arrangements?

Mr Goodwill: As the Prime Minister has said, we wish to protect the status of EU citizens working here. At the same time, of course, we expect the status of British citizens living and working elsewhere to be respected as well.

Liam Byrne (Birmingham, Hodge Hill) (Lab): Ten days ago, Allan Richards was convicted in Birmingham of the most horrific catalogue of offences against children, some as young as eight. I congratulate West Midlands police on the forensic investigation that brought him to justice, but he was a serving police officer for more than 30 years. Will the Home Secretary assure the House that the inquiry into what happened will be independent, that whistleblowers will be given protection and that, if other agencies, including the Crown Prosecution Service, made mistakes, they will form part of the investigation?

Brandon Lewis: The Independent Police Complaints Commission will take on this hugely important case which, by definition, will be an independent investigation. I reassure the right hon. Gentleman that the Policing and Crime Bill will go further by giving even more protection to whistleblowers and more powers to the IPCC to take on and lead such cases without the need for the involvement of, or a recommendation from, the police in the first place. I am happy to write to the right hon. Gentleman with more detail.

T9. [906876] **Maria Caulfield** (Lewes) (Con): Given the closure of the Calais camps last week, will Ministers update the House on what steps are being taken to protect migrants against illegal trafficking through the use of lorries on cross-channel ferries such as the Newhaven-Dieppe ferry, which serves my constituency?

Amber Rudd: Since the removals from the camps started—they have largely been completed—there has already been a tremendous reduction in the number of clandestines and illegal refugees trying to get across to the UK. We hope that, working closely with the French, we will be able to continue to ensure that my hon. Friend's constituents, as well as everyone else's, feel better protected.

Patrick Grady (Glasgow North) (SNP): Will the Home Secretary confirm that she is publishing new guidance on immigration and asylum claims from Eritrea today? In future, will the Home Office listen to concerns raised in the House about human rights abuses in countries of origin, rather than being forced into policy change by the immigration tribunal?

Mr Goodwill: It is certainly important that with Eritrea, as with other countries, we act on the best possible information. Although Home Office officials have been in country and we consider reports produced by other EU countries, we are looking at the results of the tribunal with interest.

Amanda Milling (Cannock Chase) (Con): I am, like many of my Staffordshire colleagues and the Staffordshire police and crime commissioner, incredibly concerned about the business case for Staffordshire fire and rescue service's proposed life skills centre. Will my hon. Friend the Fire

Minister meet me and my Staffordshire colleagues to discuss and review the business case to assess whether it offers value for money?

Brandon Lewis: My hon. Friend has raised this case with me. I know that she feels strongly about it, as do colleagues around Staffordshire. I will happily meet her and Staffordshire colleagues to look at the matter. I have also asked the police and crime commissioner, and indeed the chief fire officer and representatives from the fire authority, to talk to us about this process and exactly how they are delivering on it.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): The Home Secretary said earlier that the lack of any miscarriages of justice was one of the reasons why she would not instigate an inquiry into Orgreave. She will be aware, of course, that 95 miners were charged, and that many were remanded in custody and went through difficult trials based on charges and evidence that later collapsed. Will she reconsider what she has said about injustice and, given her predecessor's record of a whole series of inquiries and reviews in cases where injustice was suspected, will the Home Secretary think again about her decision?

Amber Rudd: I thank the right hon. Lady for her question. This Government's record on inquiries is strong. We have not been shy about setting them up when they are needed. This was not an easy decision, and the fact that I made a decision that she and her colleagues do not approve of does not mean that I did not take incredibly seriously the matter or the meeting that I had with the families. When I weighed this up using a true public interest test, it did not meet that test. I urge the right hon. Lady and her colleagues to read the written ministerial statement that I have made today.

Martin Vickers (Cleethorpes) (Con): Two of my constituents have been defrauded of in excess of £60,000, and their cases are not helped by the lack of co-ordination between Action Fraud and the local force. They are unable to get updates on the investigation. What can be done to improve that co-ordination?

The Minister for Security (Mr Ben Wallace): Following my hon. Friend's contribution at the previous Home Office questions, I will be visiting Action Fraud to take up his specific case, and more generally to discuss how Action Fraud deals with constituents and inquiries from Members, to make sure that the service is improved.

Louise Haigh (Sheffield, Heeley) (Lab): The Home Secretary's decision is a slap in the face of the campaigners, the victims and their families, some of whom have lost their lives in the wait for justice. It is not just Labour Members who disagree with the decision; the police and crime commissioner, South Yorkshire's chief constable and the Independent Police Complaints Commission all said that there was evidence to support a public inquiry. Will the Home Secretary ensure that all material pertaining to Orgreave is released, and at the very least the operational order of the day, which has never been made available to the IPCC?

Amber Rudd: The Policing Minister has spoken to the police and crime commissioner, who has agreed that he will work with South Yorkshire police to make sure that

information that the hon. Lady requires is released. I repeat what I said earlier: I made this decision, and the Government made this decision, thoughtfully, having assessed carefully what the facts were and thinking about the families involved. The fact that we arrived at a different decision from hers does not make it wrong.

Sir Hugo Swire (East Devon) (Con): May I ask my right hon. Friend the Home Secretary to come to Middlemoor, the home of Devon and Cornwall police, and also to Clyst St George, the home of Devon and Somerset fire and rescue service, to thank them for their quite extraordinary work over the weekend in Cathedral Close in Exeter at an incident that saw the loss of England's oldest hotel, the Royal Clarence?

Amber Rudd: We all saw over the weekend the dreadful scenes in Exeter. I would be delighted to come with my right hon. Friend to thank the police and the fire and rescue teams who did fantastic work dealing with such a difficult situation.

Kate Hoey (Vauxhall) (Lab): Just recently, two very brilliant human rights campaigners in Zimbabwe were refused visas to come to this country to speak not just in this House but elsewhere, despite the support of our ambassador in Harare. Will the Minister for Immigration please look into what is going on there? Quite honestly, we are letting in people who have done dreadful things, yet two decent, law-abiding, respectable, hard-working people—one of them has been given asylum in America—have been refused entry.

Mr Goodwill: I am more than happy to meet the hon. Lady in person to discuss this issue. I am aware of a number of cases involving Zimbabwe that we have under review.

Peter Aldous (Waveney) (Con): As part of a comprehensive strategy to improve the resilience of our fire and rescue services, it is necessary to take all reasonable steps to stop fires from starting in the first place. Will my right hon. Friend therefore liaise with the Department for Communities and Local Government to ensure that the long-awaited review of building regulations takes place, and that our strategy on the installation of fire sprinklers is brought into line with those of other countries?

Brandon Lewis: I thank my hon. Friend and constituency neighbour for his question. I will make sure that my colleagues in the Department for Communities and Local Government hear what he says. There are suppression products other than sprinklers that builders can use, but we are keen to make sure that homes continue to be safe. That is one reason why the number of fires is now, fortunately, pretty much at a historically low level.

Alison McGovern (Wirral South) (Lab): May I take the Home Secretary back to her answer to my hon. Friend the Member for City of Chester (Christian Matheson)? She said that people should not "leap to anger", but I can tell her that people have been angry about Orgreave for 30 years. Specifically, Margaret Aspinall has said:

"We will never have the full truth about Hillsborough until we have the full truth about Orgreave."

Will the Home Secretary agree wholeheartedly with my hon. Friend the Member for Sheffield, Heeley (Louise Haigh), who asked for full disclosure, and will she please, because this is never going away, just think again?

Amber Rudd: I do not agree that there is an equality of seriousness between Hillsborough and Orgreave. Ninety-six people died at Hillsborough: it is a different situation.

Two Hillsborough criminal investigations are going on now, and they have access to the Orgreave material. There will be no change in that respect.

Several hon. Members *rose*—

Mr Speaker: Order. I am sorry to disappoint colleagues, but we must move on.

NHS Funding

3.36 pm

Jonathan Ashworth (Leicester South) (Lab) (*Urgent Question*): To ask the Secretary of State if he will make a statement on NHS funding.

The Secretary of State for Health (Mr Jeremy Hunt): Compared with five years ago, the NHS is responsible for 1 million more over-75s. In five years' time, there will be another 1 million over-75s. Our determination is to look after each and every NHS patient with the highest standards of safety and care, but there is no question but that the pressures of an ageing population make this uniquely challenging.

I welcome the chance to remind the House of this Government's repeated commitment to supporting our NHS. The NHS budget has increased in real terms every year since 2010. NHS spending has increased as a proportion of total Government spending every year since 2010, and is 10.1% higher per head in real terms than when we came to office. The OECD says that our spending is 10% higher than the OECD average for developed countries. At 9.9% of GDP, it is about the same as that in other western European countries, for which the average is 9.8%.

Given the particularly challenging current circumstances, in 2014 the NHS stepped back and for the first time put together its own plan for the future. It was an excellent plan, based on the principle that because prevention is better than cure, we need to be much better at looking after people closer to or in their homes, instead of waiting until they need expensive hospital treatment. The plan asked for a minimum increase of £8 billion in NHS funding over five years. It asked for this to be front-loaded to allow the NHS to invest in new models of care up front.

Following last year's spending review, I can confirm to the House that the NHS will in fact receive an increase of £10 billion in real terms over the six years since the "Five Year Forward View" was published. In cash terms, that will see the NHS budget increase from £98.1 billion in 2014-15 to £119.9 billion in 2020-21. That rise is highly significant at a time when public finances are severely constrained by the deficit that this Government regrettably inherited. Because the NHS's particular priority was to front-load the settlement, £6 billion of the £10 billion increase comes before the end of the first two years of the spending review, including a £3.8 billion real-terms increase this year alone. That £3.8 billion represents a 52% larger increase in just one year than the Labour party was promising over the lifetime of this Parliament.

Jonathan Ashworth: This morning the Chair of the Health Committee and her colleagues on that Committee said that the Government's NHS spending claims were "inaccurate" and "false". The Opposition agree with that analysis. Ministers—and the Secretary of State has just done this again—tell us that they are investing £10 billion more in the NHS, but it has now been confirmed that that figure is

"not only incorrect but risks giving a false impression that the NHS is awash with cash."

Is not the reality that the Government have cut adult social care, the public health budget and the NHS capital budget? Now we learn that the average amount we spend on healthcare for each person in this country will fall in 2018-19. Does that not raise serious questions about the claims that Ministers, and, indeed, Prime Ministers, have been making from that Dispatch Box? In fact, the only way the Government's figures could be further discredited is if the Secretary of State slapped them on the side of a bus and got the Foreign Secretary to drive it.

Will the Secretary of State admit that the Government have not actually given the NHS the money it needed? Will he give us an accurate account of spending plans for the NHS? Will he tell us when the Chancellor is going to respond to the Health Committee's letter, and what representations he himself is making to the Chancellor ahead of the autumn statement?

We have also learned today from *Health Service Journal* that one in three local areas intend to close or downgrade A&E departments within 18 months, one in five expect to close consultant-led maternity services, and more than half plan to close or downgrade community hospitals. Will the Secretary of State confirm whether those reports are accurate? How many A&E departments, maternity units and community hospitals does the Secretary of State expect to close or be downgraded within the next year and a half? Our constituents want those answers.

Before the last election, the Secretary of State told us he was "confident" about delivering the money the NHS needed. Today that confidence has been exposed as utterly misplaced. Tory promises are completely in tatters. Rather than defending the Prime Minister's spin on the £10 billion figure, why does the Secretary of State not stand up for patients and staff, and deliver the funding that the NHS and our social care sector desperately need?

Mr Hunt: I start by welcoming the hon. Gentleman to his first urgent question in his new role. As I am a relative old timer in my role, I hope he will not mind me reminding him of some of the facts about health spending.

First, the hon. Gentleman said that the Government did not give the NHS what it asked for. Let me remind him that Simon Stevens, a former Labour special adviser—I know for new Labour, but he was none the less a Labour special adviser—said at the time of the spending review settlement last year that

"our case for the NHS has been heard and actively supported" and that the settlement

"is a clear and highly welcome acceptance of our argument for frontloaded NHS investment. It will...kick start the NHS Five Year Forward View's fundamental redesign of care."

I will tell the hon. Gentleman who did not give the NHS what it asked for: the Labour party. At the last election, it refused to support the NHS—[*Interruption.*] I know this is uncomfortable for the new shadow Health Secretary, but the reality is that the party on whose platform he stood refused to support the NHS's own plan for the future. As his question was about money, I will add that the Labour party also refused to fund it. The NHS wanted £8 billion; Labour's promise was for additional funding of £2.5 billion—not £6 billion or £4 billion, but £2.5 billion, or less than one third of

[Mr Jeremy Hunt]

what the NHS said it needed. Even if we accept the numbers of the Chair of the Select Committee—and, as I will go on to explain, I do not—Labour was pledging over the course of the Parliament only around half of what this Government have delivered in the first year of the spending review.

The hon. Gentleman used other choice words, one of which was “spin”. I will tell him what creates the most misleading impression: a Labour party claiming to want more funding for the NHS when, in the areas where they run it, the opposite has happened. Indeed, in the first four years of the last Parliament, Labour cut NHS funding in Wales when it went up in England—[*Interruption.*] Yes, it did. Those are the official figures. That is in a context in which the Barnett formula gives the Government in Wales more than £700 more per head to spend on public services, so there is more money in the pot.

The hon. Gentleman talked about social care. May I remind him of what the shadow Chancellor at the time of the last election—Ed Balls, who is now sadly no longer of this parish—said? During the election campaign, he said of funding for local councils “not a penny more”. We are giving local councils £3.5 billion more during the course of this Parliament.

The hon. Gentleman talked about other cuts that he alleges will happen in A&E departments and other hospital services. I simply say to him that we have to make efficiency savings. I do not believe they will be on the scale he talked about, but how much worse would they have to be if the NHS got a third of the money it currently gets?

If the hon. Gentleman and his party think the NHS is underfunded, they need to accept that the policies that they advocated in the past two elections were wrong—they advocated spending less than the Conservatives. Until they are serious about changing their policy, no one will be serious about listening to their criticisms.

Dr Sarah Wollaston (Totnes) (Con): I agree with the Secretary of State that prevention is better than cure, but he will know that achieving the aims of the five year forward view was dependent on a radical upgrade in public health and prevention. He will know that it was also dependent on adequate funding for adult social care. In addition, there are continuing raids on the NHS capital budget, and we need to put in place the kind of transformation that he and our sustainability and transformation partnerships wish to achieve.

Will the Secretary of State therefore confirm that he recognises the serious crisis in social care and the effect it is having on the NHS, and the effect that taking money from public health budgets is having? Although I accept that he does not agree with the Health Committee's appraisal of the £10 billion figure, I am afraid I stick by those figures.

Mr Hunt: I have enormous respect for my hon. Friend. I respect her passion for the NHS, her knowledge of it and her background in it, so I will always listen carefully to anything she says. I hope she will understand that just as she speaks plainly today, I need to speak plainly

back and say that I do not agree with the letter she wrote today, and I am afraid I do think that her calculations are wrong.

The use of the £10 billion figure was not, as she said in her letter, incorrect. The Government have never claimed that there was an extra £10 billion increase in the Department of Health budget. Indeed, the basis of that number has not even come from the Government; it has come from NHS England and its calculations as to what it needs to implement the forward view. As I told the Select Committee, I have always accepted that painful and difficult economies in central budgets will be needed to fund that plan. What NHS England asked for was money to implement the forward view. It asked for £8 billion over five years; in fact, it got £10 billion over six years, or £9 billion over five years—whichever one we take, it is either £1 billion or £2 billion more than the minimum it said it needed.

I think my hon. Friend quoted Simon Stevens as saying that NHS England had not got what it asked for. He was talking not about the request in the forward view, but in terms of the negotiations over the profile of the funding we have with the Treasury. The reason that the funding increases are so small in the second and third year of the Parliament is precisely that we listened to him when he said that he wanted the amount to be front-loaded. That is why we put £6 billion of the £10 billion up front in the first two years of the programme.

I fully accept that what happens in the social care system and in public health have a big impact on the NHS, but on social care we have introduced a precept for local authorities combined with an increase in the better care fund—[*Interruption.*] This is a precept, which 144 of 152 local authorities are taking advantage of. That means that a great number of them are increasing spending on social care. It will come on top of the deeper, faster integration of the health and social care systems that we know needs to happen.

On public health, I accept that difficult economies need to be made, but it is not just about public spending. This Government have a proud record of banning the display sale of tobacco, introducing standardised packaging for tobacco, introducing a sugary drinks tax and putting more money into school sports. There are lots of things that we can do on public health that make a big difference.

On capital, I agree with my hon. Friend about the pressure on the capital budget, but hospitals have a big opportunity to make use of the land they sit on, which they often do not use to its fullest extent, as a way to bridge that difficult gap.

Martyn Day (Linlithgow and East Falkirk) (SNP): With some 80% of trusts in deficit and only 4% meeting accident and emergency targets, I am grateful to the Health Committee for flagging up the dire financial state of the NHS in England, as evidenced by its letter to the Chancellor. We learn from that document that the £10 billion figure is a bit of a fallacy. In Scotland, the SNP Government are committed to investing an additional £2 billion by 2021, but any reduction in new money for the NHS from the UK Government would have an impact on Barnett consequentials. Given that the UK Government have already slashed Scotland's budget by 10% between 2010 and 2020, they need to be honest and transparent about what that reduction will mean for Scotland's funding. With the Department of

Health having accidentally not adjusted its books for an extra £417 million from national insurance contributions, and having broken its control total by £207 million, will the devolved Governments get any share of that additional £624 million?

Mr Hunt: Many people in Scotland will be somewhat surprised by the hon. Gentleman's comments, because in the last Parliament spending on the NHS in England went up by 4%, whereas in Scotland it fell by 1%. The IFS confirmed that at the time of the independence referendum, saying:

"It seems that historically, at least, Scottish Governments in Holyrood have placed less priority on funding the NHS in Scotland...than governments in Westminster have for England".

In this Parliament, the hon. Gentleman's party has already lost a vote on NHS cuts in the Scottish Parliament and been criticised by Audit Scotland for its performance. When the SNP has the courage to increase NHS spending in Scotland by the amount we are increasing it in England, we will listen, but until then it should concentrate on looking after Scottish NHS patients in Scotland.

Several hon. Members *rose*—

Mr Speaker: Order. Understandably, there is extensive interest in this subject. Accommodating anywhere near the number of would-be contributors will require brevity, to be exemplified—I hope and if he is true to form—by Mr Philip Hollobone.

Mr Philip Hollobone (Kettering) (Con): People in Kettering appreciate plain speaking. Can the Health Secretary tell the House what the NHS budget was in 2014-15, what it will be in 2020-21 and what the difference is between the two numbers?

Mr Hunt: I want to get the exact figures in order to live up to my hon. Friend's reputation for plain speaking, which is second to none. The NHS budget in 2014-15 will be £98.1 billion and in 2021 it will go up to £119.9 billion. In real terms, that is a £10 billion increase.

Norman Lamb (North Norfolk) (LD): Is there not an urgent need to be straight with the British public about the resources we will need to maintain both the NHS and the care system, and to confront the fact that we will all have to pay a bit more to ensure that our loved ones get care when they need it?

Mr Hunt: When the right hon. Gentleman and I worked in government, we both campaigned hard on many occasions for more funding for the NHS, including mental health—a particular priority for both of us. The answer to his question is yes, and that is why we are putting in more money in this Parliament. My own view is that in future Parliaments we will need to continue to increase the amount of funding going in to the NHS. The only point I would make is that what funds the NHS is a strong economy, so we have to make sure that increases in NHS funding are sustainable and compatible with a strong economy. That is something that this Conservative Government have a very good track record of delivering.

Mrs Cheryl Gillan (Chesham and Amersham) (Con): The plans to achieve savings from community pharmacies are causing a great deal of concern in my constituency. The patients group at the John Hampden surgery and

residents in and around Prestwood believe that the plans may result in the closure of our excellent rural pharmacy in Prestwood. What reassurances can the Secretary of State give to my constituents today that no pharmacies will close that are more than a mile from any other pharmacy? Will he make sure that he takes into account the implications for GPs' workloads when looking at pharmacies?

Mr Hunt: First, the people of Prestwood are lucky to have such an assiduous MP to campaign for their interests in Parliament today; indeed, my right hon. Friend always does so. I can give her that reassurance, because in the package of efficiencies we set out—it is right that we ask pharmacies to make efficiencies in the way they are run, just as we are asking the rest of the NHS to make efficiencies in the way it is run—we are protecting all pharmacies that are a mile or more from any other pharmacy. In that sense, we are absolutely determined to protect provision for her constituents and all our constituents who depend on rural pharmacies.

Tracy Brabin (Batley and Spen) (Lab): If the Government had stood by their word and invested the promised £10 billion in the NHS, does the Secretary of State agree that the downgrade of Dewsbury A&E might not have been necessary?

Mr Hunt: First, may I welcome the hon. Lady to her place in this House? I am sure that she will make an extremely important contribution. Yes, she is filling very big boots, but, if I may say so, she has made a very good start.

On what happens with A&E departments, changes in the pattern of the services we provide have been a feature, both when the hon. Lady's party has been in power and when my party has been in power, because the needs of the people who use the NHS also change. We therefore need to strike the right balance between reassuring people that services are provided near where they live, while ensuring that they receive the right care when they get there. For strokes, that does not always mean going to the nearest hospital, but somewhere with 24/7 stroke care and the greatest chance of saving the patient's life. If the hon. Lady has concerns about Dewsbury hospital, I am very happy to talk to her further.

Michael Gove (Surrey Heath) (Con): At a time when every Department, with the exception of the Department for International Development, has to reduce public expenditure, it seems a remarkable feat of political skill to have secured an increase for the NHS bigger than either the Home Office budget or that of the Ministry of Justice. Will the Secretary of State tell me whether there are parts of the United Kingdom where health expenditure is not rising as fast as in England? If there are, which political parties are in charge there?

Mr Hunt: I thank my right hon. Friend, whose passion and commitment to higher standards for the constituents he serves have inspired me in this job, just as I know they have inspired many others in the education field. There are indeed parts of the United Kingdom that allow us to make a very good comparison of the commitment to and funding of the NHS. In Wales, funding went down in the first four years of the previous Parliament. In Scotland, funding went down over the

[Mr Jeremy Hunt]

course of that Parliament. Both the Scottish National party and the Labour party like to talk about the NHS, but when it comes to writing the cheques, they are nowhere to be seen.

John Cryer (Leyton and Wanstead) (Lab): Can the Secretary of State guarantee that every A&E department in north-east London, with a rapidly rising population, will remain open for the rest of this Parliament? If he cannot guarantee that, how many will close and which ones? What is his hit list?

Mr Hunt: What I can guarantee is that the decisions about the future of A&E departments will be taken locally by clinicians who have the best interests of their patients at heart. I think that the hon. Gentleman and I would be able to agree that these decisions are not best taken by Secretaries of State. It is much better that they are taken by people who do not have any party political axe to grind. Any decision to change service provision at an A&E has the opportunity, if it is so wished, to be reviewed by the Secretary of State when it goes through an independent process. That is exactly what would happen in north-east London, were the local community to wish it.

Andrew Stephenson (Pendle) (Con): Under the previous Labour Government, Burnley general hospital lost its A&E department and a number of key services. Under the coalition Government, a new £9 million urgent care centre opened and just last week the trust submitted plans for a £15 million development of the hospital. Does that not perfectly demonstrate the unprecedented investment in the NHS since Labour left government?

Mr Hunt: It absolutely does. I much enjoyed visiting with my hon. Friend some health facilities in his constituency during the general election campaign. The difference between Conservative Members and Labour Members is that we recognise that every penny of the NHS budget has to come from a strong economy. We know that if we take that for granted, we end up having to cut the NHS budget, which is what has happened in Spain, Italy, Greece, Portugal and many other countries that have lost control of their national finances. That is something that Labour Members would do well to remember.

Mr Ben Bradshaw (Exeter) (Lab): The Government have been well and truly found out on this issue. Rather than quote selectively from Simon Stevens, the head of the NHS, will the Secretary of State confirm that among the conditions that Mr Stevens put down to the Government as part of the five-year review was an increase in public health spending, not a 20% cut, and a policy of maintaining spending on social care? Will he also confirm—he was there in Simon Stevens' presence before the Select Committee—that Mr Stevens made it quite clear that those conditions and others had not been met?

Mr Hunt: Actually, what Mr Stevens said—I was there—was that social care and, indeed, public health provision needed to be maintained. We are increasing the social care budget by £3.5 billion over this Parliament. Although I accept that difficult cuts are being made to

the public health budget, we are doing other things that do not cost money to make sure that we continue to improve this country's excellent record on public health.

Anna Soubry (Broxtowe) (Con): We all want a well-funded NHS. I congratulate the Secretary of State on making sure that we now have record spending in England. Last night, the A&E department of the Queen's medical centre was tweeting that it effectively could not cope. We all of course congratulate and thank the hard-working staff in A&E, but the problem was demand. Does my right hon. Friend agree that the NHS can do much more to improve the way it signposts people? It was urging people to go to the urgent care centre, which does stitching and mends broken bones, all of which was news for many people in Greater Nottingham.

Mr Hunt: My right hon. Friend is absolutely right. That, of course, is why all parts of the NHS in England are embarking on the sustainability and transformation programme, which is designed to do precisely what my right hon. Friend says—to find smart ways to reduce demand. That will include, for example, better use of pharmacies, better use of GPs, more mental health provision—[*Interruption.*] Opposition Members are shouting, but why were they not prepared to put the money into the NHS to help us implement these plans? There would be no sustainability and transformation plans on the thin gruel that they promised for the NHS at the last election.

Rob Marris (Wolverhampton South West) (Lab): I was always against the private finance initiative. This Government have set up a £1.5 billion bail-out fund for PFI. I put it to the Secretary of State that that is to rewarding past profligacy and penalising frugal trusts such as the Royal Wolverhampton NHS Trust. When will the Secretary of State redress this imbalance, stop rewarding profligacy and reward frugality?

Mr Hunt: I am getting more and more impressed with the hon. Gentleman's questions. Last time, he accused me of being a Corbynista, and today he is criticising me for profligacy, when the general tone of most Members seems to be that we are being rather too parsimonious with the NHS. I completely agree with him that private finance initiatives were an utter disgrace, leaving the NHS with over £70 billion-worth of debt by 2010. Unfortunately, there does not seem to be a strong correlation between shiny new buildings and good care for patients, as can be seen in a number of Care Quality Commission reports. We are doing everything we can to unwind that very difficult problem.

Several hon. Members *rose*—

Mr Speaker: Order. We require pithiness personified. I think that calls for Sir Desmond Swayne.

Sir Desmond Swayne (New Forest West) (Con): How much more would the Secretary of State have had to spend per year by 2021 if the Chancellor had taken the Labour party's advice?

Mr Hunt: If the Chancellor had taken the Labour party's advice, the NHS would have had £5.5 billion less to spend every single year. I just ask Members who are

worried about their A&E departments, worried about mental health and worried about GP provision on which of those services the axe would have had to fall if we had followed Labour's spending plans?

Luciana Berger (Liverpool, Wavertree) (Lab/Co-op): Since the 2010 general election, we have lost over 1,500 mental health beds, there are 5,000 fewer mental health nurses and over 400 fewer doctors working in mental health. The pledge that the Secretary of State made at that Dispatch Box on 9 December—that every clinical commissioning group would increase its spend on mental health—lies in tatters. When will this Government's rhetoric on equality for mental health be matched with adequate resources?

Mr Hunt: I will tell the hon. Lady when that rhetoric became reality. We now have the highest dementia diagnosis rates in the world, according to some estimates. We are treating three quarters of a million more people with talking therapies every year than we were in 2010. Every single day, we are treating 1,400 more mental health patients. By the end of this Parliament, because of our spending plans, we will be spending £1 billion more on mental health every single year, treating 1 million more people. I think that that is pretty good.

Andrew Selous (South West Bedfordshire) (Con): Is not one way to help the NHS to deal with its financial pressures by focusing on improving quality and using proper data? Professor Tim Briggs's report, "Getting it Right First Time" is already improving patient outcomes and saving the NHS money.

Mr Hunt: I thank my hon. Friend for bringing Professor Briggs to meet me. He is an extremely inspiring man. He has established that every time someone has an infection during an orthopaedic operation, it costs the NHS £100,000 to put it right, but that is happening 0.5% of the time in the case of some surgeons and 4% of the time in the case of others. Dealing with variation of that kind is a way not just to reduce costs, but to avoid enormous human heartache.

Kate Green (Stretford and Urmston) (Lab): NHS managers in Greater Manchester have made it clear that the pressures on the NHS are a function of pressures on the social care system and that costs are rising because of increases in the national living wage and the need to fund overnight cover. What is the Secretary of State doing to address those financial pressures on social care, given that the precept does no more than scratch the surface?

Mr Hunt: I agree that there are real pressures, although I should add that many Members were worried about some of the poor working conditions of people in the social care system and that 900,000 people on low pay in the system will benefit from the introduction of the national living wage. However, I agree that leaving people parked in hospitals when they should be being looked after in the community is financial nonsense. What is happening in Greater Manchester is one of the most impressive examples of health and social care integration in the country, and that must be the long-term answer.

Tom Pursglove (Corby) (Con): I am very proud of the Government's funding record, but does my right hon. Friend agree that it is also crucial to make the right strategic decisions? For example, it was a Conservative-led Government with a Conservative Health Secretary who delivered the urgent care centre in Corby, which has transformed health opportunities in our area and taken pressure off our A&E.

Mr Hunt: My hon. Friend is absolutely right. Although I was not personally responsible for the decision in Corby, I am very happy to take credit for it.

Karin Smyth (Bristol South) (Lab): Representatives of the Department of Health and NHS England have appeared before the Public Accounts Committee eight times so far this year. We have taken a detailed look at the Department's accounts, following the Comptroller and Auditor General's unprecedented explanatory note, and I am glad that the Health Committee has said that it will examine the issue further.

The Secretary of State said that prevention was better than cure. The "General Practice Forward View" refers to a £2.4 billion increase in investment by 2020. Can the Secretary of State assure us that that crucial investment in primary care will be protected and not used to plug hospital deficits?

Mr Hunt: It is a vitally important investment. The first speech that I made as Health Secretary after the last election was made to GPs, and I said then that we wanted to deliver an extra 5,000 doctors working in general practice. It is vital that we eliminate hospital deficits, but we are making good progress in doing so.

John Howell (Henley) (Con): Does my right hon. Friend agree that, when it comes to funding the forward view, the treatment of patients in their homes is not principally about cost-cutting but is part of a radical change in health provision for the future on which clinicians agree?

Mr Hunt: Absolutely. The simple principle for those of us who are not doctors is that it is much cheaper to nip illnesses in the bud than to wait until they progress. Treating someone at stage 1 or 2 of cancer is not only cheaper for the NHS, but much more likely to lead to a full cure. That is the whole foundation of the strategic change that we are making in the NHS.

Ms Angela Eagle (Wallasey) (Lab): My constituents who are watching these exchanges will think that the Secretary of State is living in a parallel universe. The sustainability and transformation programme in Merseyside is reputed to be tackling a £1 billion deficit. The way in which it has decided to tackle it in Wirral, in my area, is to draw up plans to close Clatterbridge, our cancer hospital, to close Arrowe Park, our acute hospital, to close the Countess of Chester hospital, and to create some new hospital in Ellesmere Port at some time in the future. No one believes the blather from this Secretary of State.

Mr Hunt: I do not recognise the plans the hon. Lady is talking about, but I say to her that we do need to change our service provision; we are dealing with many more older people, and her constituents need better

[Mr Jeremy Hunt]

care at home and in the community than they are currently getting. Any big changes will be subject to a proper consultation, and would indeed go before the Independent Reconfiguration Panel and if necessary end up on my desk. I also say to the hon. Lady that setting her face against all changes may be—

Ms Eagle: I didn't say that.

Mr Hunt: Well, that was the tone of the hon. Lady's question, and setting her face against all changes may not be the right thing for her constituents.

Richard Drax (South Dorset) (Con): Does my right hon. Friend agree that patients get better in a cosy environment in community hospitals, and can he give me an assurance that he will love and maintain them for as long as he is in post?

Mr Hunt: I am sure that no one could do a better job of loving and maintaining community hospitals than my hon. Friend. Community hospitals have an important role to play. I have three excellent ones in my constituency. At best, they represent the change we need to see in the NHS, which is personalised care closer to home, but that does also mean that they sometimes need to change the way they deliver services within a building even if the NHS logo remains firmly on the outside of that building.

Emma Reynolds (Wolverhampton North East) (Lab): I was proud to sign the cross-party letter to the Chancellor on NHS funding, in which we quote the Care Quality Commission saying that

“adult social care...is approaching a tipping point”

and that is having an impact on those who rely on it and on “the performance” of the NHS. Does the Secretary of State recognise that this Government's cutting social care funding by over a third was a false economy, that there will still be a gap in social care funding even if all councils took up the precept and that, for as long as we have that, we will have hospital deficits and delays?

Mr Hunt: I do recognise the pressures in the social care system, but, in an era of very constrained national finances, funding for the social care system is going up by £3.5 billion a year by the end of this Parliament, which is a significant and important rise. I say to the hon. Lady that it is this Government who have set the CQC free to tell us the honest truth about the quality of care in our hospitals, GP surgeries and social care system, and it is because of that that we are able to have the kinds of questions and answers we are having today.

Helen Whately (Faversham and Mid Kent) (Con): This Government have shown their commitment to the NHS, promising and delivering increases in funding, unlike the Opposition parties. My right hon. Friend recognises the connections between health and social care and is driving the integration of those two areas. May I urge him to continue looking at both the funding and performance of health and social care in the round?

Mr Hunt: I congratulate my hon. Friend on her excellent question. I absolutely agree with her, as someone

who worked in healthcare before she came to this House, that it is vital to nurture the links between the health and social care systems if we are to deal with some of the issues that concern Members on both sides of the House. There are some very good examples of where this is working well, but it is not happening in as many places as it needs to, and we all must focus on that.

Daniel Zeichner (Cambridge) (Lab): The Secretary of State was in Cambridge on Friday. Did he have an opportunity to notice that at Addenbrooke's, the hospital that serves Cambridge, the number of over-85s coming into A&E has risen by almost 12% year on year, and on Friday there were 100 over-85s in that hospital who should have been out in the community? Does he agree that that is proof perfect of the failure of this Government's policies on social care, which are the root cause of the problems in our NHS?

Mr Hunt: The hon. Gentleman is looking at the record of this Government: we have 1,200 more doctors in our A&E departments, who are treating within four hours 2,500 more people every single day. We are also putting more money into the NHS and into the social care system. Addenbrooke's is a hospital under great pressure, but it is determined to do its best for patients, and I salute all the staff, whom I much enjoyed meeting there on Friday. The one thing they would not want is the NHS budget to be cut from current levels.

Robert Jenrick (Newark) (Con): The Secretary of State knows that over 50% of the deficit at my local trust, Sherwood Forest Hospitals NHS Foundation Trust, and 25% of all its annual revenue goes on paying off its PFI premium. Will the Secretary of State take this opportunity to look again at my trust and others? Will he also remind the House which party left that toxic legacy for my constituents?

Mr Hunt: I am happy to remind the House, as my hon. Friend requests, that we inherited this situation from the Labour party in 2010. Despite that toxic legacy, the people working in the Sherwood Forest hospitals have done an incredible job of turning the trust around since it was put into special measures a few years ago. I commend them on their progress, which I hope will bear fruit and allow the trust to come out of special measures soon.

Mr Speaker: I would like to conclude these exchanges by 4.30 pm because there is other pressing business. If people take a long time, they are preventing their colleagues from contributing. I am sorry, but it is as simple as that.

Derek Twigg (Halton) (Lab): Does the Secretary of State believe that there is a need for additional funding for adult social care over and above that which has been already allocated?

Mr Hunt: We are putting extra money into adult social care, and local authorities have the ability to increase their funding to adult social care through the new precept. In an ideal world, everyone would like more money to go into the NHS and social care system, but Government Members know that those systems are

powered by a strong economy and that we can increase our budget only at a rate that the economy can afford. The past six years show that if we take care of the economy, we can increase the NHS and social care budget, and that is what we are doing.

Michael Fabricant (Lichfield) (Con): Is it not the case that there will never be enough money to go into the NHS? Does the Secretary of State, like me, find the sanctimonious finger-wagging from the Opposition Front-Bench team utterly nauseating given that Carwyn Jones in Wales said that the Labour Government there would make an 8% cut to the NHS in Wales? That is the legacy of Labour.

Mr Hunt: That is absolutely the point. In Wales, people wait twice as long to have a hip replaced and the figure on A&E is about 10% lower than in England. The consequences for patients in Wales are horrific. That is why everyone watching today's exchanges will take them with a big pinch of salt.

Tom Blenkinsop (Middlesbrough South and East Cleveland) (Lab): The Health Committee has been quite clear that of the actual £4.5 billion being spent by the Government on increased funds—not the £8 billion or the £10 billion mentioned by the Secretary of State—£3.5 billion comes from cuts to public health and to education and training. The Secretary of State can come to the Dispatch Box and twist it all he likes, but he has been found out. Every health sector worker in this country has his number and knows him to a tee—we know exactly what he is doing.

Mr Hunt: I just do not agree with the hon. Gentleman. I stand by the numbers. I am afraid that, on this occasion, the Health Committee got its numbers wrong. The figure of £10 billion did not come from the Government; it was a figure that the NHS said that it needed. In fact, it needed less than £10 billion and we are delivering more than was asked for—something that the Labour party was not prepared to do.

Matt Warman (Boston and Skegness) (Con): The Secretary of State has taken an interest in the rurality and sparsity that hospitals in Lincolnshire wrestle with. Will he confirm that it is because this Government are spending half a trillion pounds on the NHS over the course of this Parliament that workers and patients at Pilgrim hospital, for example, can be confident about the hospital's future?

Mr Hunt: All NHS facilities in my hon. Friend's constituency and across the country can be confident that the NHS has a bright future. In fact, if we are to deliver the NHS plan, more rural and remote places are precisely where we must pay most attention to keeping people healthy and well in their homes. That is why not only community hospitals, but GP surgeries and all the places upon which rural communities depend are a vital part of the NHS's future.

Tristram Hunt (Stoke-on-Trent Central) (Lab): I wrote to the Secretary of State over the summer because trollies were bumper to bumper in the corridors of Royal Stoke University hospital. This was not mid-winter but high summer. Since then, there have been more

hospital bed closures in cottage hospitals, so I repeat my invitation and ask the Secretary of State to come to Stoke-on-Trent and see for himself the crisis in the funding settlement, which is hitting some of those with the most chronic health conditions.

Mr Hunt: I am happy to visit the hon. Gentleman's local hospital, as I have been concerned about it for some time. I know that things have been particularly challenging there in the wake of what happened in neighbouring Mid Staffs, which has created its own pressures on the hospital. I also know that its staff work extremely hard in very challenging circumstances, so, yes, I will visit that hospital.

Edward Argar (Charnwood) (Con): Does my right hon. Friend agree that achieving improvements in public health comes down not simply to the amount of money spent by the Government on it, but to a range of factors, including how it is spent, regulation, education and individuals' choices?

Mr Hunt: I absolutely agree with that. This House should be very proud of the fact that, according to the UN, when it comes to public health this is the fifth healthiest country on the planet—after Iceland, Andorra, Singapore and Sweden, if my memory serves me correctly. That is a record we want to continue.

Mr Dennis Skinner (Bolsover) (Lab): A lot of figures have been bandied about today. For the record, when Labour inherited office in 1997 the amount spent on the NHS was £33 billion, whereas by the time we left office in 2010, 13 years later, the figure had gone up to £100 billion. It is an easy figure to calculate: three times more in real terms. We can contrast that with this Secretary of State for Health, who is coming here today fiddling figures and shutting Bolsover hospital.

Mr Hunt: I gently say to the hon. Gentleman that if he thinks his party was so right to increase funding during Labour's time in office—and I think it was right—he should support the Conservative party when it is increasing NHS funding by three times more than his party is promising.

Maggie Throup (Erewash) (Con): It is clear to me that the NHS cannot rely solely on the Government to achieve financial sustainability; nor should it be used by some as a political football. Does my right hon. Friend agree that there is a responsibility on all NHS stakeholders to work together to cut waste where it exists, and towards a long-term sustainable social care programme?

Mr Hunt: My hon. Friend is absolutely right about that, which is why we need to make difficult efficiency savings—around £22 billion during this Parliament. We made about £18 billion to £19 billion-worth of savings in the previous Parliament, so I think it is doable. It will not be easy, but she is right in what she says.

Wes Streeting (Ilford North) (Lab): If things are as rosy as the Secretary of State is making out, why is the London Borough of Redbridge, where I am an elected Member, suffering from public health cuts and, even while charging the social care precept, is still barely able to cover the costs of wage increases, let alone improve the

[*Wes Streeting*]

service? He should have been lobbying the Chief Secretary this afternoon, not painting this ridiculously unjustifiable rosy picture.

Mr Hunt: I do not think the hon. Gentleman was listening to my statement, which said clearly that the NHS is under unbelievable pressure. It does not really work for the Labour party to campaign for increases in the minimum wage, which we read about today, and then to criticise the increasing costs in the adult social care system caused by the national living wage that was introduced by this Government.

Jason McCartney (Colne Valley) (Con): Will the Secretary of State look at splitting the Calderdale and Huddersfield NHS Foundation Trust, so that the disastrous PFI deal at Halifax, where we will pay £700 million for a hospital that cost £64 million, will stop dictating the closure and downgrading of services at Huddersfield?

Mr Hunt: I salute my hon. Friend for the campaign he is leading at the moment, standing up for his constituents. He is right to point to PFI as one of the principal causes, and we now have to find a way to deal with that issue in a way that improves and does not detract from the quality of care offered to the people he represents.

Andy Slaughter (Hammersmith) (Lab): According to Sir Richard Sykes, the chair of Imperial College Healthcare NHS Trust, “the problem is funding”, we are “killing” NHS staff by making them work 18 hours a day, and it is not in a position to close any more accident and emergency facilities in north-west London because there is not the capacity to do so. How is the NHS in north-west London supposed to save £1.3 billion over the next four years, as its sustainability and transformation plan proposes?

Mr Hunt: The best way it could do that is by ignoring all the leaflets that the hon. Gentleman puts out, totally misleading his own constituents about the plans the NHS has.

Andy Slaughter: Give a serious answer to a serious question—you’re a buffoon! [HON. MEMBERS: “Ooh!”]

Mr Speaker: Order. I did not hear the offending term, but if it has been reported to me accurately, and the Clerks are invariably accurate in these matters, it seems to me to be a matter of taste, rather than of order.

Mrs Anne Main (St Albans) (Con): It is regrettable that the Chair of the Select Committee, my hon. Friend the Member for Totnes (Dr Wollaston), has led this attack on a Government who are doing so much. Will my right hon. Friend tell me what more is being done to recoup the money that should have been clawed back from those who had health insurance and who should not have used our system?

Mr Hunt: My hon. Friend is right to point out that problem. For years, under the previous Government, there was a total resistance anywhere in the NHS to ensuring that the only people who received care free at the point of use were people paying for the NHS

through the taxes that they or their families pay. That is something to which we will put a stop. There is much more work to be done. We have the second biggest aid budget in the world. That is the way that we help developing countries, but we cannot have an international health service.

Lilian Greenwood (Nottingham South) (Lab): NHS trusts’ deficits are now the worst that they have ever been, with 85% of acute hospitals unable to balance their books. That situation will be made even worse as the falling value of the pound raises the cost of imported medicines and equipment. What assessment has the Secretary of State made of the extra funding needed to protect the NHS from the devaluation of sterling following the Brexit vote? What will he do to support trusts, such as Nottingham University Hospitals NHS Trust, which are already in deficit?

Mr Hunt: There are indeed a number of cost pressures in the NHS, but the NHS also has the advantage of being the single largest purchaser of healthcare products—equipment and medicine—in the world, and therefore we have huge scope to get better prices for those things than we currently get. We are supporting hospitals such as the one in the hon. Lady’s constituency by centralising procurement and bearing down on the cost of agency staff and locum staff. Given that pay accounts for more than 70% of the typical hospital trust, that will help.

Chris Davies (Brecon and Radnorshire) (Con): Labour in my home area of Wales has cut the NHS by 8%. Can my right hon. Friend confirm to this House that he will never follow its example?

Mr Hunt: It is not just the money that Labour has cut. It has refused to set up an independent inspectorate of hospitals such as we did in England, which is the sure way of knowing that we never have a repeat of what happened at Mid Staffs. I urge the Welsh Government to think again about their approach to that.

Jenny Chapman (Darlington) (Lab): Darlington’s A&E is among the one in three earmarked for closure or downgrading. In his opening response to what is an urgent question, not a statement, the Secretary of State said that he did not accept that figure of one in three. How many A&Es will be downgraded, or does he not know?

Mr Hunt: Those plans come up from local areas. The NHS is not projecting that we will have significant reductions in the need for emergency care over the next few years. What matters is that we make sure that, yes, people can get to an A&E near them, but that when they get there, they get the right expert care, and that is what local areas are working on.

Clive Efford (Eltham) (Lab): In my constituency, a nurse-led practitioner service has been closed because of a lack of resources. Similarly, stroke rehab has been cut because of a lack of resources. Our A&Es are not meeting waiting times, and are now under threat because their orthopaedic services have been privatised and handed out to Circle, which may not contract back to their local healthcare trust, thereby undermining the

capacity to maintain those A&Es. Does the Secretary of State accept responsibility for any of that?

Mr Hunt: I accept responsibility for the fact that in the hon. Gentleman's part of the country, as in every part of the country, we have more doctors, more nurses and more operations than there were when his party left office.

Margaret Greenwood (Wirral West) (Lab): I am particularly concerned that the Government are cutting supply in public health to create demand for a private healthcare market, which means that, like the United States, we will have a two-tier system. I was very concerned by the vague response that the Secretary of State gave to my hon. Friend the Member for Wallasey (Ms Eagle). Will he guarantee this afternoon that there will be no closures of Arrowe Park hospital, Clatterbridge hospital or the Countess of Chester?

Mr Hunt: With respect to local service provision, these things are decided locally. If the hon. Lady wants to dig up the old chestnut about the privatisation of the NHS, let me say that the outsourcing of services to the private sector increased much faster under her Government than under this Government. If we did have those malign motives for the NHS, increasing its budget by £10 billion over the course of this Parliament and increasing doctor training by one of the biggest increases in its history would be a strange way of going about it.

Improving Lives: Work, Health and Disability Green Paper

4.29 pm

The Secretary of State for Work and Pensions (Damian Green): With permission, Mr Speaker, I would like to make a statement on the Green Paper being published today by my Department, together with the Department of Health.

This Government are determined to build a country that works for everyone. That means an economy that serves the interests of ordinary, working people; it means a society where everyone has an opportunity to go as far as their talents can take them, regardless of their background. As part of that, it means creating a country where a disability does not dictate the path that a person is able to take in life.

Under successive Governments, we have made good progress in improving the lives of disabled people. Laws have been changed, old attitudes have been challenged, and understanding has improved. More disabled people are in work—half a million more than just three years ago. That is encouraging, but we need to build on that progress and do more to help disabled people reach their full potential.

It is clear that for many disabled people, the barriers to entering work are still too high, and that people in work who get ill too often fall out of work, lose contact, lose confidence and do not return to work. The impact extends far beyond the individual. Families suffer, the health service faces extra strain, and employers lose valuable skills, but most of all, it is a human tragedy. Potential is left unfulfilled. Lives are lessened. Of course, the health and welfare systems must support those who will never be able to work. It should offer the opportunity of work to all those who can, provide help for those who could, and care for those who cannot. It is the help for those who could that, through this Green Paper, we will transform—first, within the welfare system.

In 2010, we inherited a broken system, where there were too few incentives to move from welfare to work, and one where too many of our fellow citizens were simply taken off the books and forgotten about. Since then, we have brought control and the right values back to the system. I want to recognise my predecessors, particularly my right hon. Friend the Member for Chingford and Woodford Green (Mr Duncan Smith) for his passion and conviction over the past six years, to make that a reality. Through reforms such as universal credit, we have ensured that work always pays, while ensuring a strong safety net for those who cannot work.

Spending on disabled people will be higher every year of this Parliament than it was in 2010, but we need to continue to review and reform the system based on what we know works. One of those areas is the level of personalised and tailored support that someone gets when they fall out of work. In the past 12 months, half of the people who attended a work capability assessment were deemed too ill to work, or even prepare for work, at that time. They then routinely receive no employment support at all. It is not surprising, then, that each month only 1% of people eligible for employment and support allowance after an assessment leave. For a benefit that was meant to help people back into work, the statistics show that it is not living up to that original

[*Damian Green*]

aim, so we will build on the success of universal credit and provide more personalised employment support by consulting on further reform of the work capability assessment.

We will also introduce a new personal support package for disabled people, providing better tailored support, including a new health and work conversation between someone on ESA and their work coach, focusing on what they can do, rather than on what they cannot do. We will recruit around 200 community partners into jobcentres, to bring in expertise from the voluntary sector, and we will give young people with limited capability for work the opportunity to get valuable work experience with employers. These are practical steps and support that the welfare system will provide for disabled people.

This Green Paper marks a new era in joint working between the welfare and health systems—between the Department for Work and Pensions and the Department of Health. Recognising that work and meaningful activity can promote good health, we will work with Health Education England, Public Health England and others to make the benefits of work an ingrained part of the training and health workforce approach. We will review statutory sick pay and GP fit notes to support workers back into their jobs faster and for longer. It is also about transforming the way services join up. We will be consulting on how best to do this, as well as boosting existing joint services—for example, we are more than doubling the number of employment advisers placed in talking therapies services. It is right that we focus on such services, as mental health conditions, together with musculoskeletal conditions, are behind many people falling out of work.

This is not a challenge for Government alone so, finally, I want to turn to the role of employers. Employers have so much potential power to bring about change, not just in their recruitment strategies, but in how they support their employees. We need all businesses—small or large; local, national or global—to use that power to deliver change. The fact is that, as well as being good for health, it makes good business sense; sick pay for workers who get ill costs business £9 billion a year.

Businesses are leaders in innovation and transformation. We need to harness that positive power of business to promote disability awareness, so we will create a “Disability Confident” business leaders group to increase employer engagement in looking after the health and wellbeing of their employees, and opening up opportunities to them. Now is the moment for every business to take a proper look at the relationship between work and health, and what that means for their business and productivity.

Over the coming months, we will be talking to disabled people and those who have health conditions. We will be talking to carers, families, professionals and a range of organisations that are so important to getting this right and, like us, want further change. Together, through this Green Paper, and building on our work since 2010, we intend to deliver just that—to improve the way the welfare system responds to real people with health conditions; to see employers stepping up and play their part; to see work as a health outcome; and to see a culture of high ambition and high expectations for the disabled people of this country, because they deserve it.

4.36 pm

Debbie Abrahams (Oldham East and Saddleworth) (Lab): I thank the Secretary of State for his statement and advance notice of it. This is again kicking into the long grass the issue of support for disabled people and halving the disability employment gap. He is the third Secretary of State who has promised a plan, yet we have just talk, no action.

During his announcement today, the Secretary of State claimed he was confronting negative “attitudes, prejudices and misunderstandings”. The audacity of the statement is offensive. The Government have been more responsible than anyone for the negative attitude towards disabled people, with their shirkers grand narrative. Only this morning, the Secretary of State himself described disabled people as “sitting at home living on benefits”.

The consultation itself demonstrates that the Government fail to understand the reality of many disabled people’s lives and the real anxiety those people feel about the coded messages in the consultation, yet further cuts are on the way.

I must challenge the Secretary of State for suggesting that the so-called reforms to social security have helped to make work pay. These claims are derisory. All the evidence shows not only that the introduction of universal credit has been an unmitigated disaster—with seven delays to date, the Major Projects Authority and the National Audit Office expressing concerns regarding the scheme’s governance, and the additional £3 billion the taxpayer is having to pay—but that cuts to work allowances signally fail to make UC help to make work pay. The Resolution Foundation has shown that, on average, 2.5 million working families will be over £2,000 a year worse off, so will the Secretary of State commit to reversing cuts to work allowances and universal credit?

On the Green Paper, if the Secretary of State is committed to helping disabled people into work, why has he cut employment support for disabled people from £700 million to £130 million? Will he commit to providing Access to Work support to more than the 36,500 disabled people who received it last year? Given that 1.3 million disabled people are fit and able to work, that is obviously a tiny proportion.

The Secretary of State referred to a review of statutory sick pay. Can he confirm that it is not a vehicle for further cuts to sick pay? Will he commit to maintaining levels of statutory sick pay, both now and in the future? On the plans to broaden the number of professionals who can provide a fit note—notes currently can be provided only by a general practitioner—will these people be appropriately trained clinicians? Given the Government’s use of so-called healthcare professionals under the work capability assessment, we know that weakening the role of the medical profession in assessment processes is an underhand tactic to force people into work before they are ready.

On changes to the WCA itself, why will the Secretary of State not commit to scrapping this discredited process completely, as I have? As it stands, this dehumanising system does great harm and is nothing more than a vehicle for getting people off flow. Will the Secretary of State explain why only employment and support allowance is included in the statement? What are his intentions for

the personal independence payment? How much funding is meant to underpin the health and work programme? Will he commit to reversing the cuts in support for the ESA work-related activity group, as those cuts will do untold harm? Does he accept his own data showing that people on ESA are more likely to die than the population at large, and that some sick and disabled people will never be able to work? As a civilised society, we must ensure that these people are adequately supported and not plunged into poverty, left destitute, or worse.

Damian Green: I am disappointed by the hon. Lady's tone because she seems to be completely out of touch with those who represent disabled people. Let me read her the words of the chief executive of Scope, Mark Atkinson, who said today:

"Disabled people are twice as likely as the general public to be unemployed. It is right that the Government has recognised this is an injustice that needs to be tackled. We welcome the Green Paper's

"publication, which recognises the need for real change and sets out some bold ideas for reform."

Dr Liam O'Toole of Arthritis Research UK said:

"Today's Green Paper offers a vital opportunity to better understand and then meet the needs of people with arthritis."

The Work Foundation said:

"We have consistently advocated that good work and the benefits it brings to individuals, employers and society at large should be recognised as a positive outcome from a health perspective."

I am afraid that her carping is out of touch with the sector comprising those who most represent disabled people.

Let me deal with some of the detail. The hon. Lady repeated her promise to scrap any kind of assessment system at all for people getting benefits. Let me quote one of my predecessors who, when the work capability assessment was introduced, said, "We want to have a system where virtually everyone who is getting benefits is doing something to prepare for a return to work. The benefits system is not there for people to stay on benefits but to help them get back to work." I completely agree with that. It was said by Labour Work and Pensions Secretary James Purnell in 2008 when introducing the WCA. I am afraid that, again, the hon. Lady is out of touch.

The hon. Lady said a lot about universal credit and described it as a failure. Let me give her the facts about universal credit. Under universal credit, people spend about 50% more time looking for work and move into work faster. For every 100 people who found work under the old jobseeker's allowance system, 113 universal credit claimants have moved into a job. They are more likely to be looking to increase their hours—86% on universal credit compared with 38% on jobseeker's allowance. They are more likely to be looking to increase their earnings—77% on universal credit compared with 51% on JSA. *[Interruption.]* I am afraid that despite all the shouting from a sedentary position, the hon. Lady is simply wrong about the effect of universal credit.

The hon. Lady asked me to make some commitments about Access to Work. Real-terms increases in funding under Access to Work will support an additional 25,000 people each year by 2021. Last year, more than 36,000 people were helped to take up or remain in employment, including 2,800 young people. Access to Work is doing very well for tens of thousands of people with disabilities.

The hon. Lady would also, I hope, welcome our personal support package, which includes the recruitment of about 200 community partners into Jobcentre Plus to bring in expertise from the voluntary sector. One of the key things about this Green Paper is that we will work closely with the voluntary sector and use its expertise to help people with a disability.

The hon. Lady talks about forcing people into work. I hope that underneath some of her rhetoric she recognises the fact—this is now recognised increasingly by medical practitioners and clinicians—that a good job is good for people's health. Talking about forcing people into work demonstrates the wrong, old-fashioned mindset, and I genuinely hope she has moved on from that.

The hon. Lady asked about statutory sick pay. I assure her that there is nothing in this Green Paper about cutting statutory sick pay. We want to make it easier for people to move back into work, perhaps gradually, meaning that they take a few hours' work in the early days and months of their getting back into work. The purpose of the useful changes to the fit note, which is given by a properly qualified medical practitioner, is so that the process does not simply write someone off work, but guides them into a system that will help them to get back to work, because in the long run that is the best way to improve their lives, which is what the Green Paper is about.

Mr Iain Duncan Smith (Chingford and Woodford Green) (Con): May I unreservedly welcome my right hon. Friend's statement, which builds on and elaborates previous work? I hope, however, that he will consider two issues during the Green Paper consultation. One of the greatest difficulties with the employment and support allowance is the binary choice that lies at the heart of its design, whereby it is deemed either that someone is too sick to work, or that they should work. We know that conditions can vary in many cases. Given that universal credit is now being rolled out, with this system forming part of that, would it be feasible to move away from that binary choice so that someone who moves into work can have that extra allowance before it tapers away? Given that universal credit is critical to this, will he look again at work allowances, particularly for those with limited capability for work, because they need to be increased to their original levels?

Damian Green: I am grateful to my right hon. Friend for his support. He is right about the binary choice that has obtained up to now under ESA and the fact that under the universal credit system, which he introduced, we have the capacity in the welfare system to make our approach much more flexible. That is precisely what the changes to the work capability assessment are designed to achieve—so that people are not simply put in one group or another and then left there. The much more personalised approach will mean that everyone should benefit from the assessment. We will be able to separate out the level of benefit that people should get from the level of support that they need to make the best of their lives. On the question of reversing previous changes in allowances, we have no plans to do so.

Dr Eilidh Whiteford (Banff and Buchan) (SNP): May I thank the Secretary of State for advance sight of his statement? I am glad that, at last, this long-awaited Green Paper will be published. I broadly welcome the

[*Dr Eilidh Whiteford*]

Government's commitment to reform, to more personalised support, and to consulting widely with disabled people, carers and those who represent them.

We will work constructively with all parties to deliver real progress for disabled people, but we need actions, not just words. The truth is that the burden of austerity that has fallen on sick and disabled people in recent years has caused severe hardship and pushed many people further away from the workplace. Sick and disabled people have been disproportionately sanctioned in the benefits system and disproportionately hit by the bedroom tax. The raising of the bar on personal independence payments has resulted in thousands of sick and disabled people losing their Motability vehicles, which in many cases are their only means of getting to and from work. From next April, sick and disabled people with long-term conditions will be deterred from going back to work, because if they do, but then have a relapse and need to go back on ESA, they will find their income cut by £30 a week. Far too many people who are manifestly too sick to work are still being found fit for work.

Earlier this year, the Government cut the budget for their Work programme from £2 billion to £130 million. Given its performance, I understand why they did that, but we know from more successful schemes to support disabled people into work such as Access to Work, and from voluntary sector initiatives such as the Moving On programme of Action on Hearing Loss, that tailored, personalised support does not come cheap. What additional budget does the Secretary of State envisage will be attached to the Government's proposals? What discussions has he had with the Treasury ahead of the autumn statement, and will there be Barnett consequential for Scotland?

I also want to ask the Secretary of State about support for employers. To date, efforts have focused on improving employers' confidence, which is fine as far as it goes, but that can be fairly nebulous if there are no practical resources to back it up. Employers need concrete support to make this work. Will resources be attached to the rhetoric this time around? Finally, may I plead with the Secretary of State to hold off the impending cuts to the ESA WRAG until such time as the Government have got this right?

Damian Green: I am grateful to the hon. Lady for her general welcome for the appearance of the Green Paper and her commitment to work constructively on it. Indeed, my hon. Friend the Minister for Disabled People, Health and Work was in Scotland last week discussing with counterparts what needs to be done. As the hon. Lady might know, I will be there later this week to talk to the Social Security Committee.

The hon. Lady makes a point about resources, and I am able to tell her that there will be additional support for new claimants with limited capability for work. That will be £60 million next year, with the figure rising to £100 million a year by 2020. There will be new money for the third sector—something like £15 million by Christmas this year.

The hon. Lady made a very good point about employers. I agree that we need more than rhetoric, which is why we will be rolling out a small employer offer to support the creation of more job opportunities for disabled people. It will provide support for employers and enable them

to apply for a payment of £500 after three months' employment so that they can provide ongoing support. That kind of practical help, particularly for small businesses, will transform the situation for many people. We know that small businesses are the biggest creators of jobs in this country. We absolutely want them to use the great talent pool of people with disabilities, whose levels of employment are much less than those of people without disabilities.

Several hon. Members *rose*—

Mr Speaker: Order. Given extensive interest and the pressure on time, I am looking for single, short supplementary questions without preamble, and, of course, for pithy replies from the Secretary of State.

Stephen Crabb (Preseli Pembrokeshire) (Con): My right hon. Friend is exactly right to take on this challenge. Does he agree that one of the keys to success in ending the enormous waste of human potential is, for the very first time, to get health services and his Department working together effectively at a community level to ensure that people on long-term sickness benefits get meaningful employment support and effective health intervention? At the moment, the system too often provides neither.

Damian Green: I completely agree with my right hon. Friend, who did good work on the subject during his time in this job. He will see from the Green Paper that we will be carrying out large-scale consultations on precisely the issue that he raises. In specific areas, it is important that we get right the way in which the health system and the welfare system work together. The situation might well be different in various parts of the country, so we will be holding geographically based large-scale trials.

Maria Eagle (Garston and Halewood) (Lab): As a former Minister for disabled people, I welcome the Secretary of State's intention as stated in the Green Paper. Does he agree that the extra-costs benefits are tremendously important in helping people to work? Under PIP, hundreds of people a week are losing their access to Motability cars. Does he realise how important it is for those people to have their car to get to work, and what is he going to do to stop people losing their right to mobility?

Damian Green: Of course, PIP is not a work-related benefit, as the hon. Lady knows. It is a benefit that is designed to meet the extra costs of those who have a disability, and it is sensible that people go through the appropriate assessment for it. As I have said, I completely agree that it is important to ensure that people have access to work, and that is why we are so keen on the Access to Work programme. There will be different ways for people to access work. As I have explained, the real-terms funding for the programme will increase through to 2021. I agree with her that this is an important issue, and we are doing something about it.

Nigel Mills (Amber Valley) (Con): Will the revised system ensure that if somebody is found fit for work on the basis of receiving a particular level of support, the need for that support will be passed on through the system and that support will be made available?

Damian Green: Yes, that is exactly at the heart of what we are trying to do, because there have been too many gaps in the system. Health Ministers and I agree that we must get the systems working together much better so that individuals find the journey much more seamless than they ever have.

Helen Goodman (Bishop Auckland) (Lab): Could the Secretary of State consider more carefully the role of GPs? With the work capability assessment, untrained people are sometimes overriding the advice of GPs. We do not want to see that with ESA regarding fit notes.

Damian Green: The hon. Lady makes a reasonable point. GPs will play a significant role in the system, and we want the role they play to be as constructive as possible. We have looked at ways of changing the system so that GPs can be involved earlier. The reason for the consultation on the changes to the fit note is precisely to find a way of making the fit note help the person concerned back into work without adding to the burden on GPs. We want everyone involved in the system to feel they are playing a part in helping someone to get back into work.

Mrs Cheryl Gillan (Chesham and Amersham) (Con): I too extend a warm welcome to the Green Paper. Within the next hour, we will launch, with the National Autistic Society, a report entitled “The autism employment gap”, which shows that only 16% of people on the autism spectrum are in full-time employment. That gap is bigger than the disability employment gap. I welcome the personalised support to which my right hon. Friend has referred. Will he say more about how he will tailor it to meet the individual needs of autistic people in particular?

Damian Green: I am grateful to my right hon. Friend for her kind remarks. I congratulate her on all the work she has done over many years in Parliament for those on the autism spectrum. I am pleased to tell her that we will have 1,100 specialists in autism services in Jobcentre Plus premises. She is quite right that we should never assume that disabled people are in any way homogenous: people have different needs and different requirements. She will know better than anyone that the needs of those on the autism spectrum are specific, and that they therefore need to be dealt with in a personal and specific way.

Mr David Winnick (Walsall North) (Lab): On the disabled, may I tell the Secretary of State that at my surgery on Saturday I saw a man—he will be 59 in two weeks’ time, and walks with tremendous difficulty on two crutches—who has had his employment and support allowance removed and who, during the time I was speaking to him, broke down in great distress? What sort of situation are we in when a law-abiding person of his age and suffering from disablement goes to his Member of Parliament in such a state of distress that he starts crying? I consider that a shameful situation. The Secretary of State should be aware that it is just one of many, many cases throughout the country. I will certainly write to his Department. With what result, we shall see.

Damian Green: Obviously, if the hon. Gentleman wants to write to us about his constituent he should please do so, because we do not want any wrong decisions to be taken. I will happily look at the individual case,

although he will recognise that I cannot possibly comment on it at the moment. The one point on which I would take issue with him is when he says that this is the tip of an iceberg. Actually, the number of successful appeals against ESA judgments has fallen very significantly, from 14% to 5% in recent months, so the figures suggest that the system is getting better at making such judgments.

John Howell (Henley) (Con): Those with mental health conditions often require specialist support. What will the Green Paper do for people who suffer from mental health conditions?

Damian Green: It is particularly those with mental health conditions who will be helped by the Green Paper, with the more tailored and personalised support. Very often, people with mental health conditions have conditions that come and go, so they may work full time some of the time, part time some of the time and not at all at other times. The changes to benefits—particularly, perhaps, those to statutory sick pay—will make it much easier for such people to stay in touch with work, perhaps working part time for a period. All the evidence suggests that people with mental health conditions are disadvantaged if they are completely detached from the world of work, because their depression may get worse.

Kate Green (Stretford and Urmston) (Lab): I really welcome the Green Paper’s suggestion about the personal support package. It should be a significant improvement on the disastrous Work programme, which was a total failure for disabled people. Will the Secretary of State confirm that providers of such support will be adequately rewarded and incentivised to provide good enough support, because that was the difficulty with the Work programme?

Damian Green: Yes. I am grateful to the hon. Lady for her supportive words. I hope she will see the personal support package make a difference. I have already mentioned the 200 community partners that will come in, so we will engage the third sector very actively in this process. We will also extend the journey to employment job clubs to 71 Jobcentre Plus areas—those with the highest number of people receiving ESA—so we are trying new ideas in the areas where we think they will particularly make a difference.

Amanda Solloway (Derby North) (Con): Does my right hon. Friend agree that in order to utilise the talent and enrich the lives of those with disabilities and ongoing health issues, including mental health issues, we need to make further improvements to reduce bureaucracy and personalise employment support for individual needs?

Damian Green: I do. On a day-to-day basis in our constituency work we will all have seen people who are frustrated by the bureaucracy. When my hon. Friend and other Members read the Green Paper they will see an emphasis on making the systems more human and more personal, so that people do not feel that they are being ground down by a very difficult bureaucracy. Bureaucracy always takes a long time to change, but we absolutely want to change it.

Stephen Timms (East Ham) (Lab): It is true that the Work programme has been hopeless for people claiming employment and support allowance, with a pitifully

[Stephen Timms]

small number of people getting into jobs, as the Secretary of State acknowledged in his statement. By how much does he expect the proposals to increase the proportion of ESA claimants getting into work, and how long will it take to halve the disability employment gap?

Damian Green: It would be premature of me to try to set targets on either of those. The sensible thing is to take practical steps. For example, we are more than doubling the number of disability employment advisers to help with specialist and local expertise for disabled people. Along with everything else I have announced, that will be a significant step forward in halving the disability employment gap. Of course, doing so depends on both ends of it, as the halving of the gap will depend on what the total employment level is, and we are in good shape on that, as 80% of working-age people who do not have a disability are in work. But as the right hon. Gentleman knows, only 48% of those with a disability are in work. I want to make steady progress towards halving the gap, but it may take some time.

Andrew Selous (South West Bedfordshire) (Con): What discussions has the Secretary of State had with business to help people who can only work flexibly and at variable times but do not want to let their employers down?

Damian Green: Very many—I have spoken to a number of private sector employers who are leading the way in providing the equipment needed. But what happens in the public sector is to some extent more under the Government's control, so I hope that by the end of this year every Whitehall Department will be signed up as a Disability Confident employer and that in the course of 2017 the rest of the public sector will have followed. The public sector is a very large-scale employer so that will be very helpful.

Mr Kevan Jones (North Durham) (Lab): I broadly welcome the thrust of the Green Paper, but I suggest that there are two things the Secretary of State could do for people with mental health conditions now. One is to ensure that assessors undertaking work capability tests are properly qualified. Secondly, can we stop the small number of people with long-term, enduring mental health conditions, who are never going to work, going round this merry-go-round, which is not good for them or for the taxpayer?

Damian Green: I am grateful for the expertise the hon. Gentleman brings to this. I will take both his points on board. In fact, on his second point, he may have seen that I have already announced that we are going to stop retesting those with a condition that already means that they cannot work and that will only stay the same or get worse. That seems to me a piece of pointless and fundamentally heartless bureaucracy that we can happily get rid of.

Heidi Allen (South Cambridgeshire) (Con): I encourage the Secretary of State to apply his very human and welcome fresh pair of eyes to the whole system. Damage will be done to his very good intentions if he proceeds with the cuts to universal credit work allowances and the ESA WRAG. I urge him to personally understand the risks in proceeding with both of those cuts.

Damian Green: As my hon. Friend knows, we have had private discussions on this point, and I have heard her discuss it on a number of public platforms as well. I can only repeat what I said to my right hon. Friend the Member for Chingford and Woodford Green (Mr Duncan Smith): although we are not looking for new cuts in the welfare budget or welfare benefits, we have no plans to reverse anything that has already been legislated for.

Ian Blackford (Ross, Skye and Lochaber) (SNP): I welcome the Green Paper in the broadest sense if we can have a dialogue about improving the lives of disabled people, but the point has just been made that we need to ensure that the funding is on the table to protect people going back into work and those who need support. Perhaps two words are missing from the document and the Minister's statement: "compassion" and "dignity". Let us hope we get them in the Government's response.

Damian Green: I completely agree with the hon. Gentleman and am grateful for his general support. I absolutely agree that the system should show compassion at all times, and that those who deal with the system should feel that they are being dealt with with dignity, and that it is being preserved. We are at one on that.

Justin Tomlinson (North Swindon) (Con): I very much welcome today's announcement. The chief executive of Scope, Mark Atkinson, rightly highlights that the assessment should be the first step for support. Therefore, will the Secretary of State set out how stakeholders and charities can not only shape future policy but help to deliver the expert tailored employment support so needed?

Damian Green: I am grateful for the support from my hon. Friend, who did excellent work when he was the Minister for Disabled People. I am happy to reassure him that there will be localised services, with facilitated pacts done at a local level so that in each individual jobcentre and area the appropriate type of support will be available after an assessment has been made.

Justin Madders (Ellesmere Port and Neston) (Lab): I welcome the assurances given by the Secretary of State on statutory sick pay, but does he realise that millions of people in this country are in work but do not qualify for it because they are classed as self-employed? As part of this process, will he agree to consider implementing the relevant recommendations of the Deane review of self-employment?

Damian Green: The hon. Gentleman is right that there are increasing numbers of self-employed people, and we want to ensure that they are treated as fairly as everyone else. Indeed, one of the successes of recent years is the new enterprise allowance, which has allowed nearly 20,000 disabled people to start up businesses. That is about one in five of business start-ups, so it is a significant part of the system, and it means that we are very alive to the needs of self-employed people.

Wendy Morton (Aldridge-Brownhills) (Con): I welcome the Secretary of State's statement and the announcement of the Green Paper, but will he reassure me that he will also look at making further improvements to the work capability assessment to make it as smooth as possible for claimants, because that will make a big difference?

Damian Green: We have had five different reviews of the work capability assessment in the past six years, and the ideas I am bringing forward today are the latest response. There is no system so good that it cannot be improved, and I would welcome my hon. Friend's input to make the system even better in future.

Neil Coyle (Bermondsey and Old Southwark) (Lab): The Government's target of halving the disability employment gap is very welcome. The Green Paper offers £115 million in funding for a new model of employment support. Will the Secretary of State confirm that that figure represents less than 5% of the total cut that disabled people have experienced in disability living allowance and employment and support allowance?

Damian Green: The hon. Gentleman is slightly confusing apples and pears. This is a support programme to get people with a disability back into work. The best route out of poverty for people with a disability, as it is generally, is to have a job. As a society, we have been much less good at allowing and encouraging people with a disability back into work than we have for the general population. The Green Paper is intended to address that problem.

Mr Philip Hollobone (Kettering) (Con): My constituents in Kettering want to know whether the Secretary of State thinks that the film "I, Daniel Blake" is an accurate portrayal of the benefits system. If it is, do the changes he has announced in the Green Paper address the problems raised? If it is not, what are the inaccuracies?

Damian Green: I have not seen the film yet but have seen quite a lot of trailers. [*Interruption.*] I would point out to my hon. Friend and the hon. Lady on the Opposition Bench who is chuntering from a sedentary position that it is a work of fiction and not a documentary. It bears no relation to the modern benefits system. As I understand it, it is monstrously unfair to jobcentre staff, who are hugely conscientious people doing a job, sometimes in difficult conditions, and doing it very well indeed.

Ian C. Lucas (Wrexham) (Lab): If the Secretary of State believes that the disability appeals system is improving, will he explain why he is investing a further £22 million in recruiting more staff to assist the Department for Work and Pensions in defeating more personal independence payment and work capability assessment claims?

Damian Green: Because I always seek to improve systems. Even though the appeals system does appear to be producing better results, no system is so good that it cannot be improved, as I said a moment ago.

Mr David Burrowes (Enfield, Southgate) (Con): I welcome the Green Paper's direction of travel. Will its additional, personalised and tailored support for disabled people reach them by April, when they will lose the WRAG payments—which was a condition of support for the ESA cuts for many of my hon. Friends?

Damian Green: I know that my hon. Friend has a deep interest in this area, and, when he reads the Green Paper in full, he will find that there are many measures

we can take immediately so that help will flow through in the coming months to many people who have a disability but also have the burning desire to get back into work.

Lilian Greenwood (Nottingham South) (Lab): The manifesto of the Secretary of State's party set out an aim of halving the disability employment gap, but the Government now appear to have watered down that commitment to merely making progress. In his response to my right hon. Friend the Member for East Ham (Stephen Timms), the Secretary of State rejected targets, but without setting out milestones and monitoring progress towards them, how will he judge the success of his Government's actions?

Damian Green: I did not water down the commitment. The original commitment in the manifesto did not have an end date, so I am merely repeating the manifesto commitment. We will publicise all the relevant information so that the House and the public will know the progress we are making. There has been progress in the past few years. The percentage of disabled people employed has gone up in recent years, but I intend to improve on that progress in future.

Tom Pursglove (Corby) (Con): I very much welcome what the Secretary of State has had to say this afternoon, especially in relation to greater support for those with mental health conditions. What steps does he plan to take to make sure that we engage properly with people affected by such conditions and the organisations that represent them to ensure that we get this right?

Damian Green: As I have said, we are doing large-scale, localised consultations, and that is the way to do it. There is a huge network of 750 jobcentres around the country, so the DWP has the power to get into local areas and know what local conditions are. That is by far the most powerful tool we have to make sure that the services we offer can be appropriately sensitive in every local area.

Greg Mulholland (Leeds North West) (LD): Despite some changes, the work capability assessment system is fundamentally flawed. Surely reform must ensure that, as well as the system judging whether people are fit for a job, the jobs are available for them. Will the Secretary of State look at whether a new assessment can include the jobs available in a local area as well as the claimant's condition?

Damian Green: I hope that the hon. Gentleman will recognise that more jobs are available and being taken in our economy than ever before. General levels of unemployment are very low—4.9% is a rate that would have been unimaginable in previous eras, so we should be proud of that. The key is to make sure that those jobs—I agree with him on this point—can be matched to those who may have a disability or long-term health condition so that they can take advantage of the vibrant jobs market we currently have.

Nissan: Sunderland

5.13 pm

The Secretary of State for Business, Energy and Industrial Strategy (Greg Clark): With permission, Mr Speaker, I wish to make a statement about Nissan in Sunderland. Last Thursday, 27 October, the Nissan Motor Company Ltd announced that, following a meeting of its executive committee, both the next Qashqai and X-Trail models will be produced at its Sunderland plant. The plant will be expanded through new investment to be a super-plant, manufacturing more than 600,000 cars a year. Some 80% of the plant's output is exported to more than 130 international markets.

The decision is a massive win for the 7,000 direct employees and 35,000 total British employees in the plant and the supply chain. It is a stunning tribute to the local workforce, which has made the Sunderland plant, in the words of the chief executive of Nissan, "a globally competitive powerhouse". We are immensely proud of it and proud of them. Of course, the decision is great news for the people of the north-east more widely, for our world-class automotive sector and for the whole British economy. This is but the latest in a series of exciting investments in the United Kingdom, which is proving to the world that we are open for business. Indeed, it is hard to think of more unambiguously good news.

My colleagues in the Government and I have been vigorous in ensuring that the Nissan board had no doubts about the importance of this plant and this industry to the British people. Through the many conversations I and my colleagues had both here and in Japan, it became clear that four reassurances were important to securing the investment for Britain. Three were about the automotive sector generally and one was about Brexit.

The first was that we would continue our successful and long-standing programme of support for the competitiveness of the automotive sector, including Nissan. This support is available to firms for skills and training the local workforce, research and development, and innovation, in line with EU and UK Government rules. Since 2010, the Government have invested £400 million in the UK automotive sector in this way. We will continue to invest hundreds of millions more over the coming years. All proposals from any company must be underpinned by strong business cases and tested against published eligibility criteria. All proposals are also subject to rigorous external scrutiny by the independent Industrial Development Advisory Board and are reported on to Parliament.

The second was that we would continue our work with the automotive sector, including Nissan at Sunderland, to ensure that more of the supply chain can locate in the UK and in close proximity to major manufacturing sites. In a previous post, I established the local growth deals and city deals, which, working with local enterprise partnerships, have provided a way in which local councils, businesses and the Government can upgrade sites, especially those brought into use from dereliction, and provide the infrastructure for the small and medium-sized businesses that can supply these major companies. I can confirm that this programme will continue, and with vigour.

The third that was we would maintain a strong commitment to research and development, in particular the take-up of ultra-low emission vehicles. The opportunities

presented by bringing the Department of Energy and Climate Change together with the Business Department make us ideally placed to build on Britain's strengths in low-carbon energy, the automotive sector, science, research and many other areas.

The fourth was that in our negotiations to leave the EU, we will emphasise the very strong common ground, especially in the automotive sector, that exists between ourselves and other EU member states in ensuring that trade between us can be free and unencumbered by impediments. A good deal for the UK can also be a good deal for other member states, and that is how we will approach the negotiations. Whatever the outcome, we are determined to ensure that the UK continues to be one of the most competitive locations in the world for automotive and other advanced manufacturing.

Last Thursday was a great day for Sunderland and for Britain, but the best is yet to come. Over 30 years, Nissan has invested more than £3.7 billion in our country and has created excellent jobs for a whole generation of world-beating British workers. Last week's announcement means that a new generation of apprentices, technicians, engineers, managers and many other working men and women can look forward to careers filled with opportunity and success. This Government will always back them to the hilt. I commend this statement and Nissan's welcome decision to this House.

5.18 pm

Clive Lewis (Norwich South) (Lab): I thank the Secretary of State for his statement and for responding to our repeated requests for clarification on the events of the past few days. I join him in warmly welcoming Nissan's decision to keep production in the UK. It is fantastic news for Nissan's 7,000 employees and the 38,000-plus employees who rely on its supply chain. It is fantastic news for Sunderland, and it is fantastic news for the whole country. It is a testament to the skill, productivity and ability of the workforce and management that Nissan has such confidence in its Sunderland operation.

Without detracting from that, we still have some concerns. The right hon. Gentleman has denied giving Nissan special treatment, but he has refused to be transparent about what he has offered to it. As our most productive car factory, Nissan's Sunderland plant epitomises the strengths of the UK's automotive industry. He knows that we simply could not afford to lose it. That is why, despite the assurances that he has given now and in his tantalising television appearances over the weekend, the nagging question remains: are we really to believe that Nissan is risking millions of pounds of investment and the success of its newest models on the basis of the Government's good intentions alone? If that is the case, why have they kept their good intentions to themselves?

The overwhelming impression until now has been that the Government have no strategy for Brexit. Are we expected to believe that the Government now have not only a strategy, but a strategy so convincing that they have persuaded Nissan to stay without the need for any special guarantees? If so, why will they not tell us what it is? We are told in the media—the media is where most of last week's revelations transpired—that the Government gave a commitment to Nissan that Britain would be as attractive after Brexit as it is today.

It would seem that the Secretary of State has discovered the Brexit equivalent of the Philosopher's stone: tariff-free market access with no concessions, readily agreed by all 27 EU countries, including Wallonia. Surely, that is a feat worth sharing. So can he tell us whether he is committing to full single market access or to a customs union or to something else entirely—or do the Government simply not know? We all want all car manufacturers to keep their production in the UK—[*Interruption.*] Yes, we do. So why are they not privy to the same assurances as Nissan, and what about the many other businesses up and down the country—businesses that, like Nissan, are currently deciding whether to continue investing in the UK? Surely, they, too, should be told.

I have acknowledged that the automotive sector is hugely important to our economy, but it is not our only strategically important industry. Where were the Government during the crisis in the steel industry? They were blocking the EU from taking action against Chinese steel dumping—that is where they were. What are the Government doing for the aerospace industry, or for pharmaceuticals, and what about the service sector, which accounts for more than three quarters of our economy?

It seems that the Government are giving private reassurances to particular companies, while leaving the majority of businesses, the public and their elected representatives in the dark about their intentions. Piecemeal, back-room deals will not provide the active industrial strategy that Labour has long advocated and to which the Government now claim to be signed up. We Labour Members want the economy firing on all cylinders, not spluttering along on one or two.

As we embark on Brexit, Britain needs a Government who are visionary, not reactive, and strategic, not shambolic. As a start, we need a Government who are transparent and accountable, instead of secretive. Why not start now? If the right hon. Gentleman did not offer Nissan a sweetener, what has he got to hide? Show us the letter. If the assurances he gave to Nissan apply to all the automotive sector, surely all that sector should be given them? Show us the letter. If, contrary to appearances, the Government do have a strategy for Brexit, why will they not tell us what it is? Show us the letter!

Greg Clark: I welcome the hon. Gentleman to the Dispatch Box, but if that is the kind of spluttering old banger of an approach to these issues, I think he should upgrade to a new model. I would recommend a Qashqai; they are very good cars. I find it surprising that, in response to an announcement that has thrilled Sunderland and the north-east and provided a big boost to the economy, the Labour party's demeanour is so miserable. Is it beyond the hon. Gentleman to put party politics aside and just celebrate and congratulate everyone involved on a success that is in all our interests?

I seriously ask the hon. Gentleman to weigh this issue up carefully. When I met Nissan, one thing it commented on was the continuity over 30 years of a very successful participation in the UK economy, with cross-party support and consensus over the Sunderland plant—reflected in what both Conservative and Labour Governments have done. It would be to take a wrong turn if the Labour party lurched away from the bipartisanship that has been so successful there.

As for the conversations that we had, one of the things that I have learnt over the years is the importance of getting to know, over time, the companies that are in this country and those that invest in it, and understanding what their investment decisions will be based on. We have taken the opportunity to do that, and the four reassurances that I was able to give Nissan and that have resulted in this investment reflected what Nissan had said to me.

I said that I would aim for the best possible ability to trade with other European Union countries. I said that I would pursue the negotiations in a positive and constructive spirit, mindful of the substantial common ground that exists between us. I said that whatever happened, we were determined to keep Britain's world-beating motor industry competitive. Do Labour Members share those intentions? If they do, why on earth do they think that I would play games with the livelihoods of 35,000 working people in this country, the pride of the world in their industry, by not stating them clearly and transparently to Nissan? I welcome the decision that Nissan has made.

The hon. Gentleman asked me whether I would publish the correspondence. I have set out the information that I gave to Nissan. My responsibility, on behalf of the Government, is to encourage and attract investment in this country. When companies of all types and in all sectors share with me investment plans that would be of interest to their prospective competitors, it is important for them to be assured that those plans will not be disclosed to their competitors to their disadvantage. My objective is to obtain the investment, but I shall be happy to answer questions about every aspect of it, today and when I appear before the Select Committee—which I intend to do, at the Committee's invitation.

The hon. Gentleman is a relatively new Member, and I hope that he will have a distinguished tenure here, but Members in all parts of the House—from Newcastle to Newquay, from Liverpool to Lowestoft—will know that whenever I work to attract success to our regions, towns, cities and counties, I do so on a cross-party basis. Party politics never feature in the way I work. I hope that, in future, we shall be able to work together on such common interests.

Several hon. Members rose—

Mr Speaker: Order. There is much interest in this subject, and I want to accommodate it. Single, short supplementary questions—preferably a single sentence without preamble—and the Secretary of State's customarily pithy replies are required.

Nicky Morgan (Loughborough) (Con): The Secretary of State is to be congratulated on his announcement, which is clearly very good news for Sunderland, but I think that he will understand Parliament's desire to understand the terms on which these and other negotiations are conducted. May I ask whether he has discussed this matter with the International Trade Secretary, and whether he will be in the driving seat of future trade negotiations? We all think that he is rather good at it.

Greg Clark: I am grateful for my right hon. Friend's compliments. As she knows, we have a Cabinet Committee on Brexit, on which I serve alongside my right hon. Friend the Secretary of State for International Trade.

Callum McCaig (Aberdeen South) (SNP): I, too, thank the Secretary of State for his statement, although I think he may have said a little bit more to the BBC yesterday than he has to the House today. I hope that he is not joining the ever-growing list of Secretaries of State who have been slapped down by the Prime Minister for expressing their personal opinions.

I think it important that action has been taken to protect parts of the economy from the potential negative impacts of Brexit. It may constitute more than just a quarter of the issues that were on Nissan's agenda, but that is for the Secretary of State to answer. He said to the BBC yesterday that

"our objective would be to...have continued access...without tariffs and without bureaucratic impediments".

That has not been said today, but I think that it is correct. If that objective is not realised, however, what will be the cost to the taxpayer of a deal with Nissan? How much will it cost to make good those tariffs should they be imposed? That is the key question.

SNP Members will welcome the fact that an area of the country that voted overwhelmingly to leave the European Union has been given a special deal, and we look forward with gusto to the deal that will be given to Scotland in recognition of the fact that we voted overwhelmingly to remain in the EU. The Government are giving a flexible Brexit to the City of London and the north-east of England; I hope the Secretary of State will bring forward a flexible Brexit to protect Scotland's economy and the 80,000 jobs that rely on our access to the single market.

The Secretary of State must recognise that the game here is a bit of a bogey: "Brexit means Brexit" will not cut it while he is going behind closed doors cutting deals with others without making this House or the public aware of what they are. While Nissan received a letter of comfort, the devolved Administrations got a hotline—a hotline that is so hot to handle that it does not get answered for 36 hours.

Mr Speaker: Order. I am sorry, but we must press on.

Greg Clark: The hon. Gentleman started well, Mr Speaker, although I certainly have not been slapped down, up, sideways or any other way by the Prime Minister, I am pleased to say.

The approach I have set out to the House and stated previously simply reflects what I would have thought is common sense: in an area—we have been talking about the automotive sector—in which there are substantial exports that come from Britain to the EU and from the EU to this country and components go backwards and forwards, there is a clear common interest in having arrangements that are free of tariffs and the bureaucratic impediments I mentioned. So it seems to me that when we embark on any negotiation, it is about finding the common ground and having a positive volition so to do. That is what I set out and that is what I described to Nissan, and indeed would do to any other manufacturer. It is on that basis, along with the other points I have made, that Nissan felt able to make this fantastic investment not only in the north-east, but in the United Kingdom.

Mr Iain Duncan Smith (Chingford and Woodford Green) (Con): The Prime Minister surely has not slapped down my right hon. Friend, but has slapped him on the back as a gesture of congratulations on a remarkable deal.

I ask my right hon. Friend to come clean on one other issue he left off his list, which I am sure he mentioned to Nissan, however. He will have reminded Nissan that the UK outside the EU will be able to set its own new trade deals—and guess which car manufacturers will benefit from free trade deals with the rest of world.

Greg Clark: I am grateful for my right hon. Friend's endorsement. As the Prime Minister said, we are going to make a success of Brexit, and we want every sector of our economy, including the automotive sector, not to be disadvantaged by Brexit, but to reap the benefits and be more competitive in the future.

Mr Iain Wright (Hartlepool) (Lab): I commend the Government and the Secretary of State on this piece of great news; it is a welcome example of targeted Government commitment to a successful company in a strategically vital sector in the most important region on earth. However, will the same sort of targeted investment be available to other firms and sectors? If so, how will these be selected in the context of a proper industrial strategy, and will such companies and sectors be given similar reassurance and support to that provided to Nissan?

Greg Clark: I am grateful for the generous compliment the Chairman of the Select Committee pays me. I am certainly not going to disagree with him on what he said about the north-east, but I should say that Kent ranks equally. I am looking forward to coming before his Select Committee, not only to answer questions but to talk about the industrial strategy. The approach I not just intend to take but am already taking is to take time to meet the firms in our economy and understand the different needs of different sectors, so that we can be informed by them as we form our negotiating mandate. Those needs will obviously be different from sector to sector, and my commitment, which we will share when we meet in his Committee, is through our industrial strategy to make sure that we have confidence both for individual sectors and for individual places, because there is a very interesting confluence there. Investment in Nissan is good for the sector and good for Sunderland and the north-east.

Michael Gove (Surrey Heath) (Con): I should declare an interest as a driver—albeit not a very good one—of a Nissan Qashqai. For years, we have had calls from across the House for an activist, interventionist Business Secretary who is prepared to do everything possible in order to secure jobs for working-class people in disadvantaged parts of the country. Now we have one, can my right hon. Friend explain why Opposition Members will not take yes for an answer? Was Oscar Wilde not right that there is only one thing worse than not getting one's heart's desire and that is getting it?

Mr Speaker: Order. The Secretary of State has no responsibility either for Opposition policy or for Oscar Wilde—although we always enjoy the poetic licence of the right hon. Member for Surrey Heath (Michael Gove).

Edward Miliband (Doncaster North) (Lab): I welcome the announcement, but I want to ask the Secretary of State about the duties and rights of this House. Last Monday, the Prime Minister told the House that "the Government must not show their hand in detail" —[*Official Report*, 24 October 2016; Vol. 616, c. 27.]

to Parliament in advance of the Brexit negotiations. At the very same time, however, we now know that the Secretary of State was telling Nissan the Government's detailed negotiating stance for the automotive sector, including that there would be tariff-free trade and no bureaucratic impediments. Will the Secretary of State explain how those two positions are consistent?

Greg Clark: The right hon. Gentleman, for whom I have a high personal regard, exemplifies what my right hon. Friend the Member for Surrey Heath (Michael Gove) was saying: he looks so glum at this news. What I set out to the House, to Nissan and to any firm that is in this country is what my colleagues have said repeatedly: there is a great common interest among other European Union nations and ourselves in having a deal following the negotiations that maximises the benefit to both sides. That seems so obvious that it is hardly worthy emphasising. That is the demeanour with which we will approach the negotiations. It is the approach that I have always taken in negotiations, and it seems as though that is something that people are glad to hear.

Mr Andrew Tyrrie (Chichester) (Con): I congratulate the Secretary of State on providing a great deal for the north-east. His clarification that the Government wanted continued access to the single market without bureaucratic impediments is a significant extension and exposure of the Government's negotiating position. Does the Secretary of State agree that the rules of origin that the UK would face outside the customs union would certainly constitute bureaucratic impediments?

Greg Clark: This goes beyond any discussions that I have had with any company here. Why would we not aim to avoid bureaucratic impediments as a matter of negotiation? That seems to be common sense and that is what I set out.

Hilary Benn (Leeds Central) (Lab): We all welcome the Nissan announcement, but Nissan is only one company that is making decisions now about its future investment in the United Kingdom. Given the persuasive reassurance that the right hon. Gentleman was able to offer the company, can he tell the House whether his offer of tariff-free access to the European market will be available to all other parts of our manufacturing sector? If I heard him right, he indicated a moment ago that the Government might take a different approach for different sectors. If that means that some might not benefit from tariff-free access, they would like to know pretty quickly.

Greg Clark: The right hon. Gentleman is wise enough to know that it is not in my gift to offer tariff-free access to the single market. I was describing what would be a positive outcome from the negotiations, which therefore relates to the demeanour that we should take in those negotiations. My right hon. Friend the Member for Loughborough (Nicky Morgan) paid me a personal compliment, but my team shares my vigour in talking to companies up and down the land to ensure that we understand what is important to them and to inform our negotiations. That seems an eminently sensible thing to do.

Anna Soubry (Broxtowe) (Con): I warmly congratulate my right hon. Friend and the Prime Minister on securing this fantastic new deal with Nissan, which will benefit not only the good people of the north-east. Thanks to

the supply chain, the benefits will extend throughout the whole country, helping many tens of thousands of people and their families.

I met a constituent on Saturday who runs a small IT business employing 14 people and he, too, wants certainty on tariffs. He told me that if tariffs are imposed on his business, he will have to get rid of it, meaning that 14 people will lose their jobs. Big companies, small companies and huge companies from all sectors need certainty. Does my right hon. Friend agree that it is right that this House has a debate and a vote on the underlying principles of our negotiations as we leave the EU in order to give the Government a true mandate?

Greg Clark: I am grateful to my right hon. Friend for what she said. When she was a Minister in my Department—or its predecessor—she was vigorous in engaging with businesses and understanding what they need. I regularly meet small businesses and their representative organisations, having done so many times since my appointment. She rightly says that it is important that their views help shape our negotiating mandate. On the debates in this House, the Prime Minister and my Cabinet colleagues have said repeatedly that there will be many occasions to debate and have these things scrutinised in this House.

Julie Elliott (Sunderland Central) (Lab): I warmly welcome the Minister's statement and the kind words about my home city of Sunderland from somebody from Middlesbrough. There was palpable relief in Sunderland on Thursday at the announcement, but concerns remain about the supply chain, because if there is an automotive sectoral deal, these firms will not necessarily be included, as they supply other types of industry. There are also concerns about the wider manufacturing base in the north-east as we move forward with the Brexit negotiations.

Greg Clark: I am grateful to the hon. Lady for what she says. Middlesbrough has been doing a bit better in football terms than Sunderland this season, so it deserves a break when it comes to Nissan. The supply chain is incredibly important, and across the automotive sector, whether in the north-east or the west midlands or other parts of the country, there are businesses that are currently overseas that could locate close to the main plants. If sites can be remediated where, for example, they require better road access, it is in everyone's interest if we work on that together. That was part of the discussions, and will particularly benefit the supply chain.

Jeremy Quin (Horsham) (Con): I warmly congratulate the Secretary of State on the announcement. Will he assure the House that he will not jeopardise future fantastic announcements by revealing too much confidential information from discussions between him and the other parties?

Greg Clark: I am grateful to my hon. Friend for his question. I am happy to answer any questions that the House has, and I am looking forward to appearing before the Select Committee. I have been pretty candid, describing each of the four aspects of the reassurances that I was able to give, but if companies that are considering an investment here describe commercial plans that they may not want to fall into the hands of their competitors, it is reasonable that they should have that confidence when dealing with the UK Government.

Mrs Sharon Hodgson (Washington and Sunderland West) (Lab): As a fellow north-easterner, I am sure the Secretary of State will know that Thursday's news buoyed not only Sunderland, but the wider north-east. Even I got a little teary-eyed at the plant on Thursday evening, knowing that the announcement had secured the livelihoods and future aspirations of so many families, who were all that night breathing a sigh of relief. The details of the letter are important, but may I, as the local MP for the plant, and on behalf of the workforce of almost 46,000 people across the UK, whose jobs are now more secure, just say thank you?

Greg Clark: I am touched by the hon. Lady's statement; it is very kind and very good of her. When we were having these discussions, I always had in mind the fact that this is not a theoretical investment, and that we are talking about real people who work hard and do brilliant work. They are the best regarded in the world in the international system; they are the most productive in the world and go to Japan to help train some of the auto workers there. I am proud of that, as is she; the whole House should be proud of the workforce there.

Nick Herbert (Arundel and South Downs) (Con): I congratulate my right hon. Friend. How can his reassurance to Nissan that there will be continued access to the European market without bureaucratic impediment be assured if Britain is outside the customs union?

Greg Clark: As I have said to other hon. Members, what I was able to say is how we would go into a negotiation, which seems to me to be to find common ground. We certainly did not get into any discussions of particular models, as my right hon. Friend would expect. One can overcomplicate these things; to be clear about one's intention to find common ground and to pursue discussions in a rational and civilised way is not a bad thing to be able to convey.

Bridget Phillipson (Houghton and Sunderland South) (Lab): I wholeheartedly welcome Nissan's decision, which will protect thousands of jobs and many of the people whom I represent. May I press the Secretary of State again on the issue of the supply chain? He has talked about the supply chain of the future, but what more can he say by way of reassurance both to the existing supply chain and to the wider manufacturing sector in the region that he will do everything in his power to protect their interests and the medium-sized businesses that serve it?

Greg Clark: I certainly will do everything in my power. I look forward when I next visit Sunderland to meeting the existing supply chain. The hon. Lady will know that we have already done quite a lot in that regard. I helped to negotiate the Sunderland city deal and to establish the advanced manufacturing park near the Nissan site, precisely to provide better facilities. She will know about the new bridge for which we secured funding to assist with that. I know very well the importance of not just the major sites, vital though they are, but of the whole ecology of business around them. That is one reason why this investment is so important. Important though Nissan is, the investment gives another big boost to the existing supply chain and to those competitors that will join it in the future.

Mark Pawsey (Rugby) (Con): This great news continues the work of this Government to rebalance our economy. It also provides an incentive to continue to improve skills and to encourage innovation. Does the Secretary of State agree that our catapult centres, including the Manufacturing Technology Centre in my constituency, have a big part to play in that role?

Greg Clark: I do indeed. One of the enticing things that we can offer companies looking to locate here is the excellence of our research and our science, whether it is in universities or, increasingly, in institutions such as catapults that help translate those skills into the wider market. Through our industrial strategy, we want to increase the focus on this very important area of strength, so that other firms can invest and see Britain as the go-to place for advanced manufacturing and for other sectors, too.

Phil Wilson (Sedgefield) (Lab): The news about Nissan in the north-east is brilliant, but there are other strategic industries in the north-east of England. I include Hitachi Rail Europe in my constituency, which opened a £90 million factory last year, employing almost 1,000 people and hundreds more in the supply chain. Hitachi Rail Europe is here for the long term to have access to the European market. At the moment, it is building the Intercity Express Programme. Building the machines will take about three years, so it is here for the long term. In the spirit of this cross-party approach that the Secretary of State say he wants to take, will he meet me to see what we can do to ensure that the Japanese company will continue to invest in the north-east?

Greg Clark: I will indeed. In fact, I am meeting Hitachi tomorrow, and have the privilege of presenting an award at Asia House in commemoration of the very long and positive association that we have had with it. On one of my previous visits to Japan in this role, I had the great pleasure of meeting many of the Hitachi directors and seeing their innovation and their continued commitment to this country—very important.

Richard Graham (Gloucester) (Con): The desperate search for a commercial bung in this announcement by some Members of the Opposition is, frankly, insulting to Britain, Japan, Nissan and Sunderland. Does my right hon. Friend agree that, rather than talking the country down, we should be celebrating the recent inward investment successes, not least from the far east, which demonstrate that the Government are living up to their commitment to making a success of Brexit?

Greg Clark: As I said earlier, it is unambiguously good news, and I hope that the whole House will welcome it.

Mr Kevan Jones (North Durham) (Lab): Many people in my North Durham constituency work at Nissan, so I warmly welcome the news and thank the Minister for his involvement. If he has done a special deal for Nissan, good. I just look forward to many more for the north-east companies that rely on exports.

Greg Clark: I thank the hon. Gentleman for his words. I do believe in being active and vigorous and in meeting companies and understanding the challenges

that they face; I make no apology for that. My whole ministerial team will be active in securing investments for this country.

James Cartlidge (South Suffolk) (Con): This fantastic news makes us proud of British industry. Does my right hon. Friend agree that many factors make this country attractive to companies such as Nissan? A key one is our competitive rate of corporation tax. Will he ensure that in the coming autumn statement, our rate not only stays competitive, but perhaps gets even more competitive?

Greg Clark: My hon. Friend needs to direct that request to the Chancellor—I will pass it on when I see my right hon. Friend in Cabinet tomorrow—but he is right to remind the House that there is a range of attributes and strengths that makes this country attractive to overseas and domestic investors. It is important that, across the whole range, we get them right.

Tom Blenkinsop (Middlesbrough South and East Cleveland) (Lab): I warmly welcome the Secretary of State's statement. The news is extremely important to the north-east economy, including companies such as Nifco and Teesport in the Teesside area. Nissan is a massive buyer of strip steel in the United Kingdom. Earlier this year after the steel crisis, Nissan was hunting around for new suppliers, usually in the European Union, for that chain. We have had a disastrous experience in the north-east prior to this announcement, which stands in contrast to the SSI Redcar situation that has happened on this Government's watch. Although it has taken six years for the Government to understand what new Labour-style industrial activism is, I very much welcome that and the statement today.

Greg Clark: I am grateful for the backhanded compliment. I am not sure that I would agree that this is new Labour-style industrial activism. The hon. Gentleman will know that it was a Conservative Government 30 years ago who secured Nissan for the UK, and I am proud that it is a Conservative Government who have secured its future in Britain.

Amanda Milling (Cannock Chase) (Con): I, too, congratulate my right hon. Friend on the announcement. Does he agree that the commitment from Nissan is good news not only for the north-east and Nissan's direct employees, but for the supply chain companies and their employees across the country, such as those who work at Gestamp Tallent, which has a manufacturing plant in Cannock?

Greg Clark: I certainly do, and my hon. Friend is right to point out the wave of benefits across the economy, one example of which was given by the hon. Member for Middlesbrough South and East Cleveland (Tom Blenkinsop). The consequences of such positive news extend to other important sectors. That is why it is important that we should be active and vigorous in attracting these investments.

Dame Rosie Winterton (Doncaster Central) (Lab): This is an extremely welcome announcement, but there is a worry that it could be an isolated deal, rather than a clear strategy for the regions. When the situation is contrasted with the redundancies announced by DB Cargo

UK in Doncaster, with Brexit being cited as one of the reasons, does it not point to why it is so important for the Government to conduct regional impact assessments of Brexit, and to publish them to demonstrate that there is a clearly thought out strategy that will reflect the needs of regions, as well as sectors?

Greg Clark: It is nice to hear the right hon. Lady being able to speak from the Back Benches; she does so compellingly. As colleagues who know my interests in these matters would expect me to say, I believe that our regions, towns, cities and counties have an important role to play in our industrial strategy. I do not know whether she has been elected to the new Business, Energy and Industrial Strategy Committee, but I am sure she will be able to attend its sittings, because I hope that we will be discussing precisely this during the next few weeks.

Jason McCartney (Colne Valley) (Con): It is Offshore Wind Week, so will the Secretary of State join me in welcoming this fantastic news for Nissan and confirm that it will play a key role in a low-carbon future for British industry?

Greg Clark: I am delighted that my hon. Friend has mentioned that. One of the great opportunities in industrial strategy is to combine our world leadership in offshore wind renewable energy with our commanding position in the automotive sector, and to bring them together so that when it comes to electrical vehicles and battery storage, we can lead the world, which is what we intend to do.

Mr Alistair Carmichael (Orkney and Shetland) (LD): The Secretary of State deserves credit for a significant and substantial achievement, but special deals for the car industry or the financial services sector offer little comfort to the thousands of small businesses the length and breadth of this country—which, incidentally, goes north of Newcastle—that depend on exports for their livelihood. What will the Secretary of State do to ensure that these small businesses, which are the lifeblood of so many of our communities, get the same access to him and his Department as has clearly been given to the big boys in the multinationals?

Greg Clark: I am delighted that the right hon. Gentleman asks that question because one of my first visits as Secretary of State was to Aberdeen, where I had a very successful and important meeting with its chamber of commerce. Small businesses in Aberdeen and Aberdeenshire were talking about what they wanted to achieve from the Brexit negotiations. I think that I am the first Secretary of State in the Department to have appointed Ministers with regional and national responsibilities in relation to the devolved Administrations, which reflects the importance of building small businesses and every part of the United Kingdom into the industrial strategy.

Justin Tomlinson (North Swindon) (Con): I welcome this positive and proactive approach. Has the Secretary of State had a chance to meet Honda to discuss future opportunities?

Greg Clark: Yes, indeed. I met Honda when I was in Japan 10 days or so ago.

Maria Eagle (Garston and Halewood) (Lab): I am glad that Nissan is continuing to invest in the north-east. Can the Minister give me in Liverpool some comfort—I would accept a letter—that I can pass on to Jaguar Land Rover, Getrag and the other automotive supply chain industries in my constituency to assure them that they will be treated in exactly the same way?

Greg Clark: I have been clear about maintaining the competitiveness of the automotive sector. The hon. Lady mentions some companies, and I am meeting Jaguar Land Rover again shortly—I meet it regularly. It is part of the development of our industrial strategy, and it is important that it should be. These are the companies, with their supply chain, that are succeeding and have contributed to our national success. We will work with them to build on that success and achieve even greater success in future.

Mr Philip Hollobone (Kettering) (Con): I congratulate my right hon. Friend on what is undoubtedly a huge personal achievement, and the people of the north-east on creating in the Sunderland plant a globally competitive powerhouse. Is not this deal a signal to those remainers who have become remoaners that they should recalibrate their doom and gloom and become far more optimistic about the future of this country outside the European Union?

Greg Clark: This is a day for celebration rather than debating such issues. We should all celebrate this big success, which shows that Britain is and can be competitive, and that some of the world's biggest companies are backing us very vigorously.

Helen Goodman (Bishop Auckland) (Lab): The Secretary of State obviously said the right thing to Nissan. He knows that there are many manufacturing industries with international supply chains, such as Glaxo in my constituency, so when he is sitting in the Brexit Cabinet Sub-Committee, will he impress on his colleagues the value of staying in the customs union?

Greg Clark: The approach that I have set out across our economy is to meet those businesses that are part of my responsibility and to have sensible discussions so that I understand from them what they need. That informs our negotiating mandate. That is my commitment to all the businesses—large and small—that I meet.

Tom Pursglove (Corby) (Con): This announcement clearly shows the world that Britain is open for business. I hope that our supply chains will get a boost from this too, particularly UK steel. Will my right hon. Friend say a little about the wider involvement of the UK automobile sector in the forthcoming industrial strategy and how the announcement fits into that?

Greg Clark: I certainly will. With any industrial strategy, we should build on our strengths and not be complacent, but recognise that in order to continue to be strong, we need to look at the underlying conditions for promoting that. The presence of a vigorous supply chain is important for the automotive sector. It is important to be at the cutting edge of research and development, and to have skills in the workforce on which expanding companies can count in order to fulfil their order books. Those are

all important enabling conditions, and the Government have a role to play by working with companies to make sure that they are all met.

Ms Tasmina Ahmed-Sheikh (Ochil and South Perthshire) (SNP): Can the Secretary of State confirm whether the arrangement with Nissan is a one-off or part of a wider strategy to protect the economy from the impact of Brexit? If it is part of a wider strategy, what other businesses and organisations has he spoken to over the past few months on similar terms?

Greg Clark: It is certainly part of a strategy: it is part of our industrial strategy to make sure that Britain is competitive in the future, as it is now and it has been in the past. We are taking a strategic approach. As the hon. Lady might imagine, I meet businesses large and small almost every day of the week, and in all the conversations I have, we discuss what is important, what challenges they face and what their strategic ambition is, so that I can be informed about that.

Mr Adrian Bailey (West Bromwich West) (Lab/Co-op): I welcome the Nissan decision and congratulate the Secretary of State on his role in securing it. I especially welcome his comments about research and development, and innovation. Given that the developing industry-university collaboration is crucial to that, as is the role of foreign students and researchers, what assurances did he give the industry that the Government will reverse the drop we have seen in the numbers applying?

Greg Clark: The hon. Gentleman seems to think that my discussions went broader than they did, but with everything I have said about research and development, our universities are key to that. As a former universities Minister, and now once again with responsibility for science, I will do everything I can to promote our research excellence and make sure it continues.

Stephen Gethins (North East Fife) (SNP): Universities in Scotland have warned of an exodus of talent if we do not have a long-term plan for EU nationals. What confirmation can the Secretary of State give that EU nationals will have a long-term future in this country?

Greg Clark: As the hon. Gentleman knows, there will be lots of opportunities to discuss other aspects of the negotiations we will have—I think there is even a debate next week on these matters.

Seema Malhotra (Feltham and Heston) (Lab/Co-op): I also welcome the announcement by Nissan and acknowledge the work of the Government, Unite the union, and others who were involved in this decision. One of the reassurances the Secretary of State mentioned related to support for the skills and training of the local workforce and for research. Does he expect any cuts in research and development and skills support from the EU to UK regions and businesses? What reassurances has he given that could also be applied to other sectors and regions to assure them that they will not lose out?

Greg Clark: As the hon. Lady knows, the Chancellor has already made a commitment to continue that European funding that has already been committed to but, of course, much of the support that we have given to training and

skills development in the automotive sector is from our own resources, and one of the things that I was able to say was that we regard that as important and continuing.

Ian Blackford (Ross, Skye and Lochaber) (SNP): We know that there are attempts to do a deal for the City of London and we now know there is a deal for Nissan. At the same time, however, the Fraser of Allander Institute tells us there is a threat to 80,000 jobs in Scotland. Why is it that, when our First Minister comes down here, she is shown the door? There is a deal for Nissan, but there is no deal for Scotland from this Government.

Greg Clark: I have had the pleasure of meeting the First Minister at least twice since I took up this job. What I have said to her, personally and directly, is that, as we develop our industrial strategy, Scotland will have a big place in that. Of course it is important that all parts of the United Kingdom need to benefit from our industrial success in the future. The hon. Gentleman may know that, in terms of the city deals that have been negotiated between the UK Government, the Scottish Government and the various councils, we have, and I personally have—I think he would acknowledge this—a track record in making those discussions work.

Justin Madders (Ellesmere Port and Neston) (Lab): I certainly welcome the news, and I am sure that the thousands of people who work at the Vauxhall car plant in my constituency would be equally delighted if a similar announcement could be made in due course. When the Secretary of State addressed the Chamber, he referred to different strategies for different industries, but does he also accept that, within the UK automotive sector, there are different challenges from plant to plant, and that a more specific approach may be needed from time to time? Will he agree to engage in an intimate dialogue with General Motors, as he has with Nissan?

Greg Clark: I am not sure I would describe the dialogue as intimate, but it was constructive at any rate. Of course I make that commitment to the hon. Gentleman.

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): Around 200,000 jobs in Wales are reportedly sustained by single market membership. With the UK Government so far picking the automotive and the financial sectors as their Brexit winners, how many of the aforementioned 200,000 Welsh jobs does the Secretary of State think will ultimately be safe after Brexit?

Greg Clark: We are at a point where we have not begun the negotiations with the European Union, much less concluded them, but the demeanour I think we should take is one of looking positively to find common ground and interests. That, always and everywhere, is the basis of a good deal—identifying that common ground and, through civility and patience, establishing relationships that can lead people to conclude something that is in their mutual interest. That seems to be a good way to approach these discussions.

Stuart Blair Donaldson (West Aberdeenshire and Kincardine) (SNP): The Secretary of State said that employees of Nissan could look forward to careers filled with opportunity and success, yet millions of young people throughout the UK are looking at futures with

significantly reduced opportunities as a result of Brexit. What reassurance can the Government give to young people about what they will do to protect those people's futures?

Greg Clark: We have been discussing a fantastic new investment that not only will safeguard jobs in Nissan and across the country, through the supply chain, but will, no doubt—especially with more of the supply chain coming to locate in the United Kingdom—create new opportunities. Those opportunities will be for young people right across the country. There will be apprenticeships, traineeships and careers available that would not have happened if we had not secured this investment, so the hon. Gentleman should welcome it.

Kelvin Hopkins (Luton North) (Lab): Nissan's decision is brilliant news not only for the north-east, but for the whole UK. May I suggest to the Secretary of State that the exchange rate is a major and crucial factor in Britain's competitiveness, and that maintaining an appropriate exchange rate is fundamental to future manufacturing success and investment? Will the Government be taking steps to make sure that the welcome depreciation of sterling since 23 June is maintained?

Greg Clark: As the hon. Gentleman knows, we have not targeted an exchange rate for some time. That policy is, first, not my remit and, secondly, not the way we approach the economy. However, it is true that there are many contributors to the competitiveness of the economy. What I need to do, and what I will do, is to take those things over which I do have influence and make them work for Britain.

Sammy Wilson (East Antrim) (DUP): The Nissan announcement is not, of course, the only announcement of a good investment decision in the UK since the referendum. From GlaxoSmithKline to McDonald's, thousands of jobs have been created, despite the predictions of the doom-mongers on the referendum deniers' side. The Minister has indicated that he will take a sector-by-sector approach. Does he also reckon that there needs to be a region-by-region approach, and what plans does he have to meet the Economy Minister in Northern Ireland to discuss the problems there?

Greg Clark: I have already met the Economy Minister in Northern Ireland and had a very constructive discussion with him. I had that discussion to invite him to help us as we develop our industrial strategy so that it includes an appreciation of the different needs of different places to which the hon. Gentleman refers.

Joanna Cherry (Edinburgh South West) (SNP): I welcome the news that so many jobs in Sunderland will be protected from the consequences of Brexit but, as an Edinburgh MP, it is Edinburgh jobs that I have to think about. Many thousands of my constituents are employed directly or indirectly in Edinburgh's financial sector, and Edinburgh's economy is more reliant on financial services than that of any other city in the UK, including London. These people are worried about the consequences of losing their EU passport. Will the Minister give me a guarantee that he will advocate a special deal for Edinburgh in Cabinet?

Greg Clark: Of course financial services are of huge importance to our economy—to the UK economy and to the economy in Edinburgh. We need to make sure that, in all areas, we get the best possible deal by finding areas of common ground and negotiating constructively, through relationships that we have built up with our counterparts in the European Union, during the months and years ahead. That is the approach that we will take, and it is the approach that is most likely to succeed.

Mrs Madeleine Moon (Bridgend) (Lab): On Friday, I am due to visit the Ford engine plant in my constituency, along with my local Assembly Member, Carwyn Jones, the First Minister of Wales. Can we be assured that we will be talking to Ford on the same lines as have been very successfully negotiated in relation to Nissan, and that the 2,000 jobs at the Ford plant and in the wider economy will also be secure following today's statement?

Greg Clark: I do not know what the hon. Lady is going to say to Ford, but I hope that she will reinforce the messages that I have given in saying that the Government want to maintain the competitiveness of the whole automotive sector. We want to build on the strengths that it has in every part of the United Kingdom, including in her constituency, so that it can prosper in the future. I hope that that will be welcomed.

Ian C. Lucas (Wrexham) (Lab): As a former Labour Minister with responsibility for the automotive sector, I welcomed the investment by Nissan for the manufacture of the electric Leaf vehicle in Sunderland, although I did not give a statement from the Dispatch Box at the

time because that was probably less of a surprise. How will the Secretary of State secure attendance in the emissions regulation discussions that are so vital to the low-carbon future of the UK automotive sector?

Greg Clark: They are indeed vital, and I am delighted that the hon. Gentleman makes that point. One of the advantages of having responsibilities for energy and climate change within the business and industrial strategy set of responsibilities is that these conversations can be joined up. The Minister for Climate Change and Industry and I share an interest in making sure that we maintain our leadership in green technology to the great advantage of our industrial future.

Patrick Grady (Glasgow North) (SNP): How many of these unique, one-off, special, individual deals will have to be negotiated before the Brexit process is complete, and how many will it take before the Government realise that the better option for everyone would be to live up to their manifesto promise and keep us in the single market?

Greg Clark: It was not clear from the hon. Gentleman's remarks whether he welcomes this deal, which has been a good conclusion to our discussions with Nissan. I would say to hon. Members on both sides of the House that if we all approach the prospect of investment—either by domestic companies or overseas investors—positively, try to understand what companies need, and make sure that the economy provides the backdrop, whether in skills, infrastructure or research and development, to keep us competitive, we can all prosper together.

Cultural Property (Armed Conflicts) Bill [Lords]

Second Reading

6.12 pm

The Secretary of State for Culture, Media and Sport (Karen Bradley): I beg to move, That the Bill be now read a Second time.

It is a pleasure to introduce this Bill to the House. We have waited a long time to be able to ratify the 1954 Hague convention and accede to its two protocols. The need for this Bill is paramount. In recent months, we have seen the wanton destruction of cultural heritage in the middle east and north Africa. These tragic events are a reminder of how vital it is that the UK ratifies this convention and makes a strong statement about the importance we place on protecting cultural heritage. We fully endorse the steps taken at the International Criminal Court to prosecute war crimes relating to cultural destruction in Mali.

Heritage, monuments and cultural artefacts are part of what makes a country great, educating and inspiring people, and bringing them together as a nation. Sir Peter Luff, chair of the Heritage Lottery Fund, was once told, "History is what you learn about in schools; heritage is about who you are and where you come from". We are lucky to have a highly professional and dedicated heritage and museum sector that works extremely hard to preserve our heritage and bring the story of our history to life. This work helps attract visitors to our shores too. We also have a duty to help protect the culture and heritage of other countries, for they are part of our shared inheritance as human beings.

Many in this House have called on successive Governments to pass this legislation since a commitment to do so was first made in 2004. I would like to make special mention of my hon. Friends the Members for Newark (Robert Jenrick) and for Enfield, Southgate (Mr Burrowes) for their passionate advocacy. This Bill has already been subject to comprehensive pre-legislative scrutiny. The draft Bill published in 2008 was expertly scrutinised by the Culture, Media and Sport Committee.

Helen Goodman (Bishop Auckland) (Lab): I am delighted that the Secretary of State is introducing this Bill today. Her points about destruction will have been brought home to everybody when Palmyra was destroyed very recently. Can she assure the House that after the 62 years we have waited since we signed the treaty, there will not be another 62 years until the Government bring it into effect?

Karen Bradley: I hope that we will get through this evening's proceedings and the Committee stage with great speed, and that we will therefore have Royal Assent very shortly.

The Culture, Media and Sport Committee heard evidence from a variety of experts and stakeholders. The Committee warmly welcomed the Bill, and we carefully considered the recommendations made in its report.

The Bill is part of a wide package of measures that this Government have brought in to protect cultural heritage and become an international leader in this field. Earlier this year, we launched a cultural protection

fund that is being administered by the British Council. Over the next four years, organisations will be encouraged to apply to this £30 million fund to support projects that will foster, safeguard and protect cultural heritage, particularly in global conflict zones.

In early 2014, the Army established a joint military cultural property protection working group that has been examining all issues concerning military cultural property protection. Earlier this year, my right hon. Friend the Secretary of State for Defence confirmed that the armed forces would establish a military cultural property protection unit. The Ministry of Defence is considering what this unit might look like, taking into account international best practice. As the convention is likely to become an international treaty obligation by early 2017, the MOD anticipates that the recruitment of specialist Army reserves will start in the near future.

Mr David Burrowes (Enfield, Southgate) (Con): I warmly congratulate my right hon. Friend. Six years has been a long wait, but it has been well worth it, and we have now got there. Is it not ironic that part of the topicality of this Bill, and the reason for people's enthusiasm for it, comes from seeing the horrors of Daesh in Syria and elsewhere, yet it does not fully cover the activities of Daesh because it covers only unlawfully exported cultural property from occupied territories? Without being too greedy, are the Government supportive of looking at future conventions to try to make sure that Daesh comes within the provisions, although the Iraqi and Syrian sanction orders cover the gap?

Karen Bradley: I again pay tribute to my hon. Friend's work in campaigning on this issue. He rightly identifies the fact that sanctions regimes are in place regarding the Iraqi and Syrian conflicts, and touches on the question of Daesh's standing in international legal circles. We must take great care that we do not deal with one wrong by creating more wrongs elsewhere, but I am happy to write to him about the specifics of the issue.

The convention was prompted by the widespread destruction and looting of cultural property in the second world war. It defines cultural property as movable or immovable property of great importance to the cultural heritage of every people, such as monuments, works of art, or buildings whose main purpose is to contain such cultural property. The definition is broad and the list of examples is not exhaustive. As well as traditional works of art, the definition could also include, as was made clear during discussions in the other place, modern or digital types of cultural property such as very rare or unique film or recorded music.

Tom Tugendhat (Tonbridge and Malling) (Con): On cultural property, I know that the Bill does not cover this issue, but does my right hon. Friend agree that we should have a discussion about religious and ethnic culture, including languages, poetry and other forms of art and heritage that have for so long been ignored but that are now being destroyed in Iraq? The Mandaeans in northern Iraq and the Yazidis in eastern Syria are struggling to keep any form of culture at all.

Karen Bradley: My hon. Friend makes an important point, but he will accept that it is beyond the convention and, therefore, the Bill.

[Karen Bradley]

The first protocol requires parties to seize cultural property that has been illegally exported from an occupied territory and to return it at the end of hostilities. The second protocol sets out violations that are to be made criminal offences and provides an enhanced protection regime for cultural property.

The UK signed the convention in 1954, but decided not to ratify because its terminology was considered to be insufficiently clear and it did not provide an effective regime for the protection of cultural property. The 1999 second protocol removed those concerns, and in 2004 the Government of the day announced their intention to ratify.

The ways in which we will implement the specific obligations of the convention and its protocols generated a great deal of interest in the other place. We have been looking carefully at implementation, particularly considering what categories of cultural property should be afforded general protection under the convention in the UK.

A previous Administration undertook a consultation on implementation of the convention and its protocols in 2005. Although the majority of the findings set out in the 2006 response to the consultation remain relevant, we will also hold discussions with key stakeholders, including from the devolved Administrations and from agencies, to ensure that those conclusions are up to date.

The Bill will introduce the domestic legislation necessary for the UK to meet the obligations contained in the convention and its two protocols. Part 2 makes it an offence to commit a serious violation of the second protocol to the convention either in the UK or abroad. The Bill also makes provision to ensure that ancillary offences committed abroad can be prosecuted and that commanders and superiors can be held responsible in appropriate circumstances.

Following debate in the other place, we made a minor and technical change to ensure that the Bill's provisions relating to ancillary offences have the intended effect in Scotland. That amendment was tabled by the Government following consultation with the Crown Office and the Scottish Government.

We have also changed the headings of part 2 and clause 3 by replacing the word "breach" with "violation". Concern was expressed in the other place that there was a lack of consistency between the language of the Bill and the second protocol, and we made that change to address that. I am grateful to Professor Roger O'Keefe of University College London for his work on that particular point and on the Bill as a whole. I appreciate all the advice and feedback that we have received from experts in the field, which has been invaluable in shaping the Bill.

The maximum penalty for those offences is 30 years. It is important to emphasise that that is a maximum penalty, and it will be for the courts to decide the appropriate penalty in any particular case. It is critical that the penalty reflects the seriousness of the violations of the second protocol and that it is consistent with other penalties for related offences.

Part 3 recognises in UK law the blue shield—the distinctive blue and white emblem created by the convention, which is viewed by many as the cultural equivalent of

the Red Cross. The emblem will be used to identify cultural property that is protected under the convention, as well as the people tasked with protecting it. The blue shield will be protected from misuse by making its unauthorised use an offence.

Part 4 implements measures to deal with cultural property that has been unlawfully exported from occupied territory.

Chris Bryant (Rhondda) (Lab): Clause 17 states:

"It is an offence for a person to deal in unlawfully exported cultural property, knowing or having reason to suspect that it has been unlawfully exported."

There could be an unreasonable reason. Will the Government be open to suggestions to improve the Bill so that people are not unwittingly caught by the law?

Karen Bradley: That concern has been raised with me outside this place by a number of right hon. and hon. Members, including my right hon. Friend the Member for Maldon (Mr Whittingdale), the previous Secretary of State, and my right hon. and learned Friend the Member for Harborough (Sir Edward Garnier). The issue was not raised substantively in the other place but I understand that there are concerns, so the Under-Secretary of State for Culture, Media and Sport, my hon. Friend the Member for Chatham and Aylesford (Tracey Crouch), and I will meet concerned parliamentarians, with officials, to make sure that we have comfort in this regard. It is important that we are clear that the Bill will not hamper the way in which the art market operates.

It is important to note that part 4 applies only to cultural property that has been unlawfully exported from an occupied territory after 1956, when the convention and first protocol came into force. Clause 17, which the hon. Member for Rhondda (Chris Bryant) has mentioned, creates a new offence of dealing in unlawfully exported cultural property. That offence applies only to unlawfully exported cultural property that is imported into the UK after the commencement of the Bill, which ensures that the Bill will have no retrospective application.

Scrupulous dealers have no reason to fear prosecution or increased business costs under the Bill.

Mark Tami (Alyn and Deeside) (Lab): Does the Secretary of State accept, though, that, regardless of whether an item is legal or not, if a country falls into a war situation, suspicion will fall on every item of property that would previously have been dealt with perfectly legally?

Karen Bradley: I do not think that that will happen, and it is certainly not the Bill's intention, but I am happy, together with my hon. Friend the Under-Secretary, to speak to colleagues and to spend time with officials to make sure that we are all satisfied. We all want The Hague convention to be brought into UK law—62 years is too long. We want to get on with it, but also to make sure that we do so in a way that satisfies parliamentarians and means they are happy that it will deliver the desired effect.

Although dealers will need to satisfy themselves through due diligence that there is no reasonable cause to suspect that objects presented for sale have been unlawfully exported from an occupied territory, existing codes of conduct already oblige dealers not to import, export or transfer the ownership of objects where they have reasonable

cause to believe that the object has been exported in violation of another country's laws. Dealers will not be required to carry out any further due diligence beyond that which they should already be conducting. In order to commit an offence, a dealer must deal in an object knowing, or having reason to suspect, as the hon. Member for Rhondda has pointed out, that it has been unlawfully exported. If a dealer takes temporary possession of an object for the purposes of carrying out due diligence or providing valuations, they will not be dealing in that object, because they will not be acquiring the object.

The rest of part 4 outlines the circumstances in which unlawfully exported cultural property would be liable to forfeiture, and creates the necessary new powers of entry, search, seizure and forfeiture. Part 5 provides immunity from seizure or forfeiture for cultural property that is being transported to the UK, or through the UK to another destination, for safekeeping during an armed conflict.

Finally, part 6 ensures that if an offence under the Bill is committed with the consent or connivance of an officer of a company or Scottish partnership—for example, directors of private military contractors—that officer will be guilty of an offence, as well as the company or partnership.

There is already a legal framework in place that is designed to tackle the illicit trade in cultural property. The Dealing in Cultural Objects (Offences) Act 2003, the Theft Act 1968 and the Syria and Iraq sanctions orders enable the UK to take action where authorities suspect that individuals might be engaged in illicit trade. The Bill helps to strengthen that framework in relation to cultural property that has been taken illegally from occupied territories.

In addition to enabling prosecution, the existing legislation also has an important deterrent effect, sending out the message that the UK will not tolerate any illicit trade in cultural property. As well as providing teeth that can be used when required, the Bill will strengthen that deterrent effect.

Tim Loughton (East Worthing and Shoreham) (Con): My right hon. Friend knows that I greatly support this Bill. She is talking about enforcement and greater teeth for the legislation. Why does she think there has been only one prosecution in this country since the Dealing in Cultural Objects (Offences) Act 2003? Should we not have done better by now?

Karen Bradley: My hon. Friend helps to make the point about the deterrent effect of the legislation. It is deterring dealers from taking cultural property that has been stolen from occupied territory. Clearly, law enforcement and others need to understand the legislation, the offences and the action that can be taken in order that prosecutions can be brought if there is evidence that a crime has been committed.

On passing the Bill, the UK will be the first permanent member of the UN Security Council to become a party to the convention and its two protocols. Given with the other initiatives we have set in motion in this area, we will have ensured, in the strongest terms possible, that the UK will be a champion for cultural protection in times of peace and war alike. I commend the Bill to the House.

6.30 pm

Kevin Brennan (Cardiff West) (Lab): I welcome the Bill's Second Reading, and I thank the Secretary of State for her introduction. As she said, the Bill has been a long time coming, as it will enable the 1954 Hague convention to be ratified. It has taken only 62 years. Back in 1954, Winston Churchill was Conservative Prime Minister; Gaitskell, I think—my hon. Friend the Member for Rhondda (Chris Bryant) will correct me if I am wrong—was leader of the Labour party; and the Liberals had only six seats in Parliament, so some things do not change too much even over 62 years.

The destruction and theft of cultural heritage goes back long before 1954 and even before the second world war, the events of which triggered the Hague convention in the first place. Hon. Members will remember that in 1700 BC the Assyrians invaded Mesopotamia—now called Ramadi and Falluja in Iraq—stole the stone gods of the Arab tribes and took them back to Nineveh to force the Arabs to negotiate to get their gods back. It is a sad fact that the treatment of cultural artefacts in exactly those locations has progressed so little in the intervening 3,500 years. Indeed, it is worse now because of the destructive potential of modern weapons of war.

The previous Labour Government, as the Secretary of State pointed out, put the ratification of the Hague convention on the political agenda in 2004 and published a draft Bill in 2008, which was scrutinised by the Culture, Media and Sport Committee. Unfortunately, the Bill ran out of time, but we are pleased to see that the Government agree on the importance of protecting cultural property and of making that priority known to the international community by introducing the Bill. We hope that the principles of mutual respect and co-operation will permeate all Government policies from now on.

Cultural property is targeted because it matters. My hon. Friend the Member for Bishop Auckland (Helen Goodman), who is in her place, campaigned effectively—as did other hon. Members whom the Secretary of State mentioned—for the Government to introduce the Bill. As my hon. Friend has written,

“art, statues, architecture—these aren't societies' frills, but a fundamental part of the fabric.”

She is not alone in that belief. It is shared even by those whose first priorities might lie, correctly, elsewhere. Michael Meyer, head of international law at the Red Cross, has said:

“Why is the Red Cross worried about buildings and books when human lives are usually our focus? I will always argue that a human life is more valuable than a cultural object. But culture is essential to one's identity. It's an important factor for communities and nations.”

Karen Bradley: I want to put on the record my thanks to the hon. Member for Bishop Auckland (Helen Goodman). I failed to do so in my opening remarks, and I wanted to get that on the record.

Kevin Brennan: I thank the Secretary of State for doing so. It is characteristically generous of her, and I am sure that my hon. Friend and the House are grateful.

The Hague convention is based on the consensus that cultural property, moveable and immovable, is central to identity. Such items embody a society's past and encapsulate its ideas and often its ideals. Because of the

[Kevin Brennan]

consensus on the importance of cultural property, attacks on it in recent armed conflicts have drawn the attention of the international media. Daesh's destruction of Palmyra and al-Qaeda's demolition of mosques and mausoleums in Timbuktu have, quite rightly, sparked international outrage. For those who live in areas of armed conflict, the destruction of cultural property adds another layer of pain to the process of recovery in terms of both money and morale. Cultural property is a precious resource. When conflicts are over, monuments and their equivalents are key to kick-starting tourist-related industries, so cultural property can be crucial to economic regeneration.

Tom Tugendhat: Does the hon. Gentleman agree that although Daesh brutality is obvious in places such as Palmyra, a more common example might be the golden mosque in Samarra, or the ethnic cleansing and the destruction of churches in places such as Mosul? Does he agree that cultural destruction often goes in hand with forms of ethnic cleansing, whether religious or sectarian?

Kevin Brennan: I strongly agree with the hon. Gentleman on that point. Palmyra was visited each year prior to 2011 by 150,000 tourists, and a UNESCO mission to the site in April this year found that the triumphal arch and the temple of Bel had been smashed to smithereens. In such circumstances, preserving and sometimes restoring as much as possible of these ancient structures is crucial to rebuilding. The Bill aims to provide the ways and means to allow states to do so.

In that respect, the offences and subsequent sanctions created by the Bill for damaging cultural property are particularly welcome, as is the introduction of immunity from seizure for cultural property that is being moved to or through the United Kingdom from an area of armed conflict for safekeeping. It is important to note that the UK armed forces already abide by the terms in the Bill and respect cultural property during conflict. The impact assessment that accompanies the Bill shows that their behaviour would need to change very little as a result of the introduction of the Bill. However, ratifying the 1954 convention would send a clear signal to the international community of what we already know at home: that the preservation of cultural property is a priority for the United Kingdom.

As I have mentioned, there are consequences for morale as well as for money when monuments are destroyed and when stone is turned to sand. When it comes to art and architecture, we expect continuity and longevity—a bridge between what was and what will be. Hon. Members will be familiar with the words of John Keats, who wrote about a Grecian urn:

“When old age shall this generation waste,
Thou shalt remain, in midst of other woe
Than ours, a friend to man”.

Just as preserving culture is about projecting pride and history, so the destruction of cultural property is bound up in power and subjugation. Hon. Members might have seen an interview that was given to the BBC by Mirza Hussain last year. In 2001, when he was 26, the Taliban took over his city in Afghanistan and ordered him to destroy the Buddhas of Bamiyan. The Buddhas

were up to 55 metres tall and were carved into a cliff face in the sixth century, but the Taliban believed that they were idols.

Among a group of prisoners, Mirza was fed very little, left freezing cold at night and saw his fellow prisoner shot. He was then forced to detonate trucks of dynamite below the Buddhas, and when that did not work, two or three explosions were carried out every day until the Buddhas were destroyed. He said:

“We drilled holes into the statue to plant the dynamite. We didn't have proper tools. The whole process took 25 days.”

He went on to say:

“I regretted it at that time, I regret it now and I will always regret it. But I could not resist, I didn't have a choice because they would have killed me.”

I am sure that that will bring to hon. Members' minds the tragic death of Khaled al-Asaad, the archaeologist who had worked at Palmyra for 40 years and was brutally murdered by Daesh in August last year at the age of 82 for refusing to reveal the whereabouts of Palmyra's treasures.

That leads me to one of the central concerns about the Bill. We will support it on Second Reading tonight and throughout its later stages. However, although the Bill has been brought forward in the context of the aftermath of the destruction of cultural treasures in recent conflicts, it does not, as I understand it, cover the actions I have described because they were carried out by occupying forces that are not recognised states. I hope that the Minister will correct me if I am wrong, but the Bill will not necessarily prevent extremists from intimidating people into complying. In her response to the debate, will she tell us whether that comes within the Bill's scope or powers?

Tim Loughton: I am genuinely impressed by the hon. Gentleman's knowledge of Mesopotamian and other archaeology. Indeed, his own party's Ed stone at the last election could be seen as an homage to the stele of Hammurabi, the great lawgiver of Mesopotamia in the 18th century BC. I want to query his last point, because it may well take another change to the UNESCO convention to take into account the modern phenomena of ISIL and other terrorist groups. Would he support our negotiating internationally to try to get the law brought up to date?

Kevin Brennan: I am sure that the whole House would welcome any measures that were negotiated internationally to cover these horrific crimes. In speaking for the Opposition, I am sure that we would support the Government should they seek to negotiate further international agreements to that effect.

I am conscious of the fact that the Bill will bring the 1954 convention into UK law, as well as give effect to the 1954 and 1998 protocols. In that sense, it is limited in its scope. It is important to point out on Second Reading that, although we all understand the context in which the issue has become more and more pressing in recent years, particularly in relation to what has been going on in modern Iraq—ancient Mesopotamia—and modern Syria, the Bill cannot deal with the perpetrators of such crimes. We may be able to deal with such crimes in other ways. For example, if UK citizens engaged in this activity went to fight on the side of Daesh in Syria, they might well be caught—I am sure that they would

be—by other aspects of UK law, but that does not mean that the penalties available would be the same as those available under the convention in the Bill, including the possibility of a 30-year jail sentence for any breaches.

Chris Bryant: We have focused on trying to stop further outrages. Does my hon. Friend agree that the British Museum plays an absolutely vital role—not only in this country, but in modern Iraq and Syria—in trying to protect many Mesopotamian antiquities? Indeed, the British Museum was in closer contact than anybody else with those who were summarily executed.

While we are being nice to Government Members, will my hon. Friend congratulate the hon. Member for Newark (Robert Jenrick) on the fact that, from the moment he arrived in the House, he has pursued this issue?

Kevin Brennan: It would my pleasure to do so, and it is always nice, as well, to hear my hon. Friend being nice to Government Members.

As I have said, the Bill has been introduced in the context of such events, but it is important to note what it will and will not do. It will not necessarily prevent extremists from intimidating people into complying in the way that Mirza was intimidated into doing in Afghanistan. However, we welcome the ratification of the 1954 convention. It is part of an international project to ensure that we are not faced with gaping craters where great statues once stood. When she sums up, will the Minister be absolutely clear about what the Bill does and does not cover, so that there can be no doubt?

My hon. Friend mentioned the British Museum, which is a wonderful institution. If we are candid, however, we should recognise that our own hands are not necessarily entirely historically clean in relation to the removal of cultural property. That occurred in Britain's colonial history, and it was used to build British wealth and power at the direct expense of colonised nations. Recent speculation concerning the repatriation of the Parthenon marbles to Greece, as well as campaigns to return the Koh-i-noor diamond to India and the Benin bronze cockerel to Nigeria, shows that the removal of cultural property reverberates through the centuries. I notice that the hon. Member for East Worthing and Shoreham (Tim Loughton) is shaking his head.

Tim Loughton: The hon. Gentleman is revisiting an old canard. Will he not just acknowledge that, for example, the Elgin marbles would not exist had they not been saved by the people who endowed the British Museum? The British Museum is a world museum. It is visited by 7 million people, which is substantially more than the number who visit the Parthenon in Athens. These treasures of the world can be seen in the best possible context, rather than decontextualised and open only to the few who would have to pay an admission fee elsewhere.

Kevin Brennan: I will not get into a lengthy debate about the wheres and the what happens.

Chris Bryant: You started it.

Kevin Brennan: I have spent my whole life starting fights and then running away from them. That is what happens when you are quite small.

Occasionally, when we get on our high horse about these things, we should remember that there have been times during the course of history when we have removed cultural property from others during warfare and, indeed, when we have destroyed cultural property. The convention applies only to events after 1954, so we fortunately do not have to revisit all those times in too much detail; otherwise, before we knew it, we would have SNP Members going on about the Stone of Scone.

Brendan O'Hara (Argyll and Bute) (SNP): We've already got it.

Kevin Brennan: I think the hon. Gentleman is going to mention that in his speech.

In that light, the particular attention paid in part 4 of the Bill to the export of property from occupied territory is especially important. With Britain's history in mind, the ratification of the first protocol could be said to indicate that we have at least learned something from any past transgressions and that the UK is committed to supporting other states in avoiding that sort of event.

I understand—the Minister will correct me if I am wrong—that no one has ever been charged with the destruction of the Buddhas of Bamiyan. That brings me to some of the technical concerns about the Bill. Will the Minister say how, if at all, The Hague convention would apply to the conflict in Afghanistan and other such recent conflicts? Likewise, there are concerns that a convention written in the 1950s, of which the most recent component—the second protocol—was drawn up in the relatively early years of the internet, will not sufficiently protect cultural property in digital form. We have come a long way from the days of Keats' Grecian urn. The success of the landmark legal case against Uber on Friday is part of an ongoing effort to bring legislation up to date in relation to digital advancements, and the Government must bear that in mind. My hon. Friend the Member for Sheffield, Heeley (Louise Haigh) and I have been busy working away in Committee on the Digital Economy Bill, which is meant to update legislation to reflect the digital revolution.

Lord Stevenson raised that issue during this Bill's Committee stage in the Lords in relation to how cultural property is defined, and he received assurances from the Minister, Baroness Neville-Rolfe, that the wording was "flexible enough" to encompass technological advancements. If the Minister is willing to do so in her summing up, will she reinforce that reassurance that digital formats will equally be protected and included in the Bill's definition of cultural property? As the convention dates from 1954, some of the definitions may seem slightly arcane, but some of the finest cultural objects in this country are things such as the archive of the British Film Institute—I have visited it—which can only be described as an absolute treasure trove of this country's culture. Confirmation from the Government that such cultural artefacts are covered by the Bill, in bringing the convention into UK law, would be very helpful.

I want to ask one or two questions about how joined-up the thinking is. During the Second Reading debate in the Lords, Lord Redesdale mentioned the Ministry of Defence's plans to create a squad of monuments men—and, presumably, women as well—whose focus would be to safeguard cultural property during armed conflicts. As I understand it, they would be soldiers with archaeology

[Kevin Brennan]

qualifications and the like. Meanwhile, the Department for Education has been campaigning against so-called soft subjects, leading to exam boards ending archaeology, art history and classical civilisation A-levels. The AQA explained its decision to cut A-level archaeology as follows:

“Our number one priority is making sure every student gets the result they deserve...the complex and specialist nature of the exams creates too many risks on that front”—

I am not sure how not offering an exam in a subject will make it any less specialist than it already is. On history of art, the AQA stated that the decision had nothing to do with the importance of the subject and

“won’t stop students going on to do a degree in it”.

That logic seems flawed to me. But it does not make a pretty picture overall, let alone a masterpiece, to have the Ministry of Defence wanting more soldiers with knowledge of art history and archaeology and the Department for Education cutting those same subjects from our classrooms, while the Department for Culture, Media and Sport is ratifying conventions and proclaiming that a national priority.

Tom Tugendhat: The hon. Gentleman is making a very fine speech, but had he spent any time in an officers’ mess, he would realise that art history surrounds people, archaeology is what they are equipped with and history of culture is often what they are eating. I do not feel that there is a need for much more qualification than that.

Kevin Brennan: I have spent a lot less time in officers’ messes than the hon. Gentleman, but I have spent a lot of time in the classroom as a teacher. The loss of those subjects undermines the Government’s stated aims. I will make this next point very carefully, but it seems to me that it should not only be those who have had access to those subjects through private education, who may well form a disproportionate number of officers in the armed forces—[*Interruption.*] I will allow the hon. Gentleman to correct me that score, but it should not be only those people who qualify for these jobs in the monuments squad that the MOD says is necessary and wants to recruit. Will the Minister therefore indicate which policy is the outlier? I am sure that she will produce a very creative argument to explain everything to the House.

I have outlined some of the issues that need to be clarified, but we support the principles behind the Bill because they firmly chime with our own. At the core of the convention is the belief that we must co-operate to promote human wellbeing. The 1954 convention states that

“damage to cultural property belonging to any people whatsoever means damage to the cultural heritage of all mankind, since each people makes its contribution to the culture of the world”.

The Labour party has championed those beliefs throughout our history—that everyone is entitled to their culture and heritage and their right to express it, that the success of one is tied to that of all society and that we must work in solidarity with each other because we are all the better for it when we do so.

Given the unfortunate and occasionally ugly tone of political discourse in recent times, the Bill is a welcome reminder of internationalist values and shared civilisation

and culture. We have had an increase in attacks since the Brexit vote. In that context, the Bill recognises the importance of preserving our collective past and cultures and the fact that that is now more important than ever, whatever someone’s heritage and background.

The Bill is a signal to the international community not just of our national priorities but of the UK’s remaining willingness to co-operate on an international scale and a recognition that we can often enact change better together. It gives welcome hope that, although occasionally some Government rhetoric may shrink towards little England, Britain still has great aspirations to play a leading role in a rules-based world. The Bill may not be controversial, but it is a small beacon showing that the Government recognise that division is not the way forward, that we have more to gain through co-operation internationally and that we should extend to Syrian people fleeing conflict and seeking refuge the same respect that we give to their ancient architecture and monuments. We will not oppose the Bill; rather we hope the principles behind it will permeate through the Government’s principles.

6.54 pm

Mr John Whittingdale (Maldon) (Con): I am delighted to welcome the Bill’s Second Reading. As has been pointed out, this is a Bill we have welcomed in the past; indeed, I chaired the Select Committee that considered the draft Bill in 2008, when we subjected it to pre-legislative scrutiny. At the time, we very much welcomed the Government’s intention to introduce it. We pointed out that then it was 55 years since the adoption of The Hague convention and that 118 countries had already signed it. Another eight years have passed since then, and I am proud that the Bill should finally go on to the statute book under a Conservative Government in their second Session in office.

When we took evidence, it was pointed out to us that there had been some examples of damage to heritage assets during the course of the Iraq war, particularly some in the city of Babel, that may have been caused by coalition forces. Although that was obviously not deliberate, it highlighted the importance of stressing the need to protect cultural assets.

Chris Bryant: I have a specific question on cluster munitions. The right hon. Gentleman just used the words “not deliberate” in reference to the fact that often some cultural objects are destroyed in war. Cluster munitions can be so indiscriminate and they spread across a wide area, and so their use is one reason why cultural objects are often destroyed. Is it not incumbent on us now as a country, having given up cluster munitions ourselves, to try to persuade all our allies to do the same?

Mr Whittingdale: I sympathise with the hon. Gentleman’s point. All signatories to the convention should certainly do their utmost to prevent damage to cultural assets and assets that have been identified as culturally important. I would therefore expect our allies who are signatories to adopt that approach as much as we do.

As has already been raised, however, there is a huge gulf between what may have happened as a result of actions by forces in the Iraq war and what we have seen being carried out by Daesh in Syria in recent years, in Palmyra in particular but in other places as well. The first priority has to be the humanitarian crisis and

preventing loss of life, but the destruction of cultural assets is hugely damaging. As has been said, they are part of the history and national identity of a people. They are also, potentially, part of their salvation, for when conflict comes to an end cultural assets can represent economic assets from which one can rebuild an economy by attracting people to visit.

Cultural assets are also part of the world's heritage, and we all have a duty to do our utmost to safeguard that heritage. For that reason, I was delighted when the Government established the cultural protection fund, worth £30 million, and I pay tribute to my right hon. Friend the Member for Tatton (Mr Osborne), Chancellor of the Exchequer when the fund was established, and the Education Secretary, who was then Secretary of State for International Development, for their part in agreeing to that, as a large part of the fund can be classified as international aid. I also pay tribute to Neil MacGregor—he has already been mentioned—who was the driving force for the establishment of the fund. He and I launched it together, and, as the director of the British Museum at the time, he took responsibility for the first phase, a £3 million fund administered by the British Museum to send archaeologists into Iraq to advise and help in restoration where damage had taken place.

I was also immensely privileged to meet Dr Maamoun Abdulkarim, who is director-general of antiquities in Syria. He was the boss of Khaled al-Asaad, whom the hon. Member for Cardiff West (Kevin Brennan) mentioned. Dr Abdulkarim described the courage shown by his colleague, who did not wish to divulge where very valuable artefacts had been concealed and as a result was beheaded by Daesh.

The question of whether Daesh comes under the definition of occupying forces has already been raised. Even if it did, one has to admit that it seems unlikely that the passage of an Act will prevent it from carrying out such horrific atrocities. But it will send a very important signal. It will also have an effect on our own forces.

Tom Tugendhat: My right hon. Friend makes a good point. Although I appreciate his point that the Bill is unlikely to dissuade Daesh from its actions, it may affect its ability to support itself financially, because one of the ways in which it currently fills its coffers is by selling looted artefacts.

Mr Whittingdale: My hon. Friend makes an extremely good point. Most of the attention has been on wilful destruction, but he is absolutely right that the trade provides finance to Daesh. We must do everything we can to stamp that out, which is why I support the principle that it should be unlawful to deal in illegally exported cultural property.

I pay tribute to the efforts already made by the Ministry of Defence and commanders in the field to abide by the terms of the convention, even when it was not ratified. When the Committee took evidence from the MOD, it said it would review and strengthen the commitment it had already given that training should take account of the absolute priority of abiding by the requirements of the convention.

The Committee heard concern about one aspect of the Bill: the offence of dealing in unlawfully exported cultural property. The first concern was about the definition of occupied territories. At the time, we were told that it was a very narrow definition, or that only a narrow

group of countries or territories could be considered to be occupied. In 2008, the regulatory impact assessment identified the Golan heights, East Jerusalem and the west bank. Unfortunately since that time, the list of occupied countries has grown—I draw attention to Crimea. For the purposes of certainty for those dealing in cultural objects, it would help if we clarified exactly which territories we consider to be occupied.

The more serious concern related to clause 17, which makes it an offence

“to deal in unlawfully exported cultural property, knowing or having reason to suspect that it has been unlawfully exported.”

As has been pointed out by the legal advisers, there is a huge difference between “having reason to suspect” and “to suspect”, which is causing concern. If the definition of the offence covers “reason to suspect”, it gets into mens rea, as I understand lawyers call it. I will leave it to my right hon. and learned Friend the Member for Harborough (Sir Edward Garnier) to say more on that subject with considerably greater expertise.

The issue was flagged up for the Committee when we looked at the Bill eight years ago, which is why we suggested a clearer requirement of dishonesty. That is what currently applies in the Theft Act 1968, which carries a penalty of seven years, and in the Dealing in Cultural Objects (Offences) Act 2003, which also carries a penalty of seven years. The Bill introduces a penalty of seven years, and therefore it seems reasonable to ask that the same threshold should be required. I am delighted to hear from the Secretary of State that she is aware of that concern and will have further discussions.

Kevin Brennan: The right hon. Gentleman makes an important point. Is he aware how many people have been convicted under the 2003 Act? My understanding is that the number is very low, and perhaps even zero.

Mr Whittingdale: That point was made by my hon. Friend the Member for East Worthing and Shoreham (Tim Loughton) earlier. The fact that there have been no convictions does not necessarily imply that the Act is not working—it is important to have it on the statute book. I do not believe that this country is full of dodgy art dealers who wilfully ignore the law and deal in plainly illegally exported objects.

Sir Edward Garnier (Harborough) (Con): Nor should we go around lowering the threshold in order to scoop up innocent people.

Mr Whittingdale: My right hon. and learned Friend makes a perfectly valid point and I agree with him. The art market is determined and supports the Bill. The last thing it wants is for this country to become a place where people can deal in unlawfully exported objects. It is worth bearing in mind that the market is hugely competitive and the third biggest in the world—it was worth something like £9 billion in sales in 2014. I would not like to see it inadvertently put at a disadvantage compared with other markets around the globe. I hope the Government bear that in mind. As I have said, I very much welcome their commitment.

Dr Matthew Offord (Hendon) (Con): Will my right hon. Friend give way?

Mr Whittingdale: If my hon. Friend will forgive me, I have finished my speech.

7.5 pm

Brendan O’Hara (Argyll and Bute) (SNP): The Scottish National party Members and the Scottish Government very much welcome the Bill and the purpose it serves. The Government can be assured of our support in getting this much needed legislation through Parliament so that we put in place the necessary domestic legislation to enable the UK to ratify The Hague convention for the protection of cultural property in the event of armed conflict, and to accede to both the 1954 and the 1999 protocols.

I share the concerns expressed by the hon. Member for Cardiff West (Kevin Brennan) that a 1954 convention that was last updated in 1999 may lack understanding of what is required in the 21st century, particularly the need to deal with the role of non-state actors in modern conflict in the destruction of cultural heritage. With that caveat, SNP Members are firmly of the opinion that, no matter where it is located in the world, we all benefit from a rich and diverse historical and cultural heritage, and that every effort must be made to protect it in a time of war—and, indeed, at all times. Although there has been widespread parliamentary support for that, going back many years, time has never been found—for whatever reason—to introduce primary legislation to ensure that the UK can fully meet its obligations as set out in the convention and subsequent protocols. Many hon. Members have said that the Bill has been a long time coming—it has been 62 years—and I fear that, had it been delayed any longer, it would be almost as old as some of the artefacts it is designed to protect.

We welcome the fact that that wrong is about to be put right, and that very soon the United Kingdom will join many other nations in tightening up its domestic law on the protection of cultural property in a time of conflict. I happily acknowledge that, despite the Government not ratifying the convention, UK armed forces fully comply with it during military operations, and recognise the blue shield—the emblem that identifies cultural property protected under the convention and protocols. In ratifying the convention and protocol, the UK will formalise the responsibility of its troops when they are operating in armed conflict overseas.

In 2008, when the subject was last debated in Parliament, one of the main concerns was whether such a Bill would constrain our troops on military operations by limiting their freedom to protect themselves should they come under fire from opposing forces based in a museum or holy place of worship. Back then, the Ministry of Defence appeared to be confident that the passage of the Bill would not be problematic. I was pleased when the then Minister for the Armed Forces, the hon. Member for Portsmouth North (Penny Mordaunt), repeated last year that the cultural property convention is upheld across the armed forces. We know that they currently act within the spirit of the convention and are fully compliant with their own statute. Given that the Ministry of Defence was so relaxed about the consequences of ratifying the convention—the ’54 protocol and the ’99 protocol—last year, I trust that nothing has happened to change its view.

If anything, that view should have hardened as the stories and images of the wanton destruction by Daesh of some of the world’s greatest and most important heritage sites in Iraq, Libya and Syria have become widespread. The destruction of temples, churches and

mosques, as well as the ancient cities of Palmyra and Nimrud, can be seen only as deliberate and calculated attempts to erase our collective human experience. They were unspeakable and barbaric attacks on thousands of years of human progress and civilisation.

UNESCO director-general Irina Bokova was right when she branded the activities of Daesh as “a form of cultural cleansing”.

What Daesh is doing, in willfully desecrating and pillaging the artefacts in those sites, is a shameful and inexcusable crime against all of humanity. But let us be clear, not everything that Daesh is doing can be dismissed as simply malicious vandalism or an attempt to eradicate all traces of a pre-Islamic civilisation, as there is irrefutable evidence that when Daesh seizes a new city, one of its first acts is to plunder the museums and cultural sites for artefacts to raise much needed cash. Its looting of priceless artefacts is done for profit, and the flood of stolen antiquities being smuggled into the open arms of collectors across Europe and America shames us all.

Michael Danti, a Boston University archaeologist who advises the US State Department on smuggled antiquities, said last year,

“What started as opportunistic theft by some has turned into an organized transnational business that is helping fund terror”.

Irreplaceable artefacts are being stolen from an already beleaguered people and are being sold on the black market to an unscrupulous but fabulously wealthy elite, whose money is funding Daesh’s murderous campaign.

I am delighted that the Bill will make it a criminal offence to deal in cultural property that has been illegally exported from a territory that has been occupied during an armed conflict. Such a measure is long overdue and very welcome. We urge the UK Government actively and vigorously to implement the measures outlined in the second protocol of 1999 and bring to justice those individuals who engage in and profit from the illegal and totally immoral trade in stolen ancient artefacts.

As the respected Lebanese-French archaeologist Joanne Farchakh told Robert Fisk of *The Independent* last year, antiquities from Palmyra are already on sale here in London. She explained that Daesh sells the statues, stone faces and frescoes to the international dealers. Daesh takes the money, hands over the relics and blows up the temples and buildings they come from to conceal the evidence of what has been looted and, presumably, to help to protect the identities of its paymasters—the dealers and collectors across Europe and America.

France Desmarais, the director of programmes and partnerships at the International Council of Museums, has described what has happened in the middle east as the largest scale mass destruction of cultural heritage since the second world war. That has to stop, and hopefully the Bill, by creating a new offence for a person to deal in cultural property, knowing or having reason to suspect that it has been unlawfully exported from occupied territory, will go some way to stopping it. We welcome that. The purchase of plundered antiquities in such circumstances is deeply immoral on so many levels, and if the Bill can stop the trade and bring those guilty of dealing in looted artefacts to justice, it will have served much of its purpose.

A people’s cultural heritage is a crucial part of who they are and what they were in the past. For almost all communities, anywhere in the world, it is a symbol whose

importance cannot be overstated. What also cannot be overstated is the social and economic importance that that cultural heritage will have in helping Syria, Iraq, Libya and others to begin to recover, once Daesh is defeated. I sincerely hope that the Bill will ensure that, post conflict, plans are in place to repair as much of the damage that has been done to the cultural heritage of communities as possible. It is incumbent on us, and the rest of the world, too, to help them to regain those important and socially valuable, tangible reminders of their cultural identity, around which they can repair in peaceful times.

While The Hague convention is specific to times of armed conflict, the work of protecting cultural heritage must also continue in peacetime. In the spirit of the convention, we urge the Government to take this opportunity to return the Parthenon marbles—the Elgin marbles—to Greece where they belong. The passing of the Bill and the ratification of the protocols give the Government an excellent opportunity to lead by example and celebrate the ratification of the convention with a highly appropriate and long overdue gesture.

Finally, let me reiterate the position of the Scottish Government. It is for the UK Government to accede to an international instrument such as The Hague convention and it is important that the same or similar standards are applied across the UK. The UK Government's Bill contains all the provisions that are necessary to enable implementation of the convention in the UK, while making appropriate provision for Scotland. It is the view of SNP Members and the Scottish Government that it is in the interests of the Scottish people and good governance that the provisions outlined within the Bill should be considered by the UK Parliament, and we will support its passage through this place.

7.15 pm

Mr Edward Vaizey (Wantage) (Con): I am grateful for the opportunity to speak briefly in the debate. As I have mentioned, I may not be able to observe all our conventions, as I will shortly host an event for the Holocaust Educational Trust. That may be pertinent, as it is worth reminding the House that the UK has been in advance of many other nations in dealing with spoliation—the unlawful taking of goods from the Jewish community during the second world war. That issue has been handled well in this country, which bodes well for how we will handle aspects of The Hague convention in the future.

One waits six years for a DCMS Bill and then, like buses, two come along at once. I am pleased that I have been able to speak in debates on the Digital Economy Bill and this Bill. I wanted this Bill for a long time as Minister. When I was an Opposition spokesman, I remember looking forward to its introduction by the Labour Government, but it fell by the wayside as the election approached. I argued vociferously for six years for the Bill, but for some reason the Government's business managers did not see its importance. I am glad that, under the new Government, they do understand how important it is. Many officials have brought it to fruition, but I wish to mention Hillary Bauer, who originally brought the Bill forward. So long has the process been that she has now retired. Of all hon. Members who have an interest, I wish to pick out in particular my hon. Friend the Member for Newark (Robert Jenrick), who has been vociferous about cultural protection. He has engaged with me and my right hon. Friend the Member for Maldon (Mr Whittingdale) about the issue.

I wish to draw the Minister's attention to three issues for when she sums up. Having watched the video of her playing keepy-uppy last week, I know that her summing up will be something to behold. First, I hope that she will make it clear that our own troops will not be at risk under the convention. The convention and the Bill make it clear that it is the intentional destruction of cultural property that comes within their scope—something that our British troops could never be accused of doing. They already act within the terms of the convention, and indeed it is wonderful to hear that the Ministry of Defence is working with DCMS to set up a 21st-century version of the monuments men, made up of people from the Army reserves. I would welcome any information the Minister has on progress regarding that point.

Secondly, on the vexed question of clause 17, my understanding is that the convention has been in place in Germany for the past 10 years and I know of no cases in which art dealers have unwittingly been brought within its scope. The legislation is clear: there must be some degree of suspicion on the part of any dealer before they could possibly be brought within scope. Given the noble profession of art and antiquities dealers in this country, any dealer who had a suspicion that something had been looted or trafficked would immediately alert the authorities, so dealers have nothing to fear from the Bill.

My third point is about the cultural protection fund, which is close to my heart and something for which I campaigned as a Minister—wholly unsuccessfully—on the back of Neil MacGregor, the then director of the British Museum. He said to me early in my time as a Minister that the museum, and many of our other national museums, do extraordinary work in many jurisdictions to support the work of archaeologists and the preservation of antiquities. My campaign was unsuccessful until my hon. Friend the Member for Newark raised the issue. I think the situation in Palmyra also changed the Chancellor's mind.

I am glad that the Department for International Development has, I gather, stumped up most of the money for the cultural protection fund. It is deeply frustrating that the terms under which DFID operates—the alleviation of poverty—seem to preclude it from helping out in these areas. The fact remains that our national museums do this work all over the world, and it seems to me wholly legitimate that international development funds should supporting the skilling up of people in developing countries in archaeological expertise, as well as the preservation of their culture. We should, without doubt, support that.

I urge the Minister and the Secretary of State to take the cultural protection fund as a starting point for the UK to become an international centre for the preservation of antiquities and the skilling up of archaeological schools around the world. Members in the other place have suggested that we could become a repository—a digital archive—for some of the great treasures around the world, as well as the centre for the blue shields. I urge the Secretary of State to take that up.

Finally, I cannot resist the bait from the Scottish National party spokesman, the hon. Member for Argyll and Bute (Brendan O'Hara). He talks about the Elgin marbles. I am afraid he does this great convention and the Bill a disservice by bringing up the Elgin marbles. They were, of course, purchased legitimately in the

[Mr Edward Vaizey]

19th century. Not only that, they have been preserved to the very highest standards possible in the greatest museum in the world which, as my hon. Friend the Member for East Worthing and Shoreham (Tim Loughton) pointed out, is a world museum that is open to all, free of charge. The Elgin marbles are seen in pristine condition by millions of people. Indeed, they were recently loaned to Russia for even more people to see, which goes to show that the British Museum preserves the Elgin marbles not for any national self-interest, but for the world.

7.22 pm

Dr Matthew Offord (Hendon) (Con): It is a great pleasure to follow the former Minister. I am sure he recalls the many occasions I asked him about this very issue. He did tell me, in answer to a written question, that he intended to legislate as soon as possible, so he will be pleased that this day has now come. The Bill is very important not only for this country but for the protection of cultural property worldwide. We need to play our part to safeguard the centuries-old cultural and religious heritage of the world.

The UK is the only member of the UN Security Council that has not yet ratified the convention. The Bill seeks to change that. Ratification would be an important step towards the UK becoming the first permanent member of the UN Security Council to have ratified both the convention and its protocols. I am very pleased about that.

I am aware that the Opposition, when in government, published the draft Cultural Property (Armed Conflicts) Bill in 2008. Many of us regretted that that Bill was not passed then. As the Opposition spokesman, the hon. Member for Cardiff West (Kevin Brennan), said, the Labour Government simply ran out of time, and I am pleased that Labour supports this Bill. Back in January, I called on the Leader of the House to bring forward the Bill in the Queen's Speech and I am pleased the Government have chosen to do so.

The destruction of cultural capital is a powerful propaganda tool and is part of a long history of demoralising communities. The Opposition spokesman mentioned the Nineveh period, but I have to say that in this country the Vikings started it. Recently, in Syria, we have seen the continued destruction of places such as Palmyra. Indeed, the Bill has been introduced as a result of that continuing catastrophe. It is, however, not the first catastrophe to have taken place.

The Government say that the Bill will ensure that the UK can act, and be seen to act, legitimately according to international law in response to such crises. Baroness Neville-Rolfe said in the other place that the Bill will mean that a UK national who is fighting with Daesh in Syria can be prosecuted in relation to

“theft, pillage or misappropriation of, and any acts of vandalism directed against, cultural property”.

I do not quite share her confidence. I recently wrote to the Home Office to ask how many UK nationals had travelled overseas to engage in terrorist activity and had subsequently returned to the United Kingdom. In response I was told that

“around 850 linked individuals have travelled to engage in the conflict since it began, and just under half of those have returned.”

I went on to ask how many people had been charged with terrorism offences committed overseas on their return to the UK in each of the last three years, and was told:

“The number of individuals suspected of involvement in acts of terrorism or criminal matters who are arrested and then formally charged is recorded and collated in the Home Office Quarterly Statistical Bulletin which was last published on 22 September 2016. These statistics do not disaggregate arrests, charges and convictions relating exclusively to overseas returnees.”

So the answer is that the Home Office does not know. I am not sure how it would be possible to identify a UK national fighting with Daesh in Syria and prosecute them in relation to

“theft, pillage or misappropriation of, and any acts of vandalism directed against, cultural property”

when the police are not able to prosecute jihadis returning from Syria.

The Bill is particularly important to me because it is very important to a large number of my constituents. Cyprus has witnessed its cultural and religious heritage fall prey to the policy of pillage, destruction and desecration instituted after the illegal invasion of the island in 1974, and during the subsequent and continuing occupation. Churches, chapels, monasteries, archaeological sites, libraries, museums and private collections of religious art and antiquities in the occupied areas of Cyprus have been systematically looted. The art treasure market of the entire world has for years been flooded with Cypriot antiquities from the occupied part of Cyprus. Sculptures, ceramics, figurines, statuettes, tools, weapons, frescoes, religious paintings and other works of art from Cyprus are routinely found at auction houses around the world, in particular here in London. I sought to intervene on my right hon. Friend the Member for Maldon (Mr Whittingdale) to gently remind him that London is not only a centre of antiquities; it is likely to be a significant place for illegal antiquities, too. Research undertaken by *The Guardian* found the illegal market to be flooded with antiquities, and there are various reasons why the Government have not been able to stop it.

Since the 1974 invasion of Cyprus, 77 churches have been converted into mosques after being stripped of all icons and church furnishings. The others have been pillaged, destroyed, used as stables, warehouses, garages, arsenals, mortuaries, hotels, art galleries and night clubs or simply abandoned to their fate. My hon. Friend the Member for Enfield, Southgate (Mr Burrowes) and I know this very well, having visited many of these locations. That number, however, does not include 50 sacred buildings whose condition is still not known because they are located in zones under direct military control, and others that have been demolished. Numerous archaeological sites in the area have not escaped theft and despoliation either.

Other reasons for alarm are the removal and selling of mosaics, frescoes and thousands of icons, which are now practically lost in the international market of smuggled art works. This phenomenon is unfortunately common to many areas of the middle east, as they experience war and conflict. One of the more clamorous examples is the church of Panagia Kanakaria, which held a work of art of inestimable value. Its apsidal mosaic from the Justinian period was one of the few images in the eastern Mediterranean that had survived the fury of the iconoclasts. In 1979, it was removed, stolen and broken up. It represented Christ in the arms of the Virgin seated on

a throne, surrounded by the archangels Michael and Gabriel and thirteen medallions with the faces of Christ and the apostles. Four pieces re-emerged in Europe in 1988. A Turkish art dealer, Aydin Dikmen, offered them to the American antique dealer Peggy Goldberg, who in turn offered them to the Paul Getty Museum in Malibu. The museum was savvy enough to realise there was something wrong and went to the American authorities. I am pleased to say that these pieces have now been returned and can be seen in the Byzantium museum in Nicosia, which my hon. Friend the Member for Enfield, Southgate and I have also visited. That is just one example of destruction and illegal sale. At this point, I would like to congratulate my constituent Dortos Partasides on his work documenting churches on the island. His invaluable work documents the destruction that has occurred over many years.

Returning to the Bill, London is one of the world's largest antiquities markets and is considered a natural destination for looted goods. There have been UNESCO conventions on antiquities since 1970. At the beginning of the year, the UN Security Council banned trade in artefacts illegally removed from Syria since 2011 and from Iraq since 1990 in an effort to stop the funding of terrorism groups. Enforcement in countries such as Syria is near impossible for obvious reasons, but in the destination countries, including the United Kingdom, it is up to law enforcers to establish when those objects left conflict zones.

Just as I am concerned about the prosecution of theft and vandalism of cultural artefacts, I am concerned about how the Government intend to legislate on what constitutes "an illegal antiquity". A common practice by smugglers is to claim that an antiquity has been in their family for a long time, and so it could not have been smuggled. They also sometimes say, "I bought it at auction, and there is no paper trail." Or they could say it came from a private collection in Jordan or Lebanon a couple of years ago. How do the Government propose to prove that any of these treasures were smuggled out during a conflict?

That said, I support the Bill, which will greatly assist in not only tackling further looting, but ensuring that stolen property such as that stolen from Cyprus will be returned to its legal and rightful owners, because it will make it an offence to deal with cultural property that has been illegally exported from territory occupied during an armed conflict and it will provide powers for the forfeiture or seizure of such cultural property.

7.31 pm

Mr David Burrows (Enfield, Southgate) (Con): Speaking as co-chair of the all-party group for the protection of cultural heritage, it is a pleasure to support the Bill. One of the main reasons for establishing the APPG was to support the ratification of The Hague convention and it is great to see the aim fulfilled in the passage of the Bill.

We MPs are probably creating an impression that seems far removed from watching a Formula 1 grand prix, but I would like to draw an analogy. We can share the same enthusiasm as is expressed in Mexico City when the grand prix takes place. Until this Cultural Property (Armed Conflicts) Bill is enacted, the UK is, let us say, at the back of the international grid. That is significant; that is what this is about. We are at the back of 127 countries that have already ratified The Hague

convention. We are catching up with those already on the grid that have got away in the race, to ensure that we fulfil our international obligations.

We can recognise through domestic legislation, through our compliance with European legislation, through sanctions and through other legal forms that we have played our part in seeking to hold to account those who are illegally trading in arts and antiquities, but while we were out there seeking to take a lead, just as we did with the cultural protection fund, it was somewhat embarrassing that we were not ratifying The Hague convention. We had taken an international lead in this area in many circles, but we are now playing catch-up in this particular respect. Now we are on the grid, showing that we mean business.

We were at the back of the grid regarding the permanent UN Security Council members. That is particularly significant because the Government have in the past flirted with ratification. I would like to pay tribute to Members who have expressed cross-party concern which has helped to ensure that we have got where we are today. I pay particular tribute to my right hon. Friend the Member for Maldon (Mr Whittingdale), who got behind the wheel. He was there as poacher turned gamekeeper, scrutinising legislation and seeking to bring it to fruition. He responded to calls from across the House. From my limited experience as a Parliamentary Private Secretary in various Departments, I know how difficult it is to make progress in managing the business and get a Bill into a legislative programme in a second Session of Parliament. That is why we must pay my right hon. Friend a particular personal tribute for bringing us up to speed.

Over the passage of time, we benefit not only from the ratification of The Hague convention, but from inclusion of the first and second protocols. That has helped us to get into pole position on the grid with other Security Council members. I hope that speedy passage of the Bill will mean that we get there first—although 60 other countries have got there before us! Still, among the permanent members we will get there first, which is important.

I am not an expert in many things, including arts and antiquities, archaeology or history, but I have developed a particular interest in cultural property and heritage, as I have seen and started to understand the impact of the destruction of such cultural property—yes, in relation to recent scenes in Syria and Iraq, but also, as my hon. Friend the Member for Hendon (Dr Offord) said, what has happened in northern Cyprus. When we visited northern Cyprus, we saw that appalling acts of desecration and pillaging had taken place and not been properly taken account of. Given that it is an occupied territory, we should try to ensure that that happens if any objects come into this country's jurisdiction.

I am concerned, as doubtless we all are, about human dignity. That is what gets my passions and convictions going. It is important to see the appropriate link between the trafficking of human beings and the trafficking of cultural property. There is the same disregard for people, for their faith, for their community and for their identity. Indeed, there is a cross-over from funds from trafficking providing further resources for exploitation—whether it be of property or of human beings. It is therefore appropriate that the Secretary of State introduced the Bill today, given that she guided the Modern Slavery

[Mr David Burrowes]

Act 2015 through the House so well. She will fully appreciate the connections that I mention and the concern for human dignity.

As museums and other such places see architectural monuments, works of art and manuscripts mainly as aesthetically significant and pleasing, it is important to realise, as already mentioned, that the destruction and looting of these items is an offence to human dignity. The culturally unique way in which communities relate to their property demonstrates that a property can be much more than an isolated monument or piece of art. It can be very much part of a cultural narrative, authored by the people who live among that cultural heritage. This is what makes the whole issue of cultural property a wider project of concern for us all, particularly when we see the ravages of destruction. As my right hon. Friend the Member for Maldon quite rightly said, within the ravages, the debris and the ruins, we must look at the hope and opportunity of restoration. That is why the cultural protection fund is so important. That is why within the second protocol, although the voluntary fund administered by UNESCO takes some hits from different commentators, it still plays an important role. The funds going into it are important for the future, so we should contribute.

I must pay tribute to Tasoula Hadjitofi. I got to know her through her concerns about her home in Famagusta, which is still frozen in time. With all the pillaging that has gone on, it is as though her whole identity has been frozen. Through the “Walk of Truth”, she looks at areas of conflict and sees examples of property being pillaged and destroyed, but she tries to view what has happened as a means of bringing the communities together. She provides routes to reconciliation, which is something that we should commend.

I welcome the fact that at last the UK will be able proudly to bear its international duty to protect. My interest, as already alluded to, is a constituency interest. A considerable number of Cypriots live here in the UK, who have seen for themselves wanton destruction and pillaging of their heritage. That is why it is so important that we join together and make sure that this long-fought battle to ratify The Hague convention comes to fruition. We look forward to the unification of Cyprus in the long term, but in the meantime, we must make sure that people are held to account when they seek to profit from the proceeds of crimes of destruction.

Let me touch on the Bill’s wording, which has been a matter of concern to the Association of Art & Antique Dealers and others. Clause 17 in part 4 needs careful attention, and we will no doubt hear more from Members about it. It is worth noting that the National Police Chiefs Council lead for heritage and cultural property crime, who should be commended and for whom resources for the enforcement effort are important, said that given that dealers in cultural property are expected to conduct due diligence checks, they would be unlikely to fall foul of the objective test of “reason to suspect”. The Department for Culture, Media and Sport impact assessment is in agreement with that, which is perhaps not surprising.

We could also look at precedents. Section 338 of the Proceeds of Crime Act 2002 is relevant, and honest dealers have been able to rely on the same form of words: “reason to suspect”. It is not dissimilar to the Dealing

in Cultural Objects (Offences) Act 2003, which makes reference to the terms “knowing or believing”. It is similar, too, to the sanctions order referenced in respect of Daesh, both the Iraq sanctions order and the Syrian sanctions order, while there is also the example of article 11c in the EU Council regulations. Again, the language is similar, mentioning “reasonable grounds to suspect”, so there is parity with the Bill.

Other countries have enacted the ratification of The Hague convention in their own domestic law, and the wording of section 17 of New Zealand’s Cultural Property (Protection in Armed Conflict) Act 2012 in respect of reasons to suspect someone of committing an offence is similar to the wording of clause 17 of the Bill. That is worth pursuing in Committee.

As has been pointed out, the Bill has limitations. For instance, it does not cover the international law definitions in relation to Daesh, because we do not recognise Daesh as a state. I appreciate that, and I appreciate that the gaps are filled by the sanctions orders and other legislation, but now that we are up to speed and in pole position in relation to the first and second protocols, I urge the Government to ensure that we work collaboratively, on a cross-party basis, to create a third protocol to deal with the activities of Daesh.

I pay tribute to the cultural protection fund, and look forward to seeing it do good work in the coming weeks, months and years. I also pay tribute to the work of Lieutenant Colonel Tim Purbrick, who has set up a property protection working group of so-called monuments men. He is doing fine work, and we must ensure that the Ministry of Defence gives his group all the support that it needs.

I could go on, Mr Speaker. I have a long night’s sleepout waiting for me at Lords cricket ground in support of the good work of the homelessness charity DePaul UK. However, I recognise that other Members probably do not want such a long night, and would prefer me to cut my speech short. Let me end by saying that I strongly support the Bill. We have waited a long time for it, but better late than never. It is certainly worth it, because it protects not only property but human dignity.

7.42 pm

Robert Jenrick (Newark) (Con): As such a lowly Member, I was not expecting to be called at this point, so thank you for doing so, Mr Speaker.

I warmly welcome the Bill. Eighteen months ago, a select band of us—a happy few—engaged in a Backbench Business debate. My hon. Friend the Member for East Worthing and Shoreham (Tim Loughton) made a particularly notable speech, which led to his being described as the Gertrude Bell of the House of Commons. I felt like a pupil sitting at the feet of the professor; the House may have the same experience later this evening.

During that debate, we called for three things. First, we asked that a great wrong be righted and that, after all these years, The Hague convention be brought into our law. Secondly, we asked for something to be done to enable us to make a practical contribution to staving off extremism in the middle east and to build capacity among those who were on the front line of protecting culture. We built on the idea of many others before us of creating a national cultural protection fund. Thirdly—this was equally important—we asked the Government to

escalate the issue of cultural protection, tackling the illicit trade in antiquities and, more generally, to take seriously Britain's role as a world leader in cultural diplomacy. That would of course include cultural protection, which is currently centre stage.

It is greatly to the Government's credit that they listened, and just 18 months later, they have acted on each of those concerns in a way that no previous Government have done. I thank the former Prime Minister, David Cameron, and the former Chancellor of the Exchequer, my right hon. Friend the Member for Tatton (Mr Osborne), and my right hon. Friends the Members for Maldon (Mr Whittingdale) and for Wantage (Mr Vaizey), who pushed these measures through when they were in office. I thank cross-party colleagues such as the hon. Member for Rhondda (Chris Bryant)—continuing our earlier bromance—and my hon. Friend the Member for East Worthing and Shoreham, as well as, of course, the current Secretary of State and Ministers.

I am grateful to persistent and eloquent supporters outside Parliament. The most notable, in my view, was the former director of the British Museum, Neil MacGregor, who was a superb supporter on all three of the fronts that I mentioned earlier. Indeed, he was the instigator of many initiatives.

When we first raised these issues two years ago, the legitimate retort from many, especially in the media, was to ask why we should be interested in the destruction of mosques, libraries, souks and documents, when the real tragedy in places such as Syria, Iraq and Yemen was an unimaginable human tragedy: the murders, the rapes, the starvation, the displacement and the ethnic cleansing. One answer, of course, was that the scale of the destruction in recent years was so great. It was the greatest in any era since the end of the second world war, and some of the greatest sites of our shared civilisation were affected: Aleppo, Mosul, Nineveh and Palmyra. We were facing one enemy, Daesh, that was doing more to destroy the world's cultural heritage than any other group since the end of the second world war, if not before.

The destruction that we saw 18 months or two years ago has continued, if not escalated. Only last week, we were discussing the conflict in Yemen, and a corollary of that has been the destruction of much of the great city of Sana'a, with its wonderful tower houses, any one of which would be considered one of the great monuments of other parts of the Gulf.

The second answer to that question—which is, perhaps, more important to me and which is relevant to what we have heard from my hon. Friend the Member for Enfield, Southgate (Mr Burrowes)—is that there was a human dimension. That was brought home to me earlier this year when Nadia Murad, whom many Members will remember, came to Parliament on a couple of occasions to speak to us. When I talked to her afterwards, she surprised me, given all that she had been through—she had been raped and beaten, and her family members had been killed in front of her—by emphasising the destruction of the culture of the Yazidis as much as her own physical and mental torture. That, she said, was because she felt that there was a wider attempt to rob future generations of any connection with their past and that extremists were trying to impose their own contorted views on her and her people and eradicate their ancient culture.

We should bear in mind that some of the people who have been on the frontline of protecting our culture have faced a very great penalty for that in recent years. We have already heard about Professor al-Asaad, the wonderful creator and director at Palmyra, who lost his life while trying to defend treasures there. I have been told other stories over the last few years, and one in particular stuck with me. It concerned a guard who used to take money and open the gates at Nineveh and whom members of the British Museum had known for many years. He was a wonderful elderly gentleman who refused Daesh entry and was subsequently executed. To compound the tragedy, every male who attended his funeral service a few days later disappeared and was executed, including all the known staff of that wonderful site.

There are countless other stories. Only recently, when I had the pleasure of bringing to Parliament the first archaeologists and curators who had come here from Iraq, thanks to the cultural protection fund, and who were later given some press attention in *The Times* and *The Daily Telegraph*, they had to remain anonymous owing to the grave risk that, even when they returned to fairly safe parts of Iraq, extremists would target them because of the work that they were doing.

The last reason why I felt that this was important then—I think that it remains so today—was not just the destruction, but what was happening to the material that was being systematically looted and stolen. This is a revenue stream for Daesh, the Assad regime and others. As Neil MacGregor so eloquently put it, sculptures were being turned into tanks, which should worry us all. The channels used by that trade are at times very dark and very dangerous. As we have already heard this evening, they are interwoven with the drugs trade, the arms trade and human trafficking. The lines established in Iraq, from which much of the material is moved, were established by Saddam Hussein and his regime. Action here matters to us all, whether or not we care about the cultural aspects, because it is part of tackling extremism and part of tackling serious organised crime and the funding of terrorism.

While this cultural barbarism at times appears utterly hopeless, and we have to temper our remarks about what we can possibly achieve, I always believed, as did many others, that it was possible to do something and that we could make a modest national contribution while also, as part of that process, enhancing our reputation as a country in the region and around the world. That is what this Bill really does, and we have to see it in tandem with the cultural protection fund, which is an important aspect of our cultural diplomacy. It gives us above all a firmer foundation on which to speak on these issues of cultural diplomacy and protection. It makes practical contributions to those on the frontline who are already appreciating it thanks to the £3 million we have already given to the British Museum, with more on the way. Lastly, it helps to tackle the illicit trade through the offences in the Bill and in other ways, on each of which I shall say a few words.

This is not a panacea, of course, and it does not apply to some of the crimes happening in Syria and Iraq today, but it is very symbolic, not least because it rights an historical wrong that was a drag on our international reputation. The leading experts in this field, such as Neil MacGregor, who are really diplomats and ambassadors

[Robert Jenrick]

for Britain in the cultural sphere, felt it was a shame and a stain on the UK's reputation that we had never done this. So purely by doing it we enhance our reputation in the world. That enables us to play a stronger role in cultural diplomacy, which has all manner of benefits in trade and in establishing cultural links with other countries—as we have seen with the British Museum, working with the British Council, lending art and artefacts to Iran and Russia in the past and doing things Governments struggle to do. I hope the UK will do more on this in a way we simply have not done in the past, along with other countries, including France, with a proper network of cultural attachés and Government links. People including John Kerry and François Hollande have made major speeches on this. I hope that we will seize on that and see this as the beginning of the UK adding another weapon in our arsenal of diplomacy around the world.

The cultural protection fund is a huge step forward. It is the first major fund of its kind. François Hollande has copied us and has supposedly created a €100-million fund, which is about to be launched. I am pleased we were in the vanguard of doing this and would like us to do more.

I am very pleased that what we have done was able to be ODAed because that makes a difference; it recognises that this is not just about art and architecture, but about economic regeneration post-conflict and healing the wounds of conflicts and bringing cultures together. We must view this as just the beginning, however, as my right hon. Friend the Member for Wantage (Mr Vaizey) said; I would like us to see it as seed capital for us to be bolder and for this to turn into a major lasting national achievement.

Most of the Bill is about the illicit trade, and we must shrink the demand for these works in the world today. Contrary to some of the remarks made in passing this evening, the UK is very good in this regard. We are not the epicentre of the illicit trade in art and antiquities; that is to be found in the Gulf states, in China, in Russia and in other parts of the world. The UK is actually at the forefront of having responsible dealers and major auction houses who care about their reputations, but that is all the more reason for us to do this and lead the world in enforcement.

I want to say a few words about the offence of dealing unlawfully in exported property. We must tackle this issue, and I would like to think that the Minister would give this further thought on Report. This matters because, if we want to shrink the illicit market, we have to defend the legitimate market. The great auction houses such as Christie's and Sotheby's actually have very little interest in maintaining their antiquities departments; antiquities account for 1% or less of the turnover of such auction houses. It would be very easy for them and for experienced legitimate dealers to walk away from this trade, and that would matter because it would push more objects on to the black market and on to smaller auction houses that lack the compliance and legal and regulatory structures to do due diligence properly, and it would push out good dealers and give trade to those we are more concerned about.

Essentially, there is no right or wrong answer when doing due diligence. The way an auction house assesses

property is by making a judgment. A whole range of material comes forward for any piece being sold in antiquities sales. Some will come from blogs that are emerging; others from states such as Egypt that automatically challenge the sale of every piece being sold in the UK. An experienced professional—whether a dealer, a specialist in an auction house or someone in an auction house legal department—has to weigh up the factors and make a judgment. I would not want this Bill to criminalise people who ultimately make honest mistakes. That would set us back in our task of shrinking the illicit market and empowering the people at the forefront of getting this right. The Minister kindly reassured me in a letter she sent to Lord Judge that answers some of these points, but I would like this to be further considered on Report. It is extremely important that the due diligence being carried out is proportionate and does not dissuade legitimate businesses from participating in the market.

We have heard from other Members that no law is worth legislating for if it is not properly enforced. Sadly, enforcement in this area is very poor. The Met police have a small art and antiques squad. At different times, it has had between one and three members, and at present has, I think, one and a half people. They are excellent individuals; I have met some of them and my hon. Friend the Member for Enfield, Southgate (Mr Burrowes) and others know some of them, and I do not want to criticise their professionalism, but they are very constrained. This has been viewed as a sort of Lovejoy area of the criminal market that does not really matter; it is considered to involve harmless rogues in a barn in Suffolk. However, this is serious crime that is linked to human trafficking, the drugs trade and the funding of terror, and the policing needs to match that. I hope the good intentions set out in this Bill will lead to a prod to the Met police and others to beef up their policing as soon as possible, or else our efforts in this Bill will ultimately be in vain.

I welcome the Bill and am grateful to the Government for doing this. It is to their huge credit that we have finally done this. In debates such as that last week on the conflict in Yemen, we hear of cities of enormous value such as Sana'a being destroyed and of cultures under threat, and we realise why this matters. It matters because it is about protecting our shared international heritage and ensuring extremists never win.

7.57 pm

David Warburton (Somerton and Frome) (Con): It is a pleasure to talk on this subject, and on this Bill which, as have heard, has been a long time coming. It is of great cultural and symbolic significance. I know the debates in another place have been conducted in a constructive bipartisan spirit, and it is nice to see this debate conducted in the same vein. I am delighted that the Government have found parliamentary time for this type of measure, which has not been achieved in the past. It shows a welcome recognition of the significance and symbolic power of the measures in the Bill.

As the Government have rightly been at pains to point out, it is important to say that although the UK has so far failed to sign up to The Hague convention or the 1954 or 1999 protocols, our armed forces already act absolutely as if they were bound by them; in fact The Hague convention and its protocols form a framework today for both training and armed conflict.

The establishment of the £30 million cultural protection fund, our sponsoring of UN resolution 2199 designed to stop Daesh from transforming cultural destruction into financial profit, and the work of the joint military cultural protection working group all bear witness to the UK's ongoing commitment to protecting cultural property in spheres of conflict. It is worth emphasising that the successful passage of this Bill would make the UK the first permanent member of the UN Security Council to ratify the convention and accede to both its protocols, as my hon. Friend the Member for Hendon (Dr Offord) pointed out. As the House has heard, that has been in the offing for more than 10 years, so it is perhaps a good time to recognise the work of those who prepared the original draft Bill, which bears a striking similarity to the one we are considering today.

As I said, this is a timely moment to be passing such legislation. We recently saw the first person be charged by the International Criminal Court for damaging mankind's cultural heritage in Timbuktu. Our minds are also concentrated by Daesh's appalling targeted destruction of cultural sites in north Africa and the middle east, including St Elijah's monastery, historic libraries and pretty much any other representational art that it comes across.

To talk about the importance of cultural property in conflict is obviously not to undermine in any way the essential truth that the preservation of human life will and should always be the prime motivating factor in the conduct of military operations. That truth is enshrined in the doctrine of military necessity that formed a vital part of the original convention and is strengthened in the second protocol, which we will also be approving should we pass the Bill. The Bill will make a strong statement about the UK's commitment to the future at a time when such protection is more necessary than ever.

Finally, the Bill, and the convention it ratifies, deals largely with state-to-state conflict. In offering my support, I would be grateful to hear more from the Minister about how the Government will continue to work to provide a similar level of protection in more asymmetric conflicts involving non-state actors such as Daesh. The states and groups that destroy monuments and artistic expression are trying to hide. They are trying to destroy pluralism, thought, inclusivity and diversity in order to reimpose a childishly simplistic, inverted form of good and evil. I do not need to tell the House that cultural heritage enables all peoples to see themselves clearly both as individuals and as members of an historically coherent and culturally significant whole. The House will remember the words of Heinrich Heine, now engraved into the ground where the Nazis burned thousands of books in 1933:

“where they burn books, they will in the end burn people”.

8.2 pm

Sir Edward Garnier (Harborough) (Con): I am delighted to follow my hon. Friend the Member for Somerton and Frome (David Warburton) but, with all due respect, if there are two speeches to which the Government should pay particular attention, they are those of my right hon. Friend the Member for Maldon (Mr Whittingdale) and my hon. Friend the Member for Newark (Robert Jenrick). Despite the excellence of the other speeches from both sides of the House, they are the two that really hit the problems on the head.

The Bill is welcome and I wholeheartedly support it, subject to one or two concerns that I shall touch on briefly. The first relates to the definition of cultural property, as mentioned by several hon. and right hon. Members. My right hon. Friend the Secretary of State for Culture, Media and Sport also touched on the topic in her opening remarks. The definition in the Bill lacks sufficient clarity. I accept that the Bill refers us to article 1 of The Hague convention for the protection of cultural property in the event of armed conflict but, taking the example of the shadow Minister, the hon. Member for Cardiff West (Kevin Brennan), film and so on were I suspect not considered when the convention was drawn up in the early 1950s. New forms of heritage—if that is not a contradiction in terms—have emerged since then, and the Government need to give the definition of cultural property a little more thought. That is not an aggressive point; I simply want to point out something that it would be sensible for the Government to look into.

The other area that also needs more thought is the absence of any definition of an occupied territory. My right hon. Friend the Member for Maldon mentioned that when he was Chairman of the Culture, Media and Sport Committee, the west bank, the Golan heights and perhaps another place—

Mr Whittingdale: East Jerusalem.

Sir Edward Garnier: East Jerusalem—they were designated as occupied territories. However, the world has moved on and, as my right hon. Friend correctly pointed out, there are now other parts of the world that could, either as a matter of fact or as a matter of law, be considered occupied territories. The Government must be more open, or at least clearer, about the definition of an occupied territory.

There is, however, perhaps an even more important matter that needs resolving, which involves the level of criminal intent for the offences described in clause 17. In framing my remarks, I am grateful for the help I have had from the British Art Market Federation, the British Antique Dealers' Association, Mr Hugo Keith QC, and Professor Janet Ulph of the University of Leicester school of law. I stress, however, that what I shall say is my interpretation. If I have got things wrong, that is my fault and not the fault of those who valiantly tried to explain the matter to me. You will be glad to hear, Mr Speaker, that I cannot for reasons of time go into the detailed legal analysis undertaken by them, but I sent the Secretary of State a copy of Mr Keith's opinion, which carefully explains why the use of “reason to suspect” in the context of this Bill is unwise and unfair.

Clause 17(1) makes it an offence to “deal in unlawfully exported cultural property” that the dealer knows or has

“reason to suspect... has been unlawfully exported.”

So far, so good. No one can support the dealing in unlawfully exported cultural property when they know it has been unlawfully exported, but the mens rea—criminal intent—required under the provision has caused concern in the London art market. The worry is that “reason to suspect” will place an unacceptable and stifling burden on the market. That aspect of the Bill was touched on only briefly in the other place but was not taken up by the Government.

[*Sir Edward Garnier*]

Clause 17 creates an offence of dishonesty, carrying with it a sentence of imprisonment of up to seven years, as well as the destruction of reputation. The problem that worries me arises from the provision that relates to the state of mind, which must be proved before the defendant can be convicted. Dealing in prohibited property knowing that it has been unlawfully exported, the first offence created by clause 17, is simple, easily described, uncontroversial and comes within well-established and clearly understood principles of criminal law. Dealing in such prohibited property believing that it has been unlawfully exported would also be an equally straightforward offence. “Knowledge” or “belief” identify the mens rea, or criminal state of mind, accompanying the prohibited activity. To establish guilt, the prosecution would have to prove that at the time when the prohibited activity took place the defendant knew or believed that he was dealing in prohibited property.

That, however, is not what the second offence created by clause 17 provides. Rather, it defines the criminal activity—dealing in prohibited property—but by relating the criminal state of mind required for the offence to “suspicion” it introduces an unusual concept into the ordinary law that applies to offences of dishonesty. Indeed, it does not even provide that the offence is proved if the defendant personally suspected that he was dealing in prohibited property.

Victoria Prentis (Banbury) (Con): Can my right hon. and learned Friend think of any other examples of mens rea of this type that are in use?

Sir Edward Garnier: One often sees the type currently drafted into clause 17 when a defendant has to rebut a presumption—the possession of certain items in sexual offences or drugs offences. It is also to be found under certain rarely used disclosure offences, such as under section 119 of the Companies Act 2006—something that we speak about so frequently in the clubs and bars of Market Harborough. As regards the substantive criminal law and the making of a substantive criminal offence, my hon. Friend is right to say that this is a rare and wholly unusual distinction, and I quietly urge the Government to think again.

As drafted, this provision abandons the principle that it is the defendant’s state of mind that must be “criminal”, whether defined in terms of belief or even suspicion, for an objective test: whether he had reason to suspect. What may arise from an offence defined in that way can be quickly described. The defendant may be offered property which, because of the circumstances, he may have reason to suspect may be prohibited. Just because he wishes to proceed with caution, and to avoid committing a criminal offence, after sensible inquiry and investigation he may in good faith decide that his suspicions have been allayed and proceed to deal in the property. For a defendant acting in good faith to be convicted of an offence of dishonesty is a novel proposition. It may be suggested that the offence is not intending to apply to such an individual, but only to the individual who, notwithstanding any investigations he may make, turns a blind eye to reasonable grounds for suspicion, but that is not what the clause says. The offence can and should be defined in terms of the defendant’s belief or suspicion, and currently it is not.

Surely the question to ask is whether the defendant did or did not believe, or did or did not suspect. The more powerful the evidence that he had reason to suspect, the more likely it is that the jury would conclude that he did indeed believe or suspect, and that the offence is proved. In short, where the defendant did indeed have “reason to suspect”, that would provide the evidence to establish that he did indeed believe or suspect that he was dealing in prohibited property. That however goes to the evidence available to prove guilt; it should not define the offence.

It would be unusual for an offence of dishonesty to be created that did not focus on the defendant’s personal state of mind. It would also be unusual to create two offences in a single provision which make provision for separate and distinctive forms of criminal intent: knowledge, which is entirely subjective; and reason to suspect, which is not. Any summing up in an indictment which alleges the two offences as alternatives would not be straightforward. Worse still, it would be unwise, and it would make for significant complexity in any trial for two statutes with the same objective—the protection of the cultural heritage of every nation—not to define criminal intent in exactly the same way.

Section 1 of the Dealing in Cultural Objects (Offences) Act 2003 states—

Mr Speaker: Order. I do apologise to the right hon. and learned Gentleman, but when he leant down like that, I thought it was because he was approaching his peroration. That may have been a triumph of optimism over experience.

Tim Loughton: Ungallant.

Sir Edward Garnier: Ms Bell, I think, has spoken on my behalf. I was just advising you, Mr Speaker, about section 1 of the 2003 Act, which I know you want to hear about.

Mr Speaker: Indeed.

Sir Edward Garnier: At least I am right about that. [*Laughter.*] It states:

“A person is guilty of an offence if he dishonestly deals in a cultural object that is tainted, knowing or believing that the object is tainted.”

This Bill says that it is

“an offence for a person to deal in unlawfully exported cultural property, knowing or having reason to suspect that it has been unlawfully exported.”

For the reasons that I have been briefly explaining, I suspect that the 2003 Act provides the better wording. The provision in this Bill is not following well-established principles relating to the prosecution of offences of dishonesty. I am concerned that the Bill, which is concerned with the same issues, fails properly to take into account that set of principles. As drafted, it may result in the prosecution and conviction for an offence of dishonesty of a defendant who has, or may have, acted in good faith.

It is one thing for a defendant to be convicted of handling stolen goods where they have been shown to have known or believed the goods were stolen—the law is clear and the defendant knows when he is convicted that the jury was sure he knew or believed the goods were stolen—but under this Bill, as currently framed, a convicted

defendant cannot be sure that his conviction reflects his actual state of knowledge or belief and that he was not convicted simply for lacking curiosity. Absence of curiosity may be regrettable and sometimes stupid or negligent, but it should not lead to a conviction, with all the reputational damage that flows from it.

Beyond that, I urge the Government to consider what effect this provision will have on the art market here in London. As was said by my hon. Friend the Member for Newark, who speaks with the advantage of being not only a lawyer, but a former director of Christie's, this will have a stifling effect. It may be that there will not be many convictions or many arrests, but the mere threat of the reputational damage caused by this possibility is enough to put the mockers on this valuable and entirely legitimate aspect of the London art market. The art market will go elsewhere and the crooks will get away with it. If we want to catch the bad boys, and if we want to inhibit this wrong and immoral market, why not stick to the 2003 wording or something similar to it, rather than allowing this Bill to contain an error of principle which could confound the interests of all of us who wish to see the destruction and the dealing in cultural objects that have been stolen brought to an end?

8.16 pm

Tim Loughton (East Worthing and Shoreham) (Con): I am delighted to follow my right hon. and learned Friend the Member for Harborough (Sir Edward Garnier), peroration and all. I declare an interest, as the chairman of the all-party groups on archaeology and on the British Museum, and as a fellow of the Society of Antiquaries.

As we have all agreed, the Bill has been a long time coming—it is 62 years old. As I glance around the room, I hazard a guess that that makes it older than anybody in the Chamber, now that my right hon. Friend the Member for Mid Sussex (Sir Nicholas Soames) has left.

Sir Edward Garnier *rose*—

Tim Loughton: I am delighted to be put right by my right hon. and learned Friend, although we would never know it, Mr Speaker.

I also pay tribute to what is left of the Labour Opposition and the remarkable dexterity of the hon. Member for Cardiff West (Kevin Brennan) who, in a debate on cultural artefacts, managed to mention Keats, Uber taxi drivers, the temple of Bel and an attack on private education. He certainly gave us his money's worth, even if he does not have many mates with him to support this excellent Bill.

I very much welcome the Bill. We know that the original protocol and convention were passed in 1954, largely as a reaction to the destruction of cultural artefacts of the second world war. We know that the second protocol, which came about in 1999, mostly followed in the wake of great destruction in the former republic of Yugoslavia. We recall the familiar scenes at the UNESCO world heritage sites such as the Mostar bridge, which really brought home the futility of war and the destruction of our culture, which we just do not get back. That protocol recognised that the desecration of cultural property could become a war crime

and identified the blue shield scheme, which many Members have referred to. It also set up an international non-governmental organisation advisory body to the intergovernmental committee for the convention. There were therefore great hopes in 1999 that we might follow suit. We have made reference to the heritage Minister Andrew McIntosh, who brought forward in 2004 a commitment to ratify the convention. That led to a Bill in 2008, which was scrutinised by the Select Committee, led by my right hon. Friend the Member for Maldon (Mr Whittingdale). The Bill was supported by the Ministry of Defence and the whole heritage sector, but the excuse given for what happened was that it became overshadowed by the financial crisis and ran out of parliamentary time. Then in 2011, my right hon. Friend the Member for Wantage (Mr Vaizey), as a Minister, reconfirmed the Government's commitment to ratification at the "earliest possible opportunity".

In 2014, there was another great body blow when the Cabinet Committee said that it had not been able to grant drafting authority for a Bill—not even a handout Bill. The commitment of successive Governments was in question when their warm words were not followed up by definitive action. At long last, that earliest possible opportunity has arrived. I particularly pay tribute to my right hon. Friend the Member for Maldon—he is not in his place at the moment—whose personal commitment to this matter and lobbying of the powers that be at No. 10 has made this Bill a reality.

The announcement in last year's autumn statement of the £30 million cultural protection fund together with a summit of heritage experts really gave flesh to that commitment. The legislative wheels grind frustratingly slowly, and, as with the second protocol, it has taken the cultural cleansing atrocities in Syria and Iraq to concentrate the minds of those in a position to bring forward this ratification today.

I do not want to be churlish, because I really welcome the Bill and the commitment behind it. I absolutely praise all those who have played an integral part in this. Many of them have been mentioned today. I am talking about Sir Neil MacGregor, the former outstanding director of the British Museum, and my hon. Friend the Member for Newark (Robert Jenrick) who, in his relatively short time in this House, has made a big impact in this area. It is really important now that we get on with it. We need to gain the moral high ground and become the only one of the five permanent UN Security Council member countries to ratify both the protocols and the convention.

Why is this important? At a time when we are seeing horrific scenes of women, children and men being bombed, murdered and executed in the most grotesque fashion by Daesh in the tragic conflicts in both Syria and Yemen, why should we be concerned about a bunch of old rocks and relics? My hon. Friend the Member for Newark described just a couple of examples. Let me mention Professor Assad, the director of antiquities at Palmyra, which I was privileged enough to visit just before the civil war in Syria—it is the most magical archaeological site imaginable, and I speak as someone who studied Mesopotamian archaeology and who has visited many sites—and the guards at Nineveh. These people gave their lives because they appreciated and understood the importance of protecting culture as the

[Tim Loughton]

spirit of a nation, and that it makes mankind what it is and is what separates mankind from savages. As the Heritage Alliance put it:

“The destruction of cultural capital is a powerful propaganda tool and is part of a long history of demoralising communities by destroying the symbols of their nationhood.”

As Irina Bokova, the director general of UNESCO, said, this is “cultural cleansing”, and we must view it as such and in the same terms as trafficking.

Jim Shannon (Strangford) (DUP): Many antiquities can be purchased on the black market. Does the hon. Gentleman think that Governments should—either directly, or indirectly through a third party—try to purchase some of those antiquities and keep them for posterity for the years to come?

Tim Loughton: It is an interesting prospect, but I would much rather track down and prosecute the people who benefit from trafficking these antiquities. We do not want to set up a legitimate market, with Governments paying money to criminals. There are other ways of tracking down some of these important antiquities. I agree with my hon. Friend the Member for Newark that London has, by and large, a very legitimate market in antiques and antiquities. Obviously there are a few people who are the exception to that, but London has an excellent reputation compared with many other parts of the world. Hopefully, this Bill will prompt the United States Government to ratify the protocols, as it is suggested that they have been looking for a lead from a significant military ally.

We have heard several examples of recent high-profile tragedies involving cultural terrorism: the 2015 looting of the Mosul museum; the vandalism of the Nergal Gate at Nineveh; and the destruction of the temple of Baalshamin at Palmyra—separate to the triumphal arch of Palmyra, which the hon. Member for Cardiff West conflated it with, but an important monument to that civilisation. All those tragedies were at the hands of Daesh. Indeed, Palmyra should be treated as a crime scene, given the damage that was done there. Fortunately, there was not as much damage as Daesh might have inflicted on it had it been given more time.

In other continents, shrines were deliberately destroyed by Boko Haram in Nigeria. We have heard one bit of good news, which is the first prosecution in the International Criminal Court of Ahmad al-Mahdi for his destruction in Timbuktu, the centre of Sufi Islam. He directed the destruction of 15th and 16th century Sufi tombs and the burning of the library in Timbuktu. His verdict just last month gave out a nine-year prison sentence for that cultural vandalism. That sends out a very important message, and we need to see many more people being brought to justice to emphasise just how important a crime against humanity this is.

Jim Shannon *rose*—

Tim Loughton: May I continue a little, because I know that the Minister will want to respond on this?

There has also been mention of Yemen. Again, I was fortunate enough to be able to visit Yemen just before the civil war broke out—I am not a precursor to these civil wars, but I was in the country when it was a slightly

less dangerous place to be. There are four UNESCO world heritage sites in Yemen: the historic town of Zabid; the old walled city of Shibam, the Chicago of the desert, with 16th century skyscrapers—the earliest skyscrapers in the world—made out of mud brick rising out of the desert; the magical walled medieval city of Sana’a itself; and the natural world heritage site on the island of Socotra. These sites are going largely under the radar. We hear more about the carnage being waged in Yemen, but little about the important cultural background to that country. Those are just a few of the sites that we know about.

Jim Shannon: May I take the hon. Gentleman’s mind back to when he mentioned Mosul? When we visited Iraq, and Irbil in particular, we had the opportunity to meet Archbishop Nicodemus of the Orthodox Church. He was archbishop in Mosul, and he informed us that his church had been destroyed and the cross taken down. Where there was a church is now a car park. When Mosul is liberated, does the hon. Gentleman think that those responsible should be made accountable for their dastardly deeds?

Tim Loughton: Those people should absolutely be held accountable and brought to justice. I am sure that when it is safe to do so, that important religious establishment will rise phoenix-like again, and I am sure the people of Mosul of all faiths will want to see that happen as that city gets back on its feet after the terrible things it has been through.

Across the world, spread across 165 countries, we have 1,052 UNESCO world heritage sites, of which 814 are cultural. I have mentioned some of the sites, but those are just the ones we know about. Some 90% of archaeological sites in Iraq have yet to be excavated, and many will have been looted over recent years. There is also the issue, as we have heard, of how cultural looting by Daesh and others finances terrorism.

The destruction of Syria’s archaeological sites has become catastrophic. There are unauthorised excavations going on, and the plunder of and trafficking in stolen cultural artefacts is an escalating problem. Many of the objects have already been lost to science and society, and the context in which many of them are being dug up in unsupervised conditions will be lost forever. The trading in looted Syrian cultural artefacts has apparently become the third largest trade in illegal goods worldwide. It is big business. It is estimated that looting is Daesh’s second largest revenue source after oil sales. There are around 4,500 archaeological sites including UNESCO world heritage sites which have been under the control of Daesh. Hopefully, fewer or none of them will continue to be, as the counter-offensive against Daesh succeeds in Iraq in particular.

Iraqi intelligence claims that Daesh alone has collected more than \$40 million from the sale of artefacts. It is the equivalent of what the Taliban were doing in Afghanistan through the cultivation and sale of heroin to feed markets in the west. We took that very seriously and it was a priority for the invading and occupying forces in that country, yet the devastation and profit involved in the plundering of these archaeological sites and the sale of antiquities does not seem to register nearly as clearly on the world’s radar. This is an important part of putting that case firmly on the world’s agenda.

We are facing a quadruple threat. First, jihadists are looting these sites, claiming some sort of religious reason for doing so. They are entirely hypocritically profiting from their destruction on international black markets. Secondly, it is alleged that President Assad is knowingly selling antiquities to pay his henchmen. There are videos showing Assad's soldiers at Palmyra some time ago ripping out grave relief sculptures and smiling for the cameras as those are loaded on to trucks. Thirdly, the Free Syrian Army in its various guises is looting antiquities as a vital source of funding. Fourthly, an increasingly active part of the population is involved in looting. Ordinary people are looting Syria's cultural heritage because they have no jobs, income or tangible economic prospects and are increasingly turning to age-old plundering techniques, in some cases looting to order.

As a result of the activities of those four different parties, the fantastic culture of Syria and Iraq in particular is being systematically plundered, yet that hardly features on the west's radar. We also have to face the consequences of the financing of terrorist organisations through the plunder of antiquities. We look forward to a day in the future when peace in some form comes to this region, but the looting also threatens to deprive Syria in particular of one of its best opportunities for a post-conflict economic recovery based on tourism which, until the conflict started, contributed more than 12% of national income.

It is important for the United Kingdom to be passing this legislation, as we have one of the most professional and strategically thinking heritage communities in the world. The Bill will enable the UK's soft power and diplomacy agendas to position the UK as an international leader in demonstrating a supportive and facilitating approach to the protection of cultural property. Post-Brexit—something that has not been mentioned this evening—we need to promote our extensive cultural wealth and network of contacts through world museums such as the British Museum to re-forge new relationships beyond the EU. The respectability and gravitas of having signed up to the world's protection protocols gives us considerably more strength and credibility in doing so.

We have heard about the £3 million which has been given to the British Museum to bring Iraqi archaeologists and restoration experts to the UK to help train them in how to reconstruct their country after the war and the conflict are over and ISIL has been driven out. London hosted the unveiling of the replica of the Palmyra arch, which then went on a world tour—a fantastic example of rescue archaeology and how, in the face of the cultural vandalism, we will rebuild these important heritage sites. I particularly welcome the proposed property protection unit in the Army. The Foreign Secretary and I have already said that we would willingly volunteer to be part of such a force and go out to the middle east to help the new monuments men and women, but they will be much better than the original monuments men.

I gave this example once before, but the extraordinary figure of Colonel Matthew Bogdanos, who came to the House 10 years ago, led the hunt for the treasures looted from the Baghdad museum in 2003, after the allied invasion. He led an investigation into the looting of the Iraq national museum, from which many thousands of priceless treasures disappeared. Probably the most priceless of those was the 5,000-year-old Warka vase—the first representation of the human face in an art form in

stone. After the good works of Colonel Bogdanos, a clapped-out red Toyota appeared outside the Baghdad museum, the boot was opened and in a box was a vase in 20 pieces, which turned out to be the Warka vase—what people had forgotten was that, when the German archaeologists dug up the Warka vase, it was in about 20 pieces and was then glued together. Extraordinary work by an American reservist lawyer with a small team of people reconstructed so many thousands of the important artefacts that had been taken from the museum in Baghdad. We can do even better, and we have the expertise in the British Army, British academia and our museums to play a role even greater than that played by the heroic Colonel Matthew Bogdanos.

May I end, or approach my pre-peroration, Mr Speaker, with a few questions for the Minister? I welcome the £30 million cultural protection fund, as everybody else who has spoken today has. It will help to build capacity to foster, safeguard and promote cultural heritage in conflict-affected regions overseas, but what sort of projects does she envisage it being used for? We know about the £3 million for the British Museum. What happens after the three years to which that £30 million has been devoted?

What about more proactive protection measures than just retaking sites, tracking down looted artefacts and carrying out reconstruction? Can we do a lot more to try to prevent these things from happening in the first place? There were tales in the middle east of the residents of a town, in the face of ISIL, linking hands around some of their important monuments to try to protect them—huge bravery in the teeth of such savagery. Surely we could do more to make sure that we get there before the terrorists and that the terrorists are deflected.

When will we hear further about the Army working group? How many people is it likely to include? The excellent Lieutenant Colonel Tim Purbrick, who gave a presentation to the all-party group on archaeology, is hugely impressive and hugely keen, and he wants to get on with it. Perhaps the Minister can give us a progress report on when we might see some tangible results.

Baroness Neville-Rolfe, in the other place, told peers that work was going on in the Department to consider “what cultural property should be covered in the UK”.—[*Official Report, House of Lords, 6 June 2016; Vol. 773, c. 584.*]

Perhaps the Minister can update us on what progress has been made on that, and on when we can expect a definitive list.

Then, of course, there is the thorny issue of when cultural property is attacked by terrorist organisations such as Daesh or Boko Haram that are not covered in the Bill because they are not covered by the protocols to the convention. Effectively, we are asking whether the Minister will pursue the possibility of a third protocol. I know we are only just about to sign the first and second protocols and the convention, but if we are to bring the convention up to date, that will require international co-operation to counter those terrorists who are not part of states.

Penultimately, the heavy workload on the excellent Metropolitan police art and antiques unit has been mentioned. If the Bill is to be effective, that workload will be increased, yet there has, as I mentioned, been only one prosecution to date under the Dealing in Cultural Objects (Offences) Act 2003. Will the Minister give

[*Tim Loughton*]

some assurances that that unit, which is the responsibility of the Home Office, will be properly resourced so that it has enough people with the skills and training to track down the minority of criminals who should have been tracked down before now?

Then there is the issue of scheduled ancient monuments—archaeology in the ground. There are some 20,000 scheduled ancient monuments in the United Kingdom, but they are not included in the proposed list because they are not graded in the same way as listed buildings, for example. What added protections are there for those monuments, given that they are not specifically covered in the Bill?

What is the future of the blue shield scheme, which the Secretary of State described as the “cultural equivalent” of the Red Cross, as it is currently a completely voluntary organisation that is also, to some extent, undermined by the lack of a central team to co-ordinate its activities and avoid duplication? I think she is supportive of the excellent work by Professor Peter Shaw of Newcastle University, who has done so much to champion this whole cause.

Finally, I cannot resist echoing a point raised, slightly impertinently, by the hon. Member for Cardiff West: how does it help to find the archaeologists of the future, who may go into the Army to be part of the new team of monuments men, when we are about to lose the A-level in archaeology? How are we to find the expertise that is so essential to carry out the terms of the legislation that we are belatedly but thankfully scrutinising today? Will the Minister, as a result of these deliberations, have a conversation with her colleague the Secretary of State for Education to see what can be done to keep that important subject on the curriculum? I studied archaeology at school to A/O-level. I did not, however—I am sorry to burst the hon. Gentlemen’s balloon—go to a private school. It was an important subject then and it is an important subject today, across so many areas.

This is a really important Bill. It may be specialist in nature, but it has been pored over, in various forms, for the past 62 years, in expectation of this day. We now, at last, need to get on with it.

8.42 pm

Louise Haigh (Sheffield, Heeley) (Lab): It is a pleasure to rise to support the Bill. As my hon. Friend the Member for Cardiff West (Kevin Brennan) said, the previous Labour Government put this issue on the political agenda in 2004 and pushed a draft Bill in 2008. The Bill is long overdue, 62 years after the convention was first brought forward. As has been made very apparent during this debate, cultural property is not just bricks and mortar—it is the very fabric and soul of society and our history. It deserves our prioritisation, our attention and our protection. As has been elucidated, unfortunately we do not have to look too far, even today, to see examples of wilful cultural destruction, from Daesh’s destruction at Palmyra and al-Qaeda’s demolition of the mosques and mausoleums in Timbuktu, to the destruction and churches in Mosul, which, as the hon. Member for Tonbridge and Malling (Tom Tugendhat) said, goes hand in hand with ethnic cleansing.

We have heard some excellent speeches. The right hon. Member for Maldon (Mr Whittingdale)—who is, I believe, particularly to be congratulated on bringing this Bill forward—gave a moving account of the courage of Khaled al-Asaad, who laid down his life in the protection of the Palmyra site. Not only is there wilful destruction of such cultural property, but Daesh and others are profiting from the proceeds.

The right hon. Gentleman, among others, made a pertinent point about clause 17 and the difference between “knowing” and “having reason to suspect” that cultural property was illegally acquired. He called for a clearer requirement on dishonesty that exists in similar provisions in legislation such as the Theft Acts. I am sure that the Minister will provide us with an assurance that the threshold is not low to scoop up innocent people but rather ensures that prosecutions are brought against anyone who has not conducted their due diligence. Only a single prosecution has been brought under the Dealing in Cultural Objects (Offences) Act 2003, and it has been criticised for its low threshold. I hope that the Minister will stick to her guns on that.

The hon. Member for Argyll and Bute (Brendan O’Hara), who spoke on behalf of the Scottish National party, made some excellent points about the plundering of cultural artefacts by Daesh and the role of the European art market.

The right hon. Member for Wantage (Mr Vaizey), who is not in his place, was full of self-deprecation about how unsuccessful he was as a Minister in introducing the proposed legislation, but he welcomed, as we do, the cultural protection fund. He was right to point out that the British Museum is free to visit, and that is thanks to the last Labour Government, who acknowledged that there should be no class barrier to accessing and participating in culture. Unfortunately, he showed none of the humility that my hon. Friend the Member for Cardiff West called for in recognising some of the less desirable aspects of our history with regard to our colonial past.

The hon. Member for Hendon (Dr Offord) made an impassioned case for the Bill in relation to illegal antiquities from Cyprus that turn up in London, the biggest art market in the world. It is vital that we enforce against that here, because it is so difficult to do so in war zones such as Syria and in Cyprus.

Similarly, the hon. Member for Enfield, Southgate (Mr Burrows) said that it is important that we ratify not only the convention, but the two protocols, to bring us into line, finally, with other Security Council members and to ensure that we are at the front of the pack of the five permanent members.

The hon. Member for Newark (Robert Jenrick) was rightly praised by a number of hon. Members for the role he has played in the Bill’s progress. He pointed out that a great wrong is finally being righted, and he is to be congratulated on his persistence. He spoke in particular about those on the frontline who risk their lives to protect their living histories and about why our cultural diplomacy and how we back it up through our legislation and the cultural protection fund are so important. He was also right to say that the Bill is symbolic.

The hon. Member for Somerton and Frome (David Warburton) pointed out that protection is more necessary than ever and that there should be similar protection in conflicts that involve non-state actors. I hope that the Minister will address that in her response.

The right hon. and learned Member for Harborough (Sir Edward Garnier) called for greater clarity on the definition of cultural property and pointed out that many new forms of heritage have been developed since the 1950s. Greater clarity is also needed on the definition of occupied territory, given that there are many different forms of it in the world, with Crimea being an interesting example.

Last but by no means least, the hon. Member for East Worthing and Shoreham (Tim Loughton) praised the renowned dexterity of my hon. Friend the Member for Cardiff West in his opening speech. The hon. Gentleman said that it was important that we hurry up and get on with the Bill, so that we can lead the way and be the first of the five permanent members of the Security Council to ratify the convention, not only to secure and promote London's reputation as the centre of the international art market, but to prompt other states to ratify the convention and to prosecute those who hypocritically profit from trade on the international black market and, in some cases, as he pointed out, loot to order.

We welcome the Bill and the fact that the Government have finally made time for it. The ratification will put the UK at the forefront of international cultural property protection. My hon. Friend the Member for Cardiff West has asked me to thank Ministers for allowing him to meet the Bill team in preparing our response.

Will the Minister assure us that legitimate art dealers will not be caught up by clause 17? In her opening remarks, the Secretary of State said that she did not think that that would be the case, but can the Minister be more explicit?

Will digital formats be protected? My hon. Friend Lord Stevenson said in the other place:

“Who could, these days, expect to understand, debate and discuss the culture of any country or time without having regard to the moving image?”—[*Official Report, House of Lords*, 28 June 2016; Vol. 773, c. 1476.]

We appreciate how tricky it is to capture the spirit, purpose and language of an instrument that was drafted more than 60 years ago, while creating a relevant and effective regime for the present day, but we would appreciate the Minister's comments on that.

My hon. Friend the Member for Cardiff West will probe further the issues raised by several Members about mens rea, but we are generally supportive of the Government's position, which would require effective due diligence by art dealers in relation to clause 17. Finally, we ask the Government to think again about the removal of art history, archaeology and classical civilisation A-levels, for which my hon. Friend has passionately made the case. They are vital if we are to enforce the measures in the Bill and promote our cultural diplomacy across the globe. We are pleased to support this Bill on Second Reading.

8.50 pm

The Parliamentary Under-Secretary of State for Culture, Media and Sport (Tracey Crouch): It is with great pleasure and pride that I close the Second Reading debate on the Bill. This piece of legislation has been a long time coming, and I pay tribute to the former Secretary of State, my right hon. Friend the Member for Maldon (Mr Whittingdale) for his success in securing a slot for the Bill this Session. The debate has shown us that there

is cross-party consensus in the House, as there was in the other place, on this Bill, and that we are all working to achieve the shared goal of protecting our cultural heritage.

I thank Members of the House who have, over a number of years, pushed for the Government to ratify the convention and accede to its two protocols. I would like to give a special mention to my hon. Friends the Members for Enfield, Southgate (Mr Burrowes), for Newark (Robert Jenrick) and for East Worthing and Shoreham (Tim Loughton), and to the work of the all-party group on cultural heritage. I pay tribute to the hon. Member for Bishop Auckland (Helen Goodman) for her campaign when the Labour party was in government.

I thank all the stakeholders who have helped the Department for Culture, Media and Sport to bring the Bill before this House, particularly Professor Peter Stone, Professor Roger O'Keefe, Neil MacGregor, and Michael Meyer of the British Red Cross, who have all worked closely with the DCMS for many years on the subject. In addition, I thank the police, the Ministry of Defence, the armed forces, and Historic England and its counterpart agencies in Scotland, Wales and Northern Ireland for their support in bringing forward this Bill. The art market and the British Art Market Federation have also been effective in working with the Department to highlight the Bill's impact on an important sector of our economy. The Government appreciate and support the work of all those stakeholders to keep the Bill in the spotlight, enabling us to have this well-informed debate.

We have had a good debate that has covered many aspects of the Bill, and I would like quickly to address some of the key points. The two main themes of Syria and the mens rea clause were raised by many. I will deal with some of the specific issues that Members have raised, but some will need to be dealt with beyond the Chamber, so I hope that colleagues will bear with me.

Syria is a complex matter, and we need to remember what the Bill does and does not do. The Bill enables the UK to ratify the convention and both its protocols, delivering a strong message that the UK will not tolerate illicit dealing in cultural property. The Bill applies to the situation in Syria, although its application is limited in part because the UK does not recognise Daesh as a state and because Syria has not ratified the second protocol. However, UK nationals fighting with Daesh could be prosecuted for serious violations under clause 3, because article 15(1)(e) of the second protocol covers property protected under the convention, which Syria has ratified.

Many Members raised concerns about clause 17. It is important to note that the Bill will not require the art market to change how it operates. The matter was not raised on the Floor of the House during scrutiny of the Bill in the other place, but I understand that there is concern in the House. As such, I would be happy to have a meeting with anyone who wants to discuss the matter further. In addition, the Secretary of State and I will meet the chairman of the British Art Market Federation on Wednesday.

If I may, I will explain the Government's position on clause 17. As dealers should be carrying out due diligence for any piece of cultural property that they wish to buy or sell, in accordance with industry standards, we do not consider that the legislation imposes any extra burdens on those in the art industry. In order for a criminal case

[Tracey Crouch]

to proceed, the prosecution must be satisfied that there is enough evidence to provide a realistic prospect of conviction, and that there is enough evidence that prosecution is needed in the public interest. Where there is credible evidence to suggest that an object may have been unlawfully exported, we consider that a dealer would not be acting in good faith if they proceeded in a deal involving that object unless further due diligence were undertaken to rebut that evidence. On that basis, we do not believe that honest dealers should be concerned about the risk of prosecution.

A question was asked about whether the definition of the mens rea exists in other legislation. The answer is yes. The Iraq and Syria sanctions orders create similar offences with similar penalties, using as the mens rea the very similar standards of “reason to suppose” and “reasonable grounds to suspect”. The art market has continued to operate successfully while complying with the Iraq and Syria sanctions orders, so we see no reason why that should be any different in relation to the offence under the Bill. The Government’s view is that the sanctions orders provide the most appropriate models for the offence created under the Bill, given the particular and very serious risk posed to cultural property during times of armed conflict. However, we have listened to the concerns that have been raised, and we are very happy to meet anyone to discuss this matter further.

I will turn to the specific points that colleagues have raised. The hon. Member for Cardiff West (Kevin Brennan), like the hon. Member for Sheffield, Heeley (Louise Haigh) in her summing up, mentioned the issue of digital forms. The reassurance that the noble Baroness Neville-Rolfe gave in the Lords remains true—this was repeated by the Secretary of State in her opening speech—which is that the rare and unique film or music can be included in the scope of the Bill. The hon. Member for Cardiff West also mentioned the issue of recent conflicts, including about how the Bill will apply in Afghanistan. That country has not yet ratified the convention, so the Bill’s application there will be limited.

My right hon. Friend the Member for Maldon and other hon. Members mentioned the cultural protection fund. Typically, he was incredibly understated about the role he played in securing the fund. In fact, he did not mention his role and that of my right hon. Friend the Member for Wantage (Mr Vaizey) in the establishment of the fund. I reassure him and other hon. Members that it is making good progress. My right hon. Friend the Member for Maldon rightly paid tribute to the MOD. The MOD has operated as though bound by the convention, so the Bill will have no material effect on the conduct of UK military operations.

The hon. Member for Argyll and Bute (Brendan O’Hara) raised some interesting points. I just want briefly to say that we welcome his contribution and the support of the Scottish Parliament for the Bill.

My right hon. Friend the Member for Wantage started this Bill, so I will finish it for him. He raised the issue of the monuments men. The Bill continues to enjoy the full support of the MOD and the armed forces with regard to the monuments men and women. The MOD has consulted international partners to identify best practice, and it has tasked the Army with examining the best means of delivering the unit. Initial thoughts suggest a

small unit of up to 20 personnel from across all three services. I look forward to updating colleagues further in due course.

My hon. Friend the Member for Hendon (Dr Offord) raised the question of Cyprus. I think we all agree that the division of Cyprus continues to cause difficulties across a range of issues, and that the most effective way to resolve them is through a just and lasting settlement. It remains important to ensure that the illegal export of cultural property is tackled and the property returned to its legal owners.

I am very grateful to my hon. Friend the Member for Enfield, Southgate for his support, and I welcome his sporting comparison with Formula 1. As he knows, I am hugely competitive, and the idea of our being the first permanent member of the UN Security Council to ratify the convention and the two protocols thrills me enormously. To keep the motorsport analogy running, we in the Department are the drivers on that grid, but the car has very much been built and developed by the Members of this House, including by my hon. Friend.

My hon. Friend the Member for Newark has been rightly praised by all colleagues for his role on this Bill. He made the point that we are not the epicentre of illicit trade; nor do we want to be. He spoke with great knowledge about our art market, and about how the Bill may have an impact on auction houses. He will be aware that the market is very much self-regulated, and that is how it should remain. He will also be aware that the art market itself, through its codes of due diligence, sets the common principles of practice in dealing, with a checklist for dealers. The Bill will not change that. Regardless of whether they are large or small houses, dealers should always be concerned about whether cultural objects have been lawfully exported from any territory. Let us be clear that the dealing offence applies only to a very small but very special category of cultural objects—those which are of great importance to the cultural heritage of every people.

I am grateful to my hon. Friend the Member for Somerton and Frome (David Warburton) and my right hon. and learned Friend the Member for Harborough (Sir Edward Garnier) for their comments and support. My right hon. and learned Friend raised two additional points about the definitions of cultural property and of occupied territories. On occupied territories, it is for the Foreign Secretary to decide on a case-by-case basis. On the other definition, article 1 of the convention defines cultural property, but we will shortly hold a round-table meeting of experts to consider what cultural property should be covered in the UK.

Finally, my hon. Friend the Member for East Worthing and Shoreham was right to pay tribute to the International Committee of the Blue Shield, a voluntary organisation made up primarily of cultural heritage experts keen to mitigate damage to cultural heritage during and after conflicts and natural disasters. My Department is grateful for the support the ICBS has given in shaping the Bill.

The cultural protection fund is work in progress. My hon. Friend asked some specific questions about its future application. I will ensure he gets updated on that on a regular basis.

This debate has shown how important cultural heritage is to all world citizens. The Bill offers the UK the chance to demonstrate its world leadership in the protection of

cultural heritage. Through formal ratification we are sending a clear message of condemnation to those who intentionally destroy cultural heritage in times of conflict and those who seek to profit from the illegal trade in the cultural property and heritage of occupied territories. Combined with the cultural protection fund and the existing legislative framework designed to tackle illicit trade and terrorism-related activities, the Bill is another positive step towards ensuring our cultural heritage is protected for future generations. I commend it to the House.

Question put and agreed to.

Bill accordingly read a Second time.

CULTURAL PROPERTY (ARMED CONFLICTS) BILL [LORDS] (PROGRAMME)

Motion made, and Question put forthwith (Standing Order No. 83A(7)),

That the following provisions shall apply to the Cultural Property (Armed Conflicts) Bill [Lords]:

Committal

(1) The Bill shall be committed to a Public Bill Committee.

Proceedings in Public Bill Committee

(2) Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on Thursday 17 November.

(3) The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

Consideration and up to and including Third Reading

(4) Proceedings on Consideration and any proceedings in legislative grand committee shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which proceedings on Consideration are commenced.

(5) Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.

(6) Standing Order No. 83B (Programming committees) shall not apply to proceedings on Consideration and up to and including Third Reading.

Other proceedings

(7) Any other proceedings on the Bill (including any proceedings on consideration of any message from the Lords) may be programmed.—(*Christopher Pincher.*)

Question agreed to.

HOUSE OF COMMONS COMMISSION

Ordered,

That Dame Rosie Winterton be appointed to the House of Commons Commission in place of Mr Nicholas Brown under the House of Commons (Administration) Act 1978, as amended.—(*Michael Ellis.*)

Business without Debate

DELEGATED LEGISLATION

Motion made, and Question put forthwith (Standing Order No. 118(6)),

TERRORISM PREVENTION AND INVESTIGATION

That the draft Terrorism Prevention and Investigation Measures Act 2011 (Continuation) Order 2016, which was laid before this House on 4 July, be approved.—(*Christopher Pincher.*)

Question agreed to.

COMMITTEES

Mr Speaker: We now come to motions 5 and 6, which relate to new Committees of the House. I suggest that they be taken together.

Ordered,

EXITING THE EUROPEAN UNION

That Alistair Burt, Mr Alistair Carmichael, Maria Caulfield, Joanna Cherry, Jonathan Edwards, Michael Gove, Peter Grant, Andrea Jenkyns, Jeremy Lefroy, Mr Peter Lilley, Karl McCartney, Mr Pat McFadden, Craig Mackinlay, Seema Malhotra, Dominic Raab, Emma Reynolds, Stephen Timms, Mr John Whittingdale and Sammy Wilson be members of the Exiting the European Union Committee.

INTERNATIONAL TRADE

That Liam Byrne, James Cleverly, Mr Nigel Evans, Marcus Fysh, Mr Ranil Jayawardena, Sir Edward Leigh, Chris Leslie, Shabana Mahmood, Toby Perkins and Sir Desmond Swaine be members of the International Trade Committee.—(*Bill Wiggin, on behalf of the Committee of Selection.*)

Mr Speaker: We now come to motions 7 to 25. I understand that there is a wish to take motion 18 on the Justice Committee separately. With the leave of the House, we will therefore take motions 7 to 17 together.

BACKBENCH BUSINESS

Ordered,

That Wendy Morton be discharged from the Backbench Business Committee and Dr Poulter be added.

BUSINESS, ENERGY AND INDUSTRIAL STRATEGY

That Paul Blomfield and Jonathan Reynolds be discharged from the Business, Energy and Industrial Strategy Committee and Albert Owen and Anna Turley be added.

COMMUNITIES AND LOCAL GOVERNMENT

That Liz Kendall and Jim McMahon be discharged from the Communities and Local Government Committee and Rushanara Ali and Melanie Onn be added.

DEFENCE

That Richard Benyon be discharged from the Defence Committee and Jack Lopresti be added.

EDUCATION

That Stephen Timms be discharged from the Education Committee and Lilian Greenwood be added.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

That Valerie Vaz be discharged from the Environment, Food and Rural Affairs Committee and Kerry McCarthy be added.

ENVIRONMENTAL AUDIT

That Jo Churchill and Rebecca Pow be discharged from the Environmental Audit Committee and Glyn Davies and Matthew Offord be added.

FOREIGN AFFAIRS

That Yasmin Qureshi be discharged from the Foreign Affairs Committee and Ian Murray be added.

HEALTH

That Julie Cooper, Andrew Percy, Emma Reynolds and Paula Sherriff be discharged from the Health Committee and Heidi Alexander, Luciana Berger, Rosie Cooper and Andrew Selous be added.

HOME AFFAIRS

That Victoria Atkins be discharged from the Home Affairs Committee and Byron Davies be added.

INTERNATIONAL DEVELOPMENT

That Mrs Helen Grant be discharged from the International Development Committee and Paul Scully be added.—(*Bill Wiggin, on behalf of the Committee of Selection.*)

Justice Committee

9.2 pm

Bill Wiggin (North Herefordshire) (Con): I beg to move,

That Chris Elmore and Dr Rupa Huq be discharged from the Justice Committee and Kate Green and Keith Vaz be added.

This motion is the decision of the Committee of Selection. It respects the wish of the Labour party in electing those Members to this Committee.

9.3 pm

Andrew Bridgen (North West Leicestershire) (Con): I rise to object to the appointment of the right hon. Member for Leicester East (Keith Vaz) to the Justice Committee. I informed the right hon. Gentleman's office this afternoon of my intention to do so.

I am aware that this is not a conduct debate and will therefore try to limit my remarks to why I believe the right hon. Member for Leicester East is at this time unsuitable for a role on the Committee to which he has been nominated, and to matters already on the public record and in the public domain. I am sure that should I cross the line or if my remarks are out of order, you will be as quick as always to advise and correct me, Mr Speaker.

I put on record that I have no objection to the appointment of the hon. Member for Stretford and Urmston (Kate Green). In my view, it is unfortunate that her appointment has been linked with that of the other Member in question.

Mr Speaker, since I have been in this House, and on almost a weekly basis—from memory, it is usually on a Wednesday around about noon—you have reminded us how important the public perception of the workings of the House and the behaviour of its Members are in fashioning the public's opinion of Parliament and our whole democratic system. You were quoted only last week, following the hugely successful Nottinghamshire event, as saying:

“There is a lot of evidence that people have a low opinion of politics and politicians”.

I agree, Mr Speaker, and that is unfortunately true. I do not believe that the right hon. Member for Leicester East joining the Justice Committee will do anything to enhance the reputation and perception of Parliament among the public; indeed, it will do the opposite.

Mr David Hanson (Delyn) (Lab): I am a member of the Justice Committee. I am also a member of the Labour party. As the hon. Member for North Herefordshire (Bill Wiggin) said, it is the Labour party's choice to put my right hon. Friend the Member for Leicester East (Keith Vaz) on the Committee. What right does the hon. Member for North West Leicestershire (Andrew Bridgen) have to tell the Labour party who to put on our Committees?

Andrew Bridgen: If that is the right hon. Gentleman's belief, I suggest he speaks in the debate on behalf of the right hon. Member for Leicester East. Representing a Committee of the House reflects on this House. As a Member of the House, I have a right to object.

Mr Nicholas Brown (Newcastle upon Tyne East) (Lab): On a point of order, Mr Speaker. I wonder whether you could clarify to the House what the rights of Members of other parties—parties that do not have nominating

rights—are in these matters now that we have changed our rules so that each party selects and nominates its preferred candidates.

Mr Speaker: It is the House that appoints to the Committee, and it is for the House to decide. It is on that basis that these matters are brought to the House and subject to motions moved by the Committee of Selection. Of course, as the right hon. Gentleman's long experience will tell him, it is normal and commonplace for these matters to go through without objection, but it is perfectly orderly for someone to object if he or she so wishes.

Andrew Bridgen *rose*—

Mr Speaker: Order. I will come to the hon. Gentlemen—he will continue his speech in a moment. He himself anticipated the possibility that the Chair might take an interest if he were to cross the line between what was legitimate and orderly to say and what was not. Thus far, the hon. Gentleman has observed that distinction and, on that basis, I am content for him at this stage to continue.

Mr John Spellar (Warley) (Lab): Further to that point of order, Mr Speaker. It is absolutely right that we have procedures, but we also have conventions, which evolve. The convention that has evolved in the House, as far as I am aware, is that each of the parties, within their own ranks, decides their members of the Committees, although the whole House votes, rightly or wrongly, on who the Chairs of the Committees should be. Therefore, gratuitously for a Member to try to disrupt that convention is extremely unfortunate, even if it might be just the right side of the Standing Orders.

Mr Speaker: I entirely understand what the right hon. Gentleman is saying. I am not insensitive to him or to his point, which he has made with his usual force and eloquence. That said, a convention is one thing and a binding rule is another. I must simply make the point that, at this stage, the hon. Member for North West Leicestershire (Andrew Bridgen) is in order. He may have offended the sensibilities of the right hon. Gentleman, and indeed departed from what is normal convention in this place, but he is at this stage in order.

Andrew Bridgen: Thank you for that clarification, Mr Speaker. I am pleased that so far the speech is so good.

An allegation in the *Sunday Mirror*, with supporting video footage, implied that the right hon. Member for Leicester East had offered to purchase class A drugs while using the services of escorts.

Mr Spellar: It is very interesting that the hon. Gentleman should cite the tabloid press which has, from time to time, taken an unhealthy interest in his activities.

Karl McCartney (Lincoln) (Con): That got disproved, and he is not the one who is up for the Justice Committee.

Mr Speaker: Order. Mr McCartney, calm yourself. Be quiet, young man. We do not need to hear from you. You add nothing and you subtract from the proceedings. Mr Bridgen is perfectly capable of addressing these matters to the best of his ability and according to his own lights. He does not require a sedentary interjection from you.

Andrew Bridgen: I am here to try to address matters pertaining to the reputation of this House. If the right hon. Member for Warley (Mr Spellar) wishes to make light of that, it is for his conscience, not mine. I am here to make my speech and force a vote, in which he will be at liberty to make his opinion known.

In July this year, the Home Affairs Committee published a report calling for the decriminalisation of soliciting by sex workers and of sex workers sharing premises. It also looked at the use of poppers. The Committee, at the time, was chaired by the right hon. Member for Leicester East. Following the much publicised exposé in the *Sunday Mirror*, he decided—belatedly, in my view—to resign from his position. But here we are, only a relatively few weeks later, and the same Member seeks a position on the prestigious and influential Justice Committee while matters relating to his recent resignation remain unresolved.

I wrote to Scotland Yard on 5 September to establish whether a crime had been committed by the right hon. Gentleman with regards to the allegation of conspiracy to supply a controlled substance. I received a letter, dated 9 September, from Commander Stuart Cundy of the specialist crime investigation unit, stating that an assessment of the information had commenced and that, following that assessment, a decision would be taken on the most appropriate course of action. No course of action has yet been determined by Scotland Yard, so a possible police investigation still hangs over the right hon. Gentleman.

Also on 5 September, I wrote to the Parliamentary Commissioner for Standards with regard to the right hon. Gentleman. An investigation was instigated and then immediately suspended, as is the procedure, pending the results of the police assessment. Should Scotland Yard decide in due course not to investigate the said Member with regards to potential criminal activity, the parliamentary standards investigation will commence immediately.

It is fair to say that the right hon. Member for Leicester East has quite a history regarding parliamentary standards. He was subject to extensive inquiries by Elizabeth Filkin, the then commissioner, into allegations of misconduct in 2001 and 2002. He was suspended from the House for one month in 2002 for breaches of the MPs' code of conduct. I do not intend to list all the right hon. Gentleman's brushes with parliamentary standards as I do not wish to detain colleagues longer than necessary.

Further to my letter to the Commissioner of Police of the Metropolis, in which I urged Scotland Yard to liaise with Leicestershire police, it has been stated that four witnesses have confirmed that they were recently interviewed by Leicestershire police and that their inquiries have been going on for at least a year. Those inquiries concern allegations that the right hon. Member for Leicester East abused his position in public office—

Mr Speaker: Order. The hon. Gentleman will resume his seat. He will know that I take advice on these matters. Having treated of matters that are very much within the public domain until now, his speech has strayed from there. I have consulted on the matter and he is now treating of matters that are not in the same category. He must desist.

Andrew Bridgen: Thank you, Mr Speaker. I have raised concerns with you about the conduct of the right hon. Member for Leicester East historically—

Mr Speaker: Order. The hon. Gentleman will resume his seat. Let me say clearly to the hon. Gentleman, and in terms that brook no contradiction, that he would be unwise to go into those matters. He has written to me and I have written back to him. I explained to him factually—factually—in a manner that cannot be disputed or gainsaid that it is not for the Speaker of this House to seek to persuade someone to step down as the Chair of a Committee because of suspicions that some people might have about him. That is not the role of the Speaker of the House of Commons. If the hon. Gentleman were a more experienced Member, he would probably be aware of that fact. I urge the hon. Gentleman to focus on those matters which it is proper and legitimate for him to raise, and not upon those which it is not.

Andrew Bridgen: Thank you. Mr Speaker, you have often said that this place must reflect the society for which we make the laws—I agree with you. I respectfully point out to the House that in any other sphere of activity, a candidate with so much hanging unresolved over him would be very unlikely to be considered for such an important office. If the right hon. Gentleman were in the Chamber today, I would ask him to stand down from his nomination, but he is not, so I ask the House to reject his appointment. Otherwise, we cannot blame the great British public for having a low opinion of its politicians and its politics; we can only blame ourselves.

In conclusion, I will leave the House with this question. If the right hon. Member for Leicester East thought himself only last month not fit to be a member of the Home Affairs Committee, and given that the matters relating his resignation are, as I have explained, unresolved, what makes him think that he is a fit and proper person to be a member of the Justice Committee this month?

Jake Berry (Rossendale and Darwen) (Con): Before my hon. Friend draws his remarks to a conclusion, some correspondence has been referred to this evening. I wonder if he will say whether it is possible to publish that correspondence to ensure that hon. Members on both sides of the House have an opportunity to consider all of the facts.

Mr Speaker: Order. That is nothing to do with the debate, as I have just been advised by the Clerk of the House. Don't frown at me, Mr Berry. I know the facts and you're about to learn them. That is nothing to do with the debate tonight—point one. Secondly, there is no uncertainty or dubiety whatsoever about the correspondence between the hon. Gentleman and me. Indeed, I do not think there is any uncertainty at all about the advice that was proffered not just by me but by the Clerk of the House. Whether he wishes and is astute enough to take that advice is another matter.

Andrew Bridgen: Thank you, Mr Speaker. I thank my hon. Friend's failed attempt to help in this debate.

It is clear that the right hon. Member for Leicester East felt the need to resign last month from the Home Affairs Committee. I think it would be a huge mistake for this House now to place him on the Justice Committee when he has so many questions to answer. I urge all right hon. and hon. Members to vote against his appointment this evening.

Question put.

The House divided: Ayes 203, Noes 7.

Division No. 73]

[9.18 pm

AYES

Afriyie, Adam	Green, Chris
Andrew, Stuart	Green, rh Damian
Ansell, Caroline	Green, Kate
Argar, Edward	Greenwood, Lilian
Ashworth, Jonathan	Griffiths, Andrew
Atkins, Victoria	Gyimah, Mr Sam
Bacon, Mr Richard	Haigh, Louise
Baker, Mr Steve	Hall, Luke
Baldwin, Harriett	Hamilton, Fabian
Barwell, Gavin	Hands, rh Greg
Bebb, Guto	Hanson, rh Mr David
Benyon, Richard	Harper, rh Mr Mark
Berry, James	Harris, Rebecca
Betts, Mr Clive	Hart, Simon
Bingham, Andrew	Haselhurst, rh Sir Alan
Blenkinsop, Tom	Heald, rh Sir Oliver
Bone, Mr Peter	Healey, rh John
Bradley, rh Karen	Heapey, James
Brazier, Mr Julian	Hinds, Damian
Brennan, Kevin	Hoare, Simon
Brine, Steve	Hodgson, Mrs Sharon
Brokenshire, rh James	Hollinrake, Kevin
Brown, rh Mr Nicholas	Howarth, Sir Gerald
Bruce, Fiona	Huddleston, Nigel
Burns, Conor	Hunt, rh Mr Jeremy
Cadbury, Ruth	Hurd, Mr Nick
Carmichael, Neil	James, Margot
Cartledge, James	Jayawardena, Mr Ranil
Caulfield, Maria	Jenkyns, Andrea
Chalk, Alex	Jenrick, Robert
Churchill, Jo	Johnson, Joseph
Cleverly, James	Jones, Andrew
Coffey, Dr Thérèse	Jones, rh Mr David
Colvile, Oliver	Jones, Mr Marcus
Courts, Robert	Kirby, Simon
Coyle, Neil	Latham, Pauline
Creagh, Mary	Leadsom, rh Andrea
Creasy, Stella	Lee, Dr Phillip
Crouch, Tracey	Lefroy, Jeremy
Cummins, Judith	Lewis, rh Brandon
Dakin, Nic	Liddell-Grainger, Mr Ian
Danczuk, Simon	Lidington, rh Mr David
David, Wayne	Lopresti, Jack
Davies, Byron	Mackinlay, Craig
Davies, Chris	Mackintosh, David
Davies, Dr James	Mak, Mr Alan
Davies, Mims	Malthouse, Kit
Davis, rh Mr David	Mann, Scott
Donaldson, rh Sir Jeffrey M.	Matheson, Christian
Double, Steve	Mathias, Dr Tania
Doyle-Price, Jackie	Maynard, Paul
Drax, Richard	McCabe, Steve
Dunne, Mr Philip	Metcalfe, Stephen
Ellis, Michael	Miller, rh Mrs Maria
Ellison, Jane	Milling, Amanda
Ellwood, Mr Tobias	Milton, rh Anne
Elmore, Chris	Moon, Mrs Madeleine
Evans, Chris	Mordaunt, Penny
Evans, Graham	Morden, Jessica
Foster, Kevin	Morris, James
Fox, rh Dr Liam	Morton, Wendy
Foxcroft, Vicky	Mowat, David
Frazer, Lucy	Murray, Mrs Sheryll
Freer, Mike	Murrison, Dr Andrew
Garnier, Mark	Nokes, Caroline
Gauke, rh Mr David	Norman, Jesse
Gibb, Mr Nick	Offord, Dr Matthew
Goodwill, Mr Robert	Onwurah, Chi

Opperman, Guy
 Parish, Neil
 Percy, Andrew
 Perry, Claire
 Philp, Chris
 Pincher, Christopher
 Poulter, Dr Daniel
 Pound, Stephen
 Pow, Rebecca
 Prentis, Victoria
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Rees-Mogg, Mr Jacob
 Robertson, Mr Laurence
 Robinson, Gavin
 Robinson, Mary
 Rudd, rh Amber
 Rutley, David
 Scully, Paul
 Selous, Andrew
 Shannon, Jim
 Sheerman, Mr Barry
 Skidmore, Chris
 Smith, Henry
 Smith, Jeff
 Smith, Julian
 Solloway, Amanda
 Spellar, rh Mr John
 Spencer, Mark
 Stewart, Bob
 Stewart, Iain
 Stewart, Rory
 Stride, Mel
 Stringer, Graham

Stuart, rh Ms Gisela
 Stuart, Graham
 Sunak, Rishi
 Swayne, rh Sir Desmond
 Swire, rh Sir Hugo
 Syms, Mr Robert
 Tami, Mark
 Thomas, Derek
 Thomas, Mr Gareth
 Throup, Maggie
 Timpson, Edward
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Vaizey, rh Mr Edward
 Vara, Mr Shailesh
 Vickers, Martin
 Walker, Mr Robin
 Wallace, Mr Ben
 Warman, Matt
 Watson, Mr Tom
 Wharton, James
 Whately, Helen
 Wheeler, Heather
 Whittaker, Craig
 Wiggin, Bill
 Williams, Craig
 Williamson, rh Gavin
 Wilson, Phil
 Wood, Mike
 Zeichner, Daniel

Tellers for the Ayes:
David Evennett and
Mr Alan Campbell

NOES

Berry, Jake
 Bridgen, Andrew
 Duddridge, James
 Hollobone, Mr Philip
 Mann, Scott

Offord, Dr Matthew
 Soames, rh Sir Nicholas
Tellers for the Noes:
Karl McCartney and
Nigel Mills

Question accordingly agreed to.

COMMITTEES

Mr Speaker: With the leave of the House, we will take motions 19 to 25 together.

Ordered,

PETITIONS

That Ian Blackford be discharged from the Petitions Committee and Martyn Day be added.

PROCEDURE

That Jenny Chapman be discharged from the Procedure Committee and Melanie Onn be added.

PUBLIC ACCOUNTS

That David Mowat and Mr Stewart Jackson be discharged from the Committee of Public Accounts and Charlie Elphicke and Kwasi Kwarteng be added.

PUBLIC ADMINISTRATION AND CONSTITUTIONAL AFFAIRS

That Oliver Dowden, Mr David Jones and Tom Tugendhat be discharged from the Public Administration and Constitutional Affairs Committee and Marcus Fysh, Adam Holloway and Dr Poulter be added.

TRANSPORT

That Mary Glendon be discharged from the Transport Committee and Clive Efford be added.

TREASURY

That Mark Garnier be discharged from the Treasury Committee and Kit Malthouse be added.

WORK AND PENSIONS

That Jeremy Quin and Craig Williams be discharged from the Work and Pensions Committee and James Cartlidge and Luke Hall be added.—(*Bill Wiggin, on behalf of the Committee of Selection.*)

Social Housing: Regulation

Motion made, and Question proposed, That this House do now adjourn.—(Mark Spencer.)

9.32 pm

Rushanara Ali (Bethnal Green and Bow) (Lab): I am delighted to have secured this debate. I called for it to voice my concerns about the regulation of social landlords and how they manage their properties. First, I want to pay tribute to the hundreds of my constituents who have campaigned, with me and their councillors, to draw urgent attention to their plight. The focus of my contribution will be how we can ensure that social housing tenants have the proper protection they need and can live in security and safety. This applies in particular to repairs and maintenance services, which if not done speedily and to a high standard can be devastating, and in some cases life-threatening.

At a time when local authorities and housing associations have been facing significant funding pressures, it is vital that the Government and regulators pay particular attention to the experience of social housing tenants. Housing associations are a critical part of the solution to Britain's housing crisis; they provide affordable, quality rented and shared ownership accommodation, and the best ones are anchored in their communities. Many provide specialist housing services—for example, for people with disabilities. Some housing associations have historical roots in the 19th century and the mutual and co-operative traditions.

Tower Hamlets has many excellent community-based housing associations which have worked well in partnership with the council to look after residents and to be genuinely responsive to the needs of local people, but in recent years I have become increasingly concerned that these progressive aims are being subverted and the not-for-profit ethos of housing associations is being undermined in some cases. Old Ford Housing, which was established in 1998 as the successor body to Tower Hamlets Housing Trust, was widely regarded as one of the best housing associations in east London. It was originally a subsidiary of Circle 33 Housing Group for financing purposes, but it was accountable to its own board of tenants, leaseholders and independent members. In 2005, it merged with Anglia Housing Group to form Circle Anglia. Other associations then joined to form Circle Housing Group.

The quality of maintenance has progressively worsened since the merger. Circle Housing has systematically failed local people. Local councillors and I have had to deal with hundreds of complaints from residents, as have other MPs with housing in their constituency that is managed by Circle Housing. Last winter, it failed to manage its heating repairs properly, meaning that many tenants had no heating or hot water for days. Many other examples have been brought to my attention of missed appointments, repairs left undone, poor-quality work by contractors, and failures to communicate with residents. Tower Hamlets Council has taken the rare step of dropping Circle Housing altogether as a preferred partner for housing development in the borough.

Jim Shannon (Strangford) (DUP): I thank the hon. Lady for bringing this important issue to the House for consideration. Does she agree that social housing

regulations, in particular the right to repairs, must be further protected? Some people do the repairs themselves and then cannot get the money back from landlords, finding themselves in a precarious situation. Is it not time for the Minister to respond and to address that issue?

Rushanara Ali: I could not agree more. I will ask the Minister to address that point, because it is unacceptable that housing associations in receipt of public money are leaving some tenants to fend for themselves. I hope the Minister will address that and consider how to strengthen the regulatory framework.

Returning to the issues affecting my constituents, local ward councillors Rachel Blake, Mark Francis and Joshua Peck have been working tirelessly to support the hundreds of residents who have been treated disgracefully by Circle Housing. Some of the cases are heart-breaking, including residents carrying umbrellas indoors because of leaking ceilings, a heavy heater falling off a wall near small children playing on the floor, lifts breaking down on a weekly basis, and 30 flats left without light for weeks. No one should have to live like that.

One of my constituents called the Circle Housing office 40 times over a three-month period to fix leaks that left them using an umbrella when using the toilet. Another of my constituents, who was eight months pregnant, slipped on water leaking from her toilet, which she had reported on 88 occasions. Another couple had a boiler that broke down repeatedly for nearly six months. A disabled resident was left without heating for the best part of two months. Another family had to sit with bowls on their laps and towels on their heads because of unrepaired leaks from above. In another case, repair workers failed to attend four pre-agreed appointments organised since May this year to fix damaged walls and ceilings.

In other cases, leaks from bathrooms that have damaged the ceilings below have been left unrepaired for years. Another family's unresolved piping problems have left them filling the bath with hot water from the kettle after asking for help for months. An elderly pensioner in her eighties went without heating and hot water for 17 days. Another elderly resident had to live with no hot water or heating for eight weeks. When he informed me about the situation, I asked Circle Housing's CEO if he could tolerate being treated like that and had to threaten to inform the media about the appalling treatment before my constituent's boiler was finally fixed. It cannot be right that we have to go to such lengths to make Circle do its publicly funded job properly. It demonstrates incompetence and a dereliction of duty by Circle Housing.

Circle's poor quality management was recognised in 2015 when the Homes and Communities Agency found evidence of serious detriment to tenants and downgraded Circle Housing Group from G1 to G3, which means there are issues of serious regulatory concern. Circle's response to such a damning ruling was to close down its subsidiaries, including the Old Ford Housing Association, and centralise services, moving most of its staff to a new call centre in Kent. That has made matters worse.

In the spring, Tower Hamlets councillors reported further failings to the social housing regulator, whose role is to investigate whether there has been a breach of the home standard, which amounts to "serious detriment" to tenants. I could not imagine more cut and dried

examples of serious detriment than leaving dozens, and possibly hundreds, of tenants without heating and hot water for extended periods. The provision of heating and hot water is one of the most fundamental of landlord functions. In response to that complaint, the HCA simply said it was satisfied with the progress Circle was making in improving its services. Earlier this summer, the HCA announced that Circle's governance rating had been increased again to G2.

My constituents have now had enough. Earlier this year, I received a petition from nearly 1,000 local residents calling on the mayor of Tower Hamlets, John Biggs, to report the continuing service failings to the social housing regulator and initiate legal action against Circle for its failure to honour the promises it made to tenants back in 2005. It also called on me to raise their concerns with the Housing Minister, which I did in writing earlier this summer and as I did to his predecessor—I have not yet received a response. I hope that the Minister will therefore make sure he addresses these urgent matters today.

Given this context of the appalling record of the merger and growth of Circle Housing, it is not surprising that the recent proposal for Circle Housing to merge with Affinity Sutton has raised further alarm bells among residents. If this merger goes ahead, it will create one of the largest housing associations in Europe. Nearly half a million people across London, from Bromley to Brent, from Chelsea to Chingford, will become tenants of this new social landlord, which will own and run more than 127,000 properties. Residents are also rightly concerned that the merger and the centralisation of services, including repairs and maintenance, will see services deteriorate even further.

What we have seen is a complete failure to be locally accountable, with locally accountable board membership having been cast aside. Circle has completely failed to honour the promise it made when the Old Ford transfer happened that that would be maintained and there would be proper accountability. The merger with Affinity Sutton will make matters worse, and my constituents do not want any part of it, nor do residents from other London boroughs who have had similar experiences.

Housing associations receive billions in public subsidy from the taxpayer. Between 2010 and 2016, Circle Housing alone received more than £250 million of Government funding. It must be held to account properly if we are to prevent others from suffering in the way that many of my constituents have over the past few years at the hands of Circle Housing. Will the Minister provide an assurance that there will be more robust systems to process complaints, adjudicate in disputes and provide redress quickly when things go wrong? Will he assure us that he will ensure the HCA urgently investigates why Circle's management board retained a failing contractor, Kier Gas, to provide its gas safety maintenance, and whether that decision, which left many tenants without heating and hot water for weeks, amounts to serious detriment? With the HCA review due to complete soon, will the Minister commit to empowering the HCA to investigate examples of neglect of repairs responsibilities? Will he think again about the HCA losing the power to give consent to housing association mergers, as set out in the Housing and Planning Act 2016?

I have no doubt that some housing associations and their representative body dislike the old regime from the Housing and Regeneration Act 2008 and its predecessor

legislation, but this case shows that some housing associations do not always make decisions in the best interests of their tenants. The Government should be empowering regulators, not making them even more toothless and unable to act and therefore inept at standing up for the very people whom they should be serving.

In conclusion, I do not believe for a moment that Circle is alone in providing a shoddy service, or that this is the only proposed merger in the UK that is problematic. Instead there may well be a trend towards bigger, more remote and less accountable housing associations with multi-million pound turnovers and substantial assets and reserves behaving like companies that are not serving their communities. This is the antithesis of the founding principles behind housing associations and the opposite of what is needed now to fix the housing crisis.

I commend the work of the many housing associations in my constituency and up and down the country. It is right and proper that we hold to account those that are letting them down—in this case, it is Circle Housing Group—so that the reputation of good, hard-working housing associations that are responsive to their local communities is not damaged by the actions of the few.

9.45 pm

The Minister for Housing and Planning (Gavin Barwell):

I congratulate the hon. Member for Bethnal Green and Bow (Rushanara Ali) on securing this debate on local authorities and the regulation of social housing and on raising the wholly unacceptable conditions that some of her constituents have been experiencing as tenants of the housing associations to which she referred.

Let me start by setting the scene. I am sure that all Members will agree that everybody needs the security and stability of a decent, affordable home, and nowhere is that need greater than in our capital city, which both the hon. Lady and I have the privilege of representing in this House.

As a Government we have gone some way to try to address the problem. In 2014-15, we saw a record year for London house building. Some 27,000 homes were delivered, including more than 18,000 affordable homes—the most since records began in 1991—but we need to do much more. That is why the Government are doubling the housing budget to more than £20 billion over the next five years to support the largest housing programme by any Government since the 1970s.

We are also building a strong working relationship with the Mayor of London's team to deliver our shared goals to build more homes and to help more people to own their own home. Indeed, I am due to speak to the Mayor about that tomorrow.

As the hon. Lady acknowledged, the housing association sector has a strong track record on house building. It has delivered nearly 300,000 affordable homes since April 2010. That equates to about a third of all new housing in England every year. To help the sector to continue to build more homes, the Government have already committed £8 billion to deliver a range of affordable housing starts by 2021, and we have made it very clear that we will prioritise housing in London.

In April this year, we published the prospectus for the shared ownership and affordable homes programme. The bidding round closed in September, and the Homes and Communities Agency is currently assessing bids.

[Gavin Barwell]

We expect to announce successful bidders in December. This programme will get more homes built and help some people take the first step on to the housing ladder.

Building new homes is only part of the picture. One of the key roles of housing associations is to manage their existing stock. I wish now to turn to the role of the regulator, on which the hon. Lady touched during her speech. It has a strong regulatory framework to make sure housing associations are well managed, provide good-quality homes and serve the needs of their tenants and communities.

The hon. Lady may be aware that the Government are committed to deregulating the sector. She touched on that and asked us to rethink our policy. There are two reasons why we are taking such action. The first reason, with which she will not have a great deal of sympathy, is to do with the deal with housing associations to deliver the voluntary right to buy. The second reason, with which I hope that she and the shadow Secretary of State will have a lot of sympathy, is to allow the Office for National Statistics to return the sector to the private sector where it belongs. If we want to deliver more housing through the housing associations, it is very important that we end this decision to treat housing associations as if they are part of the public sector.

To help achieve those aims, a package of measures was included in the Housing and Planning Act 2016. They include the removal of the regulator's disposals consents regime, so housing associations will no longer need the regulator's permission to sell their own stock or to charge it for security. The regulator's constitutional consents regime will also be abolished. That will remove the need for housing associations to seek permission before they make organisational changes.

What will not change is the strong regulatory framework. The regulator's monitoring powers will remain unchanged and it will continue to take action where necessary. It will also continue with its vital role in encouraging and challenging the sector to improve efficiency and asset management. Its role is to help maintain a viable and well governed sector that attracts commercial lenders to continue to invest at preferential rates, so that we get the new housing that we need, and crucially to do a good job for the tenants whom those housing associations serve.

Rushanara Ali: I am concerned by the Minister's response. I cannot understand how that helps to deal with my constituents' concerns and how they are being treated. It is complacency yet again and does not address the effects on the public. On his point about privatising housing associations, they have received billions in subsidies, so deregulation must go with responsibility and accountability to the public because of that public investment. Surely, the Minister can understand that.

Gavin Barwell: I understand and share the hon. Lady's desire to ensure that, in return for the very significant public investment that the Government are putting into the housing association sector, we not only get the new homes that we so desperately need—I do not think there is any difference between us on that—and that the housing associations do a good job for their existing tenants. If she will allow me to make a little progress, I hope that I can provide her with some reassurance.

The new freedoms that come with the deregulation measures will undoubtedly bring new challenges and may alter the way that the sector approaches decision making and business planning. The sector has a long history of meeting housing need. The majority of housing associations are still charitable and non-profit making organisations. Although some of them are running very large businesses in terms of the money involved, the hon. Lady was right to allude to the key social value that they provide. They must not lose sight of that, and I am confident that housing associations will continue to be responsible social landlords, acting in the best interests of both their current tenants and those in housing need.

Housing associations must have a process in place for tenants to have a say in how the organisation is run and to deal with complaints when tenants think their service does not come up to scratch. The housing ombudsman has the main role in dealing with complaints where tenants feel that matters cannot be resolved directly with their housing association. However, the regulator considers all the information it receives to determine whether there has been a breach of its standards and serious harm to tenants—as clearly happened in the case that the hon. Lady brought before the House tonight—and acts where it judges that to be the case.

I hope that the hon. Lady will understand that, as the regulator is independent and that independence is very important, I cannot directly intervene in individual cases. I am confident that the regulator takes all complaints seriously and investigates where necessary. I apologise to her for the fact that she has not yet received a reply to the letter that she wrote to me in August. If she has any concerns in future, she should speak to me in person. I want to be kept informed of exactly what the situation is and whether the progress that we both want to see is being made.

We heard a lot from the hon. Lady this evening about her concerns in relation to Circle 33 and Old Ford, two of the housing associations in the Circle group. As she may know, the regulator found that Circle's long-standing poor emergency repairs service for two of its housing associations, Circle 33 and Old Ford, put its tenants at risk of serious harm. That is a very serious matter. The regulator took decisive action in April last year and downgraded Circle as it judged that Circle fell far short of the required standard and ordered it to make urgent improvements. That is not a decision that the regulator took lightly. I am pleased to say that Circle did take action to improve its performance. The hon. Lady referred to Kier, the contractors. My understanding is that that contract was terminated. The regulator has now upgraded Circle's rating to compliant standard—so-called V2—but that is not good enough. It still has not reached the level that we all have a right to expect, and I will be monitoring that situation carefully.

The hon. Lady referred in her speech to the proposed mergers. As part of Circle's drive to improve its governance arrangements, it plans to merge its nine separate housing associations, including Old Ford, into one. It believes that this will create a more efficient organisation. Housing associations need to take the views of their tenants into account before making such organisational changes. Indeed, it is one of the requirements of the regulator that they must do so, along with consulting their local authority—Tower Hamlets in this case—and lenders.

Old Ford will need to make its case for this change as part of that consultation. Until the deregulation measures come into force, it will need the regulator's permission to make this change. The regulator's criteria for taking a decision include whether the change will lead to simple, clear governance structures and whether it will deliver improved services to current and future tenants. I understand that the regulator has yet to receive an application from Old Ford in this regard. Again, as befits the regulator's independence, the Government—that obviously includes me—do not have a role in such decisions. It will be up to the regulator, and the regulator alone, to carefully consider the application and to make its decision.

The hon. Lady referred to the merger of the whole Circle group with another housing association, Affinity Sutton. This merger would create a new organisation, to be called the Clarion group, which would manage about 128,000 homes. That would make it the largest housing association in the country. Circle has said this will help to deliver better services to tenants and build it more homes. In this case, I am told it has already consulted tenants, and I am told—the hon. Lady clearly believes otherwise—it did not receive many responses to that consultation. The regulator has given conditional approval to that merger, but it has not yet taken a decision on the nine associations in the Circle group.

I hope that the new organisation will continue to house and protect its tenants in a transparent and accountable manner. The regulator's job is to ensure that it does. The hon. Lady clearly has real concerns about that. I would say to her that Affinity Sutton's performance in relation to the repairs service is significantly better than Circle group's, so there are clearly signs that Circle is merging with an organisation that is doing a much better job for its tenants, and the hope must be that that improved service will be brought to bear for Circle's tenants. However, it is clear from the hon. Lady's speech that she does not share the confidence the regulator has in that, and I am happy to discuss with her in detail after the debate the reasons for her concern.

I acknowledge that there has been a lot of change in the social housing sector in recent years. It is becoming increasingly complex, and it continues to diversify into

a range of new commercial ventures and relationships. The hon. Lady referred to the internal review the Government have conducted of the Homes and Communities Agency. We will publish the results of that review shortly, but I want to reassure her that foremost in my mind in considering that review is making sure that, when we look at the functions the HCA has at the moment—parts of it increasingly resemble a bank that is making commercial lending decisions—we have a strong, clear and robust role for the regulator to look after the interests of tenants.

It is important that housing association boards' skills and governance structures continue to evolve to match this increasing complexity. Overall, I believe the sector is rising to this challenge, indicating ambitious plans for building the homes this country desperately needs. It continues to invest in increasing supply to help the Government achieve our commitments.

As independent organisations, it is up to housing associations themselves to explore options thoroughly and openly and to make well-informed decisions about what is best, given their particular circumstances. Mergers will not be the answer in every case, but it should be of concern to us all if associations do not explore options that would help them to make better use of the resources they have and to provide an improved service to their tenants.

Finally, I thank the hon. Lady for securing this debate on a very important issue. I have, as Housing Minister, received correspondence from some of her constituents, who are very concerned about the service she has received. I want to apologise again that she did get a reply from me in timely fashion. I mean what I say: if she has ongoing concerns, she should feel free to come and talk to me in the House or to make an appointment to come and see me at the Department, because I would very much want to work with her to ensure that her constituents get the service they have every right to expect from their landlord.

Question put and agreed to.

9.59 pm

House adjourned.

Westminster Hall

Monday 31 October 2016

[PHILIP DAVIES *in the Chair*]

Driven Grouse Shooting

[*Relevant document: Oral and written evidence from the Petitions and Environment, Food and Rural Affairs Committees, Grouse shooting, HC 670.*]

4.30 pm

Steve Double (St Austell and Newquay) (Con): I beg to move,

That this House has considered e-petitions 125003 and 164851 relating to driven grouse shooting.

It is a joy and great pleasure to serve under your chairmanship this afternoon, Mr Davies. I thank those who initiated the two e-petitions and all those who signed them, because they have provided us with the opportunity to debate driven grouse shooting today. As with all issues regarding animals, this one is highly emotive and draws out a lot of feeling. One of the things I have been surprised about since being elected is that I get far more emails about animals—be they bees, badgers, foxes, dogs, cats or now grouse—than I do about any issues relating to the welfare of people. Something in our national make-up certainly seems to be drawn out when it comes to animals.

The e-petition to ban driven grouse shooting has received more than 120,000 signatures. The petition states:

“Grouse shooting for ‘sport’ depends on intensive habitat management which increases flood risk and greenhouse gas emissions,” and kills many mammals, such as

“Foxes, Stoats, Mountain Hares...and...protected birds...including Hen Harriers.”

The petition goes on to describe driven grouse shooting as “canned hunting”, which is

“economically, ecologically and socially unnecessary.”

The other e-petition is in favour of protecting grouse moors and grouse shooting. It states:

“Grouse moors...are an integral part of moorland management both for the grouse and other...wildlife such as lapwing and curlew”.

According to the petition, grouse shooting helps to support local businesses, jobs and rural areas.

I have a keen interest in and concern for our traditional rural way of life, but I have never participated in grouse shooting and, as far as I am aware, I have no links or connections to anyone who has, although I will admit to eating a few grouse on occasion—I found them very tasty. I am opening this debate as a member of the Petitions Committee. I do not claim to be an expert on the subject, but since the petition was brought before the Committee it has been interesting to learn about the issues and listen to views from both sides. The Committee has received numerous written submissions and held an oral evidence session with representatives of those who wish to ban or control grouse shooting and those who support it.

Grouse shooting has existed in the UK for more than 160 years. It is governed by parliamentary legislation and European Union directives, and it is a devolved matter for the devolved regions of the UK. Red grouse are wild game birds that live in the uplands of the UK. In 2009, there were an estimated 230,000 pairs in the UK.

Sir Henry Bellingham (North West Norfolk) (Con): I am hesitant to interrupt such a superb speech, but my hon. Friend mentioned that one of the petitions used the word “canned”, which is surely extremely ignorant and misleading, because the birds are completely wild. Does he agree that there is no logic whatever in saying that driven grouse shooting should be somehow controlled, but that other forms of grouse shooting should not be? There is no logic there, because we are talking about a wild bird, not one that can be reared.

Steve Double: I agree very much with both my hon. Friend’s points.

Red grouse are not found anywhere in the UK but uplands. They live in heather moorland and heather forms the staple part of their diet. Seventy-five per cent of global heather moorland is located in the UK, so in global terms heather moorland is rarer than the rain forest. Heather moorland comprises about 7% of the UK’s land mass, or some 6,500 square miles.

Grouse shooting comes in two forms: walked-up shooting, which involves groups of shooters who walk around a predetermined area and drive the grouse from the ground, and driven grouse shooting, which involves a group of beaters who scare the grouse from the ground towards a line of shooters. One of the petitions calls for a ban on driven grouse shooting, but as my hon. Friend said, it seems slightly illogical to wish to ban only one form of grouse shooting.

Clearly there are informed and strongly held views that grouse shooting is detrimental to our environment and wildlife. Concerns have been expressed about how the way in which the moors are managed contributes to flooding and is responsible for the destruction of other wildlife, including some of our national birds of prey in particular. I am aware that many other hon. Members wish to participate in the debate, so I will be unable to go into all the detail of the issues raised in the time available to me in opening, but I hope others will pick up on the other points. I will deal with what I see as the main issues.

One of the biggest questions, as I see it, is whether the management of grouse moors is good or bad for our environment. First, we have to look at moorland management and whether the moors must necessarily be managed. Moorland looks wild, but in fact it is a carefully managed environment. It is thanks to grouse shooting that over the past 30 years grouse moor managers in England have been responsible for the regeneration of more than 217,000 acres of heather moorland. The petition to ban mentions that such moorland is an important part of the ecosystem and local habitats, so one of the big questions to be asked is, if we were to ban grouse shooting, how would that important habitat otherwise be managed?

Nick Herbert (Arundel and South Downs) (Con): I am sorry to interrupt my hon. Friend. Does he agree that the question is not just how this moorland would

[Nick Herbert]

be managed were grouse shooting to be banned, but whether it would exist at all or instead be given over to belts of conifers or grazed farmland? Surely the existence of the moorland is a reflection of grouse moor management over generations.

Steve Double: My right hon. Friend makes a very good point, which I will develop later in my speech, and I agree with him completely.

The management of the moorland for grouse provides the manpower to tackle invasive plants such as bracken and ragwort, along with saplings and shrubs of other species, and keeps the heather moorland clear. That level of intervention would not be viable without the grouse shooting industry. In England, grouse moor owners spend approximately £50 million every year on moorland management; in Scotland, the figure is more than £30 million. If grouse shooting were banned, where would the funds to manage the land come from?

Another concern expressed by those who wish to ban grouse shooting is that it causes flooding. I understand the logic of their argument: grouse moor management can increase the risk of flooding, because burning reduces the ability of the moor to absorb rainfall and run-off must therefore increase, leading to flooding further downstream. I suggest, however, that that is too simple a conclusion and that the issue is far more complex. Indeed, peatland restoration is known to help to slow the rate of water run-off. Ending moorland management as a result of banning grouse shooting might actually make flooding worse and more likely to happen. I am particularly interested in hearing the Minister's views on that when she responds to the debate, because the issue is of great concern to those who live near such moors.

Another point worth making is that many areas of heather moorland are protected in their current state by their status as SSSIs—sites of special scientific interest. If the tens of millions of pounds of income from grouse shooting were to be lost, how would those protected landscapes be maintained in their current state without the cost falling on the taxpayer, something I simply could not support?

Mr Jonathan Djanogly (Huntingdon) (Con): My hon. Friend is making a very powerful case. It seems to me that the opponents of shooting grouse want to throw the baby out with the bathwater, because if we destroy grouse shooting, the raptors would lose their food source, local jobs would be lost and, as my hon. Friend is saying, the environment would be the poorer. The argument is not about conservation, but about destruction of the countryside.

Steve Double: I thank my hon. Friend for that intervention. Again, I agree with the points he makes.

Another argument put forward by those who wish to ban grouse shooting is that it is damaging to wildlife. The petition to ban grouse shooting states that it causes the deaths of predators such as foxes, stoats and hen harriers. The lawful control of predators is essential to protect grouse, which are ground-nesting birds. That includes the black grouse, which is one of the most endangered species in the UK. Peer-reviewed research by the Game and Wildlife Conservation Trust shows

that as the population of black grouse has declined, they have retreated to managed moorland areas, which now account for 96% of the black grouse population. Predator control also protects other valuable species, such as the lapwing, skylark, curlew, grey partridge and merlin, whose numbers have doubled on grouse moors in the last 20 years.

All wild bird species are protected under law, to varying degrees. The UK has some of the most robust wildlife and animal legislation in the world. It is a criminal offence to shoot, kill or tamper with birds of prey such as the hen harrier—and their nests—without a licence.

In 1999, the joint raptor study on Langholm moor measured the impact of hen harriers breeding on grouse moorland. When grouse management of that heather moorland stopped, there was a marked decline in red grouse, skylarks, curlews, golden plovers and hen harriers. The evidence is clear that birds of prey, including hen harriers, are better off on managed heather moorland. Hen harriers need gamekeepers as much as grouse do. However, gamekeepers on grouse moors are often accused of persecuting birds of prey. As one person who gave evidence to the Committee said, grouse shooting “is underpinned by wildlife crime.”

There are clearly genuine concerns about the illegal killing of birds of prey on grouse moors. I want to make it clear that I believe that those who flout the law do the shooting community no favours whatever. There is no justification for illegal activity. However, I suggest that the illegal activity of a few is no justification for a complete ban—otherwise, we would have outlawed driving a long time ago—but instead a case for more effective enforcement of our current laws.

The key argument on this subject is the economic one. We must always keep in mind when addressing issues of this nature that although many of the key arguments are to do with the environment, landscapes and wildlife, they are also about people and the livelihoods and sustainability of our rural communities. The Moorland Association and Countryside Alliance note that in many cases grouse shooting not only supports but is a lifeline for rural areas of the UK that are cut off from employment streams that other parts of the country enjoy.

Bill Wiggin (North Herefordshire) (Con): We often hear that grouse moors are sustainable because they receive funds under the basic payment scheme, but is it not the case that grouse shooting is not an agricultural activity and is therefore not eligible for such funds?

Steve Double: My hon. Friend makes a valid point, which I will address at the end of my speech. Leaving the EU may give us an opportunity to divert some money to better management of our moorland.

In Scotland alone, grouse shooting supports thousands of jobs that are worth £7 million a year in wages and contributes £32 million to the economy. It is estimated that it supports more than 4,000 full-time equivalent jobs in some of the poorest and most rural communities in the UK. Banning grouse shooting would be an epic gamble with our rural economy.

Kerry McCarthy (Bristol East) (Lab): The Petitions Committee is quite new, but I would have thought that someone opening a debate on a petition on behalf of

that Committee ought at least to look at both sides of the argument and not present such a biased argument against the petition. More than 120,000 people signed the petition to ban grouse shooting, and they want a debate that sets out both sides of the argument. The hon. Gentleman is failing them miserably.

Steve Double: I thank the hon. Lady for that intervention. I think I have presented arguments on both sides, and I have not yet finished my speech, so perhaps she should wait until I have before jumping to a conclusion.

Local post offices, pubs, corner shops and primary schools would be at risk if grouse shooting were banned. Although it is correctly argued that many of the jobs linked to grouse shooting are seasonal, it takes place outside the main summer months and therefore fills a gap in local employment by employing people at a different time from other seasonal jobs.

It is clear that part of the opposition to grouse shooting is down to the perception that it is elitist. We have often heard the term “shooting for fun” used in a derogatory manner. Nothing could be further from the truth. Grouse shooting brings rural communities together in areas that struggle with social isolation and a lack of employment. Many of those who work on grouse shoots are students, school leavers or retirees looking to supplement their income. Those people are not rich toffs; they are ordinary people who rely on the additional income that the work brings them. Those who call for a ban have failed to present any credible alternative to that. No case has been made for where the tens of millions of pounds that are spent on the management of the land would come from. There seems to be a romantic view that if the land is left to nature, it will somehow become a natural paradise full of wildlife and people will pay to view it, yet no evidence has been presented to support that notion.

Many of those who support the movement against grouse shooting are also against all other countryside sports. If those people had their way, after grouse shooting was banned, other forms of shooting would be up for bans. I have even heard mention of fishing being on the radar for a ban one day. Many communities across rural Britain rely on grouse shooting. What do those who support a ban want grouse shooting to be replaced with? Who will employ the gamekeepers, the beaters and the land managers? Following the cessation of trips by tourists and visitors to those local communities, who will visit the pubs and shops and spend money in local businesses? The people who support a ban have no answers to those questions. For them, the end justifies the means. They see the countryside as a theme park or museum—something to be watched and visited. They do not realise that it needs constant management. The management of our countryside relies on viable, sustainable communities. People need to be able to live and make a living in the countryside.

It should be noted that, interestingly, the Royal Society for the Protection of Birds does not support a ban. Instead, it advocates some form of licensing of grouse shooting. However, little detail has been presented about precisely how that would work or what value it would add, other than another layer of bureaucracy.

I do not support a ban on shooting—our current laws and regulations provide the right balance between protecting wildlife and the environment and supporting

our rural communities—but that does not mean that nothing needs to be done. We should certainly take notice of some of the issues raised by the petition to ban and acknowledge the legitimate concerns of many of those who signed the petition. I believe that the Government can do more to address the underlying concerns that the petition expresses. Specifically, will the Minister address the concerns about flooding and the link to heather burning? What steps can be taken to address those concerns? What are the Government doing to enforce the law on protecting wildlife, especially birds of prey, and what more can be done to prosecute those who flout the law? What opportunities does she believe leaving the EU may bring for using agricultural subsidies to encourage land management, which would increase the protection and diversity of our moorlands?

Several hon. Members *rose*—

Philip Davies (in the Chair): Order. As people can see, a considerable number of Members want to speak in this debate. To try to give everyone a fair crack of the whip, I will have to impose a time limit, which will start at seven minutes. I will have to review that based on interventions and things like that. If people can keep interventions to a minimum, that will protect as much time as possible for speeches.

4.49 pm

Angela Smith (Penistone and Stocksbridge) (Lab): It is a pleasure to speak in this debate. The moors in my area are characterised by a long tradition of grouse shooting, so I understand the evidence for the sport's economic impact. Nevertheless, my grouse moors represent a habitat that is badly degraded and needs a lot of attention if it is to be restored to favourable condition status. One is still able to enjoy the wonders of nature on my grouse moors such as curlew, snipe, golden plover and the fantastic mountain hare, but there have not been peregrine falcons or hen harriers for many years.

One of the petitions before us today highlights huge concern over the plight of the hen harrier and other raptors, and rightly so. In 2013, there were no successful hen harrier nests in England, and the numbers have remained stubbornly and pitifully low. Of course, the debate is also concerned with the conservation status of the moorland habitat favoured for grouse production and shooting. There is lots of confusion over the habitat. Grouse moors in my area, for instance, are areas of blanket bog, which also support extensive heather habitat. That is typical of grouse moors, and it is important to understand the need to balance the conservation of healthy heather habitats with the need to restore and maintain our precious blanket bog.

To be clear on this point, the causes of blanket bog degradation are varied. Industrial pollution, over-grazing, wind erosion and drainage in the 1950s and 1960s have played their part. The management of moorland for grouse is one of many factors and it is important to be honest about that, because if we are not, we will underestimate the importance of dealing with atmospheric pollution and climate change when it comes to the maintenance of a healthy environment. However, the management of moorland habitat for grouse has become controversial, not least because increasingly there is the

[Angela Smith]

feeling that there has been a significant prioritisation of habitat conducive to maximum grouse production at the expense of the health of our blanket bog. Of course, the burning regimes traditionally favoured as a moorland management tool are at the heart of the controversy.

Much work is being carried out on the science, and references were made in the evidence session last week to the various studies that have been undertaken, but more work needs to be done. I am pleased that the University of York is undertaking a 10-year study, which attempts to remove as many variables as possible from its experiments, especially in relation to pre-management regimes. The study, which is only five years through, has so far been funded by the Department for Environment, Food and Rural Affairs, but I understand that DEFRA will not fund the next five years, all for the sake of £650,000. I look forward to the Minister's comments on that in her conclusions and to a commitment that the project will continue. We need to have the science, and we need robust science.

I acknowledge that we cannot wait for the science to make progress. Just 26,000 of our 176,000 hectares of upland blanket bog classified as SSSIs are in favourable condition. When it comes to our wonderful birds of prey, let us remember that we saw only three successful nests this year. We cannot wait. We need to resolve the conflict on our grouse moors now. We need to make every effort to establish management regimes that balance economic and conservation interests, and that are capable of adjusting to the science as it emerges.

A number of options are available as the science evolves. The first involves the voluntary approach favoured by DEFRA. Its strategy for the restoration of blanket bog was published last year, and its vision is worthy because it talks about balancing the economics and the environment. Implicit in the vision is the restoration of a healthy population of raptors on our grouse moors. However, if that is to work, the Minister must show some leadership and demonstrate a sense of her responsibility to do all she can to make it work.

Year one of the programme was dedicated to a series of "bogathon" events, accompanied by

"active engagement on a suite of sites where positive relationships already exist or are developing and/or there is a significant opportunity to improve the condition of a site in the short term."

The document goes on to point out that:

"These pilots will be important in demonstrating the benefits on the ground and also in refining the approach and potentially revealing further evidence needs."

Will the Minister indicate whether those year-one milestones have been successfully concluded? Will she commit to updating the House on a regular basis? That matters, because if the House is to be satisfied that the voluntary approach is working, we have to hear from the Minister that the Government's own strategy in that regard is on track to deliver improvements.

Confidence matters, because the debate about how best to manage our grouse moors is increasingly contentious. Even those of us who believe in the voluntary approach are beginning to despair. The breeding of hen harriers this year has been poor, and it is becoming clear that progress in delivering a sustainable future for our moorlands is beginning to stall, stutter and shudder to a halt. It will

do so unless something is done to stop the persecution of our birds of prey. To put it quite simply, the killing must stop. It must stop. It is quite clear that that is a prerequisite to progress.

Will the Minister therefore underpin the voluntary approach outlined in her strategy by exploring the possibility of introducing an offence of vicarious liability? Responsible landowners have nothing to fear from that and everything to gain. By isolating and effectively dealing with illegal practice, the law-abiding majority on all sides can gain credibility and trust.

That brings me to licensing. There are many regulations pertaining to grass moor management, and I accept that the detail on the licensing system is unclear as to how to streamline that, but will the Minister at least confirm that that must stay on the table as a political option? After all, while the implementation of the blanket bog strategy is built on voluntary partnerships, is it not equally true that legislative options need to be held in reserve? In other words, will the Minister spell out how she will respond if it becomes apparent that her strategy is failing to deliver?

4.56 pm

Sir Nicholas Soames (Mid Sussex) (Con): It is a great privilege to be called to speak in this debate about a matter that touches on issues of great importance to this House: biodiversity; the uplands, their fragile economy and the people who live there and make their way of life there; and questions surrounding some of the most magnificent, special wild places in the whole of this beautiful country. May I congratulate my hon. Friend the Member for St Austell and Newquay (Steve Double) on the measured and careful way in which he introduced the debate?

I should declare an interest in that I am chairman of the all-party parliamentary game and wildlife conservation group and I am a keen game shot. I have had the great joy of spending a good deal of my time in the uplands ever since I was a child. The heather moorland of the sort maintained by grouse shooting is one of the rarest habitat types and enjoys some of the very highest conservation designations. These moors were not designated sites of special scientific interest in spite of being grouse moors but precisely because they were grouse moors. These wonderful places exist only because generations of owners have refused endless blandishments and huge grants from successive Governments to drain them, fence them, plant them with conifers, carpet them with sheep and cover them with roads and tracks.

Sir Henry Bellingham: Will my right hon. Friend give way?

Sir Nicholas Soames: I will press on—I am afraid I have not got any time.

The owners did that because they love these wild places and the occasional chance to shoot grouse. Driven grouse shooting touches the livelihoods of thousands of people in the uplands: hoteliers, publicans, agricultural workers, shopkeepers, retired folk, children in the holidays and, of course, gamekeepers and their families. What I particularly want to ask today is: what would happen if driven grouse shooting were to be banned and grouse moor management were to cease?

If anyone wants to see in real life what that would look like, go to Wales, which in many places is an ornithological desert. Indeed, on one 5,000-acre estate in north Yorkshire, there are more golden plover than in the whole of Wales. This May, I walked on a well kept and managed grouse moor that practises enlightened standards of stewardship. I heard curlew, grouse, golden plover, oystercatchers, skylarks, lapwings and the wonderful grey hill partridge. It was truly a miraculous and unforgettable cacophony of sound; people can see and hear for themselves the beneficial effect of legal predator control.

I pay tribute to the work of the gamekeepers in the uplands, whose contribution to the environment and to natural biodiversity in the hills we ignore at our peril. They are responsible for the control of foxes, crows, magpies and stoats, all of which eat the eggs of ground nesting birds. They are the unsung heroes of conservation, and those who take an interest in the matter without knowing much about it need to remember that man has been dealing with predators for centuries. Other colleagues will deal at length with the question of burning, but it is true that if you cease burning, you get long, degenerate, rank heather, which is unsightly and seriously inhibits the habitat for the very species that we want to encourage. Substantial sums of private and public money have gone into the eradication of bracken and thousands of acres have been controlled. Stop driven grouse shooting and all that work will halt; we will be left with old, rank heather, acres of bracken and, inevitably, an ornithological desert.

Driven grouse shooting plays a major part in sustaining communities on the edge of and in the middle of the moors—something that cannot lightly be dismissed. I am very taken with the views of Mr Avery when he was director of conservation at the RSPB; I understand that he started the e-petition to ban grouse shooting:

“The RSPB and other moorland owners and managers agree about many things—we care deeply about the countryside and are angered by the declines in blackgrouse and wader populations; we agree that grouse moors have prevented even greater losses of heather to intensive grazing and conifers”.

He continued:

“Grouse moors undoubtedly provide good habitat for species in addition to grouse. Some birds, particularly breeding waders, do well on grouse moors. The package of management, which includes the killing, legally, of certain predator species, benefits a range of other bird species. On the subject of predators the RSPB does not oppose legal predator control and recognises that it is necessary if the objective is to produce a shootable surplus of gamebirds.”

And so say all of us.

Properly conducted grouse shooting is a force for good in the uplands. It would be a disaster for the landscape, biodiversity and many small but locally important rural economies were driven grouse shooting to be banned.

5.2 pm

Jim Shannon (Strangford) (DUP): It is a pleasure to be called to speak in the debate. I thank the hon. Member for St Austell and Newquay (Steve Double) for moving the consideration of the petition.

I am a country sports enthusiast. I do not have time to enjoy it as much as I would like, but it is a family tradition for me to take my son and grandchildren shooting on Boxing day, and to enjoy time together in a

natural environment. Anything we manage to shoot is used. Quite often, the girls in the office will see birds of one sort or another—all legal, by the way—hanging in the office to be given to those who want to partake of them; and why should we not do that?

As a keen shooter, I am also a dedicated conservationist, which I mention because I want to tie the two things together. I have planted some 3,000 trees, created two duck ponds, preserved hedgerows and ensured that the habitat is right. The result is that in recent years, yellow buntings and birds of prey have returned. I have no doubt that that is because of the conservation work. That is the kind of thing that is replicated by enthusiasts throughout the UK. The British Association for Shooting and Conservation is clear about the facts of the case: grouse moors are sustainably managed, largely through private investment by their owners, and offer the most cost-effective model of upland management to the taxpayer.

The sale of grouse shooting helps to fund the work of the gamekeepers, which protects the unique upland habitat and the wildlife it supports. It is a pleasure, incidentally, to follow the right hon. Member for Mid Sussex (Sir Nicholas Soames), who set out that case very clearly. Grouse moor owners in England spend about £52.5 million every year on moorland management, 90% of which is private investment—the equivalent of £1 million a week. I wonder how those who want driven grouse shooting to end will manage those vast moors, staff their management, and pay for it. Even if they cannot see past the idea of shooting, surely every right-minded person must understand the importance to the environment of the work that is carried out by those involved in grouse shooting. If they do not, they need to.

Grouse shooting is already heavily regulated and controlled. There is extensive legislation, which has an impact on almost every aspect of grouse shooting and grouse moor management, including the possession and use of firearms, the use of lead ammunition, the grouse season, methods of predator control, heather burning, use of medicated grit and the protection of wild birds. Any additional legislation would need to be consistent, evidence-based and principled, with recognition that further controls would add to the cost and bureaucracy of grouse moor management without necessarily improving the outcomes. Many of the existing laws on grouse shooting involve licensing requirements—for example, those on firearms possession and heather burning in environmentally sensitive areas. That has given the UK Government, devolved Administrations and Government agencies considerable control over grouse shooting. In England, it is an offence to carry out burning on a site of special scientific interest unless a licence is obtained. More than 70% of England's upland SSSIs are managed grouse moors, so that requirement applies in most cases. Clearly, we have good control; we should focus on what we have.

The grouse season is relatively short, as there is a closed season under the Game Act 1831. Additionally, shooting takes place only when grouse numbers are at sustainable levels. If we read the factual evidence, we see that estates already self-regulate by cancelling or reducing their shooting programmes if grouse numbers are low, to maintain a healthy population. There is clearly already a management process in place within the grouse shooting sector, aimed at preserving the sport in the long term.

[Jim Shannon]

I have carefully considered the emails that have been sent to me and my conversations with those for and against driven grouse shooting. I can somewhat understand the viewpoints, and people have a right to their views, but my opinion is based on factual information about economics and conservation, and on people's right to shoot on their land as long as they adhere to the strict guidelines that the House has put in place.

In a debate of this kind, it is easy to get caught up in the web woven by those who refuse to see that the sport brings about any good. I remind the House again that shooting is worth £2 billion to the UK economy and supports the equivalent of 74,000 jobs. In England, grouse shooting creates 42,500 work days a year; more than 1,500 full-time jobs, of which 700 are directly involved with grouse moor management; and a further 820 jobs in related services and industries. Research has also shown that associated spin-offs from grouse shooting in the north of England are worth in excess of £15 million a year. That is an enormous shot in the arm for the rural economy, which cannot be ignored and which benefits a wide range of rural businesses. In these uncertain times, grouse shooting is a sector that is proving its popularity, and its importance to its participants. It is estimated that shooters spend £2.5 billion each year on goods and services overall, and that shoot providers spend about £250 million each year on conservation. Shooting is estimated to manage 10 times more land for conservation than the country's nature reserves. Shooting and conservation go hand in hand—a marriage made in the right order.

I believe in the natural order of things; I enjoy watching the nature channels with my wife when I get a chance, and I understand that nature can seem cruel. However, grouse shooting adds money and benefits to our economy and I do not agree that it goes against the natural way of things.

The only scientific study of wildlife populations after a driven grouse moor ceased to operate but walked-up shooting continued was done in Wales. The right hon. Member for Mid Sussex referred to it. The grouse moor was Berwyn, where in 20 years the lapwing became extinct, golden plover declined by 90%, and curlew declined by 79%. All three species are now listed as of conservation concern, with both curlew and lapwing red-listed. That is what happens when grouse shooting is stopped. In Northern Ireland, at Glenwherry, through the Department of Agriculture, Environment and Rural Affairs, we have a sustainable moor, where there is pest control. That ensures that it can succeed. All the birds of prey are still there in large numbers, but grouse numbers have risen from four to between 250 and 300. That is what can be done; there is evidence for it.

For all those reasons, I do not feel able to support the e-petition. I ask people to look at the big picture, which clearly shows that we must encourage the sport of grouse shooting and enable conservation to be carried out, to ensure that money will be poured into enhancing wildlife and the environment.

5.9 pm

Richard Benyon (Newbury) (Con): I refer hon. Members to my entry in the Register of Members' Financial Interests. I had the honour of holding a similar job to

that which the Minister currently holds at the Department for Environment, Food and Rural Affairs. I sought, as I am sure she does, to ensure that the fact that there is more that unites the forces involved in biodiversity and conservation, land management and field sports than divides them, was prevalent in policy making. It is absolutely imperative that reversing the decline in biodiversity continues to be a priority for the Government and for future Governments.

I formed my opinions on this subject through my experience of managing an area of upland for many decades, and also, as a Minister, through working with grouse moor managers, NGOs, national parks and other organisations to restore peat land and to see what water companies and others were doing in the constituencies of Members such as the hon. Member for Penistone and Stocksbridge (Angela Smith). Her excellent remarks about the depleting state of some of the moorlands over many decades were entirely right.

Good stuff is happening and we do not want to see that reversed, but before we go any further let us accept that there are enormous challenges here. I am the first to say that those who are breaking the law deserve to feel the full force of the law. They are doing shooting no good; they are doing their peers no good; and they are doing the name of conservation no good. We need to make that very clear.

Very little in this place is certain to me—very little in life is certain to me—but one thing I absolutely know is that, if the aims of the petition were realised, it would be a catastrophe for the biodiversity of the uplands. I know that because I have seen at first hand how good grouse moor management results in more curlews, more lapwings and more oystercatchers. In an area that I know well, I have seen eagle chicks fledged and I have seen hen harriers and other birds of prey thrive. However, the most important thing is that no one in the House should take my word for it. A number of people have referred to an excellent piece of peer-reviewed science, "Changes in the abundance and distribution of upland breeding birds in the Berwyn Special Protection Area, North Wales 1983-2002". What slightly surprised me when reading the transcript of the Petitions Committee's evidence session for the petition was that the main perpetrator of the petition, who has a desire to ban driven grouse shooting, admitted that he had scant knowledge of that report.

As has already been mentioned by right hon. and hon. Members, the report provides a bleak vision of what would happen to our uplands if there were a ban. Berwyn is a 242 sq km area of blanket bog and upland heath, similar to the one described by the hon. Member for Penistone and Stocksbridge. No driven grouse shooting has taken place there since 1990, and I need not repeat the details of the catastrophic decline that we heard from the hon. Member for Strangford (Jim Shannon). Coincidentally, there were increases in carrion crows, as well as peregrines and buzzards, although that is a national phenomenon—a conservation triumph owing mainly to the exclusion of certain chemicals from those areas. Most tellingly in that special protection area, hen harriers declined by 50%.

There is another piece of science that we should consider. It is a very good, peer-reviewed paper, produced by the Game and Wildlife Conservation Trust, called "Waders on the fringe". I could go into great detail

about the paper, but if I could sum it up in one phrase it would be, “If you want to see waders and red-listed bird species, go to a managed grouse moor.”

I will tackle the important point about flooding, because it will be much in the Minister’s mind as winter sets in. I spend a lot of time looking at the devastation caused by floods in places such as the Calder valley, and I am absolutely certain that the arguments around grouse moor management being a cause of flooding are very thin indeed. There may be small areas in certain circumstances but, when I was a Minister, the main problem for the grouse moor owners who battered on my door was that Natural England was being slow or over-bureaucratic in allowing them to block grips or drains. For them, on grouse moor management, “wetter is better”. That phrase resounded in my mind, and I personally have experience of trying to make a grouse moor wetter. We forget at our peril that decisions taken in Parliament or in Whitehall have had devastating effects on our uplands—not least 80%-plus grants for moorland drainage schemes.

I believe that, if many of the people who signed the petition listen to the debate and to some of the experiences of hon. Members, they will feel that there are two very different sides to this argument. I have great praise for the Royal Society for the Protection of Birds. I worked very closely with it as a Minister and I continue to support much of what it does. Its caution on the call for a ban is something we should listen to. I think movement could be made by both sides, but it is sad when issues are polarised in the way the petition has forced them to be. I believe much more work can be done to get to where we can all agree and can take this forward, as other hon. Members have already said.

It is totally wrong to say that this is an argument between a ban and the status quo. The countryside and the natural world never stand still. Grouse moor owners and managers are constantly trying to find new ways of restoring peat and of increasing the quality of the habitat, not just for the birds that they want to use for sporting purposes but for the wider biodiversity of the uplands. We in the House should be obsessed with reversing the decline of biodiversity in this country. If the petition were enacted, it would work in the opposite way. That would be a disaster for my generation and for my children, who would not be able to see the kinds of birds and wildlife that I have had the privilege to enjoy seeing in our uplands.

5.16 pm

Danny Kinahan (South Antrim) (UUP): I thank the hon. Member for St Austell and Newquay (Steve Double) for introducing both petitions, although I find it odd that we seem to be debating two opposing petitions. I am not here to support the ban on grouse shooting. I am a lousy shot but I support shooting. More important, as the hon. Member for Newbury (Richard Benyon) has said, we should be “obsessed” with biodiversity.

I want to see us supporting the management of grouse moors much better. I will talk a little about a place in Northern Ireland that I think is the best example of what we should all be supporting, which is Glenwherry. When I was elected to Stormont, I promised in my maiden speech that I would stand up for country values. However, that means listening to both sides, and today we have to pull together in partnership and find the right way forward.

I was brought up by a mother who would not let me look at any wildlife—bird or animal—without knowing how it lived and how we lived with it. I was also brought up in the valleys of Antrim, which are beautiful whether snow-covered or windswept, although it is not necessarily the case that “wetter is better”. Northern Ireland certainly gets its fair share of rain. It is a stunning part of the world, with great green, flowing valleys.

To the north is Glenwherry. There we have a partnership between the Department of Agriculture, Environment and Rural Affairs—what was called the Department of Agriculture and Rural Development; Northern Ireland’s agriculture Department—the College of Agriculture, Food and Rural Enterprise, the RSPB and the Northern Ireland Environment Agency, all working together on a mixture of private and public land, paid for by the shooting fraternity and the Antrim Estates Company. They manage the hill farms and the bog land. Interestingly enough, the reason I went there was not about grouse. I went to see how they were looking at pollinators and bees. They look at the total management—the bog land, partridge restoration, bees and pollinators and what we are talking about today, grouse conservation.

The Irish Grouse Conservation Trust was set up 10 years ago to save the Irish grouse and to stop them from disappearing. That was done through the organisation at Glenwherry, where there were four pairs of grouse 10 years ago. There are now more than 250. The site holds some 65% of Ireland’s grouse population, and it is learning how all types of farming can operate next to it, whether that is burning, cleaning, clearing or unblocking the old drains that were put in when people were trying to reclaim land. They are looking at everything so that they can manage the ecosystem and preserve all of the wildlife that is there.

Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP): Does the hon. Gentleman agree that we need to take account of climate change obligations? The Committee on Climate Change estimates that 350,000 tonnes of carbon dioxide is emitted from upland peat each year, with the majority due to burning on grouse moors.

Danny Kinahan: I certainly take that point on board, but I go back to what I said at the beginning: we all need to listen to one another and find the right way of doing this. In Ireland, we have much more peat than many other areas, but we have to find the right way forward.

The RSPB has been instrumental in this, as has the Irish Grouse Conservation Trust. My feeling today is that we should not all fall out with one another. Let us work together as a team to find the right way of doing this. Burning is well regulated. We have had awful fires on some of the moors in Northern Ireland in the past few years that have had absolutely nothing to do with those looking after the land. We have to find a proper way of protecting it. I believe the proper way of protecting it is those who own the land and shoot on it carrying on as they are at the moment. The same can be said when it comes to looking after birds of prey. It is better if we all work together, pull together and learn from one another.

Sir Henry Bellingham: The hon. Gentleman mentioned working together. Does he agree that a good start would be for the RSPB to come back into the flagship

[*Sir Henry Bellingham*]

hen harrier joint action plan, which it pulled out of after six months?

Danny Kinahan: I certainly agree. I would like to see the RSPB perhaps being less political and getting more involved in working with all of us.

I think I have made my point. We should work together. We have the skills and we have the regulations. Let us make them work and listen to one another.

Richard Arkless (Dumfries and Galloway) (SNP): There seems to be a common concern on both sides of this debate, which is criminality. Both sides would say that criminality is wrong for conservation purposes. On that point, would those who oppose a ban on grouse shooting support vicarious liability, to make landowners responsible for criminality on their land? Is that not a potential solution we could all work together on?

Danny Kinahan: I take the hon. Gentleman's point, but all sorts of problems come with vicarious responsibility, such as the cost of insurance and of letting people on to one's land. That needs to be carefully looked at, and we need to find out what everyone thinks about it. Initially, I do not think it is the right way forward.

Let us learn from one another, as a partnership. Thank you for letting me speak, Mr Davies.

5.22 pm

Mr Charles Walker (Broxbourne) (Con): It is very nice to see you in the Chair imposing a time limit on speeches, Mr Davies. That is fantastic; thank you.

I have not shot grouse before, and I doubt I ever will. In fact, I confine myself mostly to shooting clay pigeons. Today, I want to challenge the untruths being promoted by those who wish to ban grouse shooting—people who outside this place knowingly promote cod science in what I regard as a shameful attempt to set community against community and neighbour against neighbour. That wilful cynicism was no better exemplified than by the reaction of Mr Mark Avery and Chris Packham to last December's floods when, at a time of disaster, they took to the airwaves and their blogs to blame that brutal act of nature on gamekeepers and grouse moors. That was a simply unforgivable act of premeditated malice, with two media savvy men using the suffering of real people and real communities to promote their narrow political objectives.

I was driving north on 27 December 2015 through the lakes when I heard those people and their collaborators putting forward their knowingly scientifically dishonest theories—theories that sadly went unchallenged by the poorly briefed journalists interviewing them. This debate provides me with the chance to put the facts behind the Christmas floods before the House. The facts are these. The two-month period of November-December 2015 was the wettest recorded in the north of England since 1910. The December rainfall total at Shap in the single month of December 2015 was 77.3 cm or, in old-fashioned money, more than 30 inches of rain. From 1 December to 28 December 2015, Bainbridge in North Yorkshire received 49.62 cm of rain—three times more than the December average of 15.65 cm—or, in old money,

19.5 inches of rain per acre. Bingley in West Yorkshire received more than 80% of its monthly rainfall in just two days between 25 and 27 December.

In raw numbers, 1 inch of rain equals 113.31 tonnes of water per acre, so each acre in Bainbridge for the month of December received 2,209 tonnes of rain. I know it is difficult for people in this place to imagine what 1 inch of rainfall per acre actually looks like. Well, it is equal to 16 of the largest African bull elephants landing on an acre of ground. So the rainfall at Bainbridge for December 2015 was the equivalent of 312 bull elephants jostling for position on a space the size of four football pitches.

Sticking with totals and elephants, on 5 December, one storm—Storm Desmond—deposited 13.45 inches of rain on Honister pass. That is the equivalent of 212 bull elephants all arriving in the same place, on the same day. That is why there were floods in the north of England—a biblical rainfall falling over sodden ground in a very short space of time. It was nothing to do with gamekeepers, beaters or the people in tweed who like to shoot grouse.

However, Mr Avery and his friends have never paid science and the facts much regard. Only recently, in his blog, Mr Avery stated in relation to run-off:

“Leeds University research, led by Dr Lee Brown and published in 2014, confirms Ban the Burn campaigners' criticisms of the Walshaw Moor Estate burning.”

The glaring problem—there is only one—with Mr Avery's posting is that it is entirely untrue. Very kindly, Dr Brown let me have a copy of his headline findings, and what he actually states in his summary is this:

“River flow in catchments where burning has taken place appears to be slightly more prone to higher flow peaks during heavy rain. However, this was not a conclusive finding.”

Angela Smith: Will the hon. Gentleman give way?

Mr Walker: No, I do not have time.

As I like to deal in facts, unlike Mr Avery, I have read the excellent and thoughtful Calderdale Metropolitan Borough Council local flood risk management strategy, to which my excellent colleague, my hon. Friend the Member for Calder Valley (Craig Whittaker), contributed. It was published in June this year. I have read all 60-plus pages of it, and the word “grouse” is not mentioned once. However, what is referenced is the 60 flood events in the area since the end of the second world war, with the statement on page 14 that

“flooding has been a regular feature in Hebden Bridge since the 1800's.”

That grown-up report does not focus its attention on banning anything. Instead, it talks of working with

“land and asset owners to implement natural flood management schemes to maximise water retention, storage and slow flows.”

That is a responsible council talking the language of collaboration, not division, and a council that wants to bring town and rural communities together, not drive them apart.

I will conclude with this. It is a wholly reasonable position for people to dislike shooting birds for sport and the table. It is a position I happen to disagree with, but I can live with disagreement. However, what is unreasonable is for people such as Mr Packham and Mr Avery to disguise their dislike of grouse shooting as part of some wider concern for the environment. That is

the lie that needs to be exposed today. These two gentlemen are known for their hostility to the farming community and land management. As one farming friend described them to me,

“These two men are not participants in the countryside. They are simply voyeurs.”

Philip Davies (in the Chair): I am very grateful to the hon. Gentleman for mentioning Bingley, in my constituency.

5.29 pm

Kerry McCarthy (Bristol East) (Lab): Thank you, Mr Davies. Let us be clear what we are debating today. It is not whether people are entitled to shoot for the pot, whether shooting has a role in conservation or the wider issue of shooting for sport. We are not talking today about pheasant shooting, deer stalking or even walked-up grouse shooting. We are talking about driven grouse shooting because particular concerns are associated with it. It is rather disappointing that the hon. Member for St Austell and Newquay (Steve Double) sat through the evidence to the Petitions Committee and the Environment, Food and Rural Affairs Committee last week and does not seem to have grasped that basic point about the petition.

The weight of scientific evidence is that driven grouse shooting damages habitats, pollutes our water, increases greenhouse gas emissions, increases flood risk and, all too often, involves the illegal persecution of birds of prey. As we have heard, shooting estates commonly burn heather and peat on the moors to increase the red grouse population. Reference has been made to the work by the University of Leeds on the effects of moorland burning on the eco-hydrology of river basins—the EMBER study—which concluded that burning reduces organic matter in the upper peat layers and depletes it of nutrients. Heather burning is intensifying as grouse shooting is intensifying.

Water tables were significantly deeper in burned catchments, indicating greater peat degradation and more carbon released into the atmosphere and water. This contributes to both climate change and to our water bills, as the water companies incur additional costs in removing the dissolved carbon. Treating a single drinking water catchment for the effect of peat burning may cost a six-figure sum each year.

The Energy and Climate Change Committee identified the climate threat in its report to Parliament last year and warned that the

“the majority of upland areas with carbon-rich peat soils, are in poor condition. The damaging practice of burning peat to increase grouse yields continues, including on internationally protected sites.”

Burning also reduces the uplands’ capacity to hold water, thereby increasing the flood risk downstream. In his paper calling for a radical rethink of flood defences, Dieter Helm, chair of the Natural Capital Committee, identified the burning of heather on grouse moors as a publicly subsidised practice that pays

“little or no attention to the flood risk dimensions.”

The Government’s national flood resilience review neglected this. The focus seemed to be on slowing down the flow instead of looking at what mismanagement in the uplands caused the flow to speed up in the first place. That is surely the wrong way to go about things.

It is not surprising that the highest number of signatures for the petition came from Calder Valley because it is communities such as Hebden Bridge—which was devastated by the Boxing day floods, as I saw for myself when I visited with my hon. Friend the Member for Halifax (Holly Lynch)—that pay the price for the mismanagement and abuse of the uplands.

Holly Lynch (Halifax) (Lab): I thank my hon. Friend for coming to see the devastation in my constituency in Calderdale in the aftermath of the Boxing day floods. I heard the points made by the hon. Member for Broxbourne (Mr Walker), for whom I have the utmost respect, but does my hon. Friend agree that we are not talking about banning grouse shooting in isolation, but that we must take the management of moorlands seriously as part of a package of measures if we are to have any chance of managing flood risk in future?

Kerry McCarthy: I agree entirely with my hon. Friend. She will know that Natural England initiated a prosecution, but proceedings were dropped in 2012 and the burning continued.

Craig Whittaker (Calder Valley) (Con): I thank the hon. Lady for coming up to the Calder Valley during the floods, which was a horrendous time for everyone. I just wonder whether she has had a look at the moors—indeed, any moors—to see what sort of restoration work is being done to restore them.

Kerry McCarthy: I went with the Uplands Alliance and the Moorland Association to an estate in Cumbria—we did not have time to go to Walshaw Moor; to be honest, our focus was on people in the flooded areas—so yes, I have visited moors with those organisations.

It is all the more galling that burning not only has costly consequences, but is often publicly subsidised under the guise of environmental stewardship. A freedom of information request to Natural England revealed that in 2012-13, £17.3 million of environmental stewardship funding was paid for land used for grouse shooting. The RSPB says that during the last 10 years £105 million has gone to grouse moors, supporting environmental damage to sites of special scientific interest and internationally protected special areas of conservation and special protection areas. In 2014, 30 estates received £4 million of taxpayers’ money—they included one owned by the late Duke of Westminster, who was worth £9 billion; I am sure that, despite some death taxes, the new duke is still pretty well off—that could be spent on public goods such as restoring wildlife habitats or flood alleviation.

Codes of practice on heather burning are simply not working. We need the Department for Environment, Food and Rural Affairs to respect the evidence and deliver a joined-up policy that does not involve the public subsidising practices that damage our environment. Nor can the Government continue to turn a blind eye to illegal practices, or meekly say, as they do in their response to the petition, that

“all those involved are encouraged to follow best practice.”

DEFRA has rightly identified raptor persecution as a national wildlife crime priority, but that is just used words. There is no action. Will the Minister tell us today what resources have been allocated to the national wildlife crime unit to prosecute those responsible and to

[Kerry McCarthy]

prevent future persecution? We are told that a taskforce is developing a plan, but can the Minister tell us when that plan will be published, who will be consulted and when and how it will be actioned?

The decline of the hen harrier is the most obvious illustration of the failure to uphold the law on illegal persecution. The RSPB reports that four satellite-tagged hen harriers have disappeared so far this year. Their last known transmission was from areas on or close to grouse moors. According to the Government's Joint Nature Conservation Committee, there should be 2,600 nesting pairs of hen harriers in the UK, including approximately 300 pairs in the English uplands. Instead, this year there are just three. The RSPB said in its evidence to the Petitions Committee

"a wealth of scientific evidence"

shows that is because of illegal persecution. The RSPB has withdrawn its support for the Government's hen harrier action plan because it has

"patently shown itself unable to deliver".

As has been said, the RSPB is not against shooting in general, but has made it clear that the

"the status quo is not an option and that voluntary approaches have failed."

DEFRA's initial response to the petition was incredibly complacent. It relied on the industry's own claims about the benefits of driven grouse shooting and, critically, focused on when grouse shooting is

"carried out according to the law",

ignoring the too many instances when it is not. The Government's response cited the industry's Public and Corporate Economic Consultants report on the economics of shooting sports, but a review by Sheffield Hallam University identified flawed methodology and found that many of the claims were not verifiable or supported by robust data.

Shooting is a diverse industry, and different forms of shooting have different costs and benefits associated with them. Only driven grouse shooting involves such disproportionate costs, illegal activity and environmental harm, which is why the petition focuses on driven grouse shooting.

I want to say something about the density of birds required to make a shooting estate profitable these days. Studies have shown that 60 birds per sq km is optimal, but owners now aim for 180 if not 200 birds per sq km. Owners make money according to how many birds are shot and the sole aim of many shooters now is to bag as many birds as possible. It is not about enjoying the countryside, communing with nature or even demonstrating any real skill, which might be required in walked-up shooting; it is just about blasting as many birds as possible out of the sky so that they can brag about it to their mates afterwards. Many find this so-called sport morally reprehensible, but even those who do not must accept that the driven grouse shooting lobby needs to put its house in order.

The Government could take a number of steps to reduce the damage associated with driven grouse shooting. They could put an end to widespread heather burning and investigate the use of public subsidies for environmentally damaging behaviour, ensuring that it ceases after Brexit. They could demonstrate the leadership

we need to uphold the law and tackle illegal persecution through the national wildlife crime unit. They could look at the introduction of vicarious liability, which applies in Scotland, whereby estate owners are held responsible for the actions of their estate managers and gamekeepers. They could work with the RSPB to develop its proposal for a licensing system, although doubts have been expressed by others as to whether that would work. I do not have time to debate this today, but they could also ban the use of snares and lead ammunition, which as we know causes massive pollution to our water supplies as well as contaminating food. The Government must show the political will to uphold the law and protect our environment. If we do not see concerted action and swift progress soon, the only answer will be a ban.

5.38 pm

Rishi Sunak (Richmond (Yorks)) (Con): It is a pleasure to be called to speak in this debate, Mr Davies.

Whenever a ban is proposed, it is incumbent on us all to be certain about who that decision would impact on. To many, the image of the losers of a ban on grouse shooting seems clear: old men of a bygone age, sporting tweed jackets, expensive hobbies and outdated views. Nothing could be further from the truth. The real victims of a ban are not caricatures; they are ordinary working people in constituencies such as mine in North Yorkshire—the farmer's wife who goes beating at the weekend so that her family can make ends meet through difficult times; the young man able to earn a living, in the community he loves, as an apprentice to a gamekeeper; the local publican welcoming shooting parties with cold ales and hot pies. Let us be absolutely clear: those who support a ban on grouse shooting should do so only if they are prepared to look those people in the eye and explain to them why their livelihoods are worth sacrificing.

There are some who question shooting's contribution to the rural economy. People suggest that the 2,500 direct jobs, and the tens of millions of pounds paid out in wages, is somehow misleading. I agree: the truth is that the benefits created by grouse shooting go far beyond the direct employment it creates. From the Yorkshire bed and breakfast welcoming ramblers drawn to our area by the moor's summer blossom to the workshops of Westley Richards in Birmingham or Purdey in London, whose handmade shotguns are the finest in the world, the ripples of employment that grouse shooting creates reach every corner of our country.

However, it is not only to the rural economy that grouse shooting makes an invaluable contribution; it is to our rural landscape as well. There is a tendency among some conservationists to act as though farmers and gamekeepers are somehow trespassing upon Britain's landscape, yet without their hands repairing our dry stone walls or their dairy cows keeping the fields lush, the rural beauty of our countryside would soon fade. Heather moorland, as we have heard, is rarer than rainforest and 75% of it is found here in Britain. It is a national treasure. From Heathcliff to Holmes, the moors have become a proud part of our cultural heritage.

Stephen Timms (East Ham) (Lab): Will the hon. Gentleman give way?

Rishi Sunak: I will not, out of respect to my colleagues, as there are many people still to contribute.

Without the £1 million of private income spent by moor owners on land management every single week, that proud heritage would come to an end. Overgrazed by sheep, used to grow pine timber or abandoned to the bracken, the moors as we know and love them would be lost. That would be a disaster for British wildlife. Academic study after academic study shows that endangered wading birds such as curlew and lapwing are much more likely to breed successfully on managed grouse moors.

Angela Smith: Will the hon. Gentleman give way?

Rishi Sunak: I will not, out of respect to my colleagues.

Some 80% of rare merlin—the UK’s smallest bird of prey—are found on grouse moors. There has been some discussion about the state of the hen harrier population and although it has increased over the past few decades, more can be done. We must be clear: a Britain without grouse shooting is not a Britain where the hen harrier would thrive. Research carried out on the Scottish grouse moor of Langholm, and published in the *Journal of Applied Ecology*, found that when gamekeeping ceased, the hen harrier population plummeted. Without gamekeepers to control them, predators multiply and hen harriers pay the price. That is why the participation of 1 million acres of grouse moor in a new hen harrier brood management scheme is the right approach, and why gamekeepers supporting diversionary feeding is the right approach. Conservation will only succeed through partnership with the grouse shooting industry, and not through its destruction.

That does not just go for birdlife; it goes for the land itself. The rotational burning used to manage heather moorland may seem odd to some, but without it our moors would not regenerate and support the rich wildlife and biodiversity that they do. Meanwhile, contrary to what some have claimed, Natural England and others can find no specific evidence that links burning to floods. As for the myth that grouse shooting is somehow unregulated, I would be amused to see what the gamekeepers in my constituency, with literally scores of regulations, codes, licences and Acts of Parliament to comply with, make of that.

Banning grouse shooting would undermine the balanced ecosystem of our countryside. It would not only leave many families poorer, but leave our landscape and wildlife poorer too. A ban on grouse shooting would be a policy with no winners. Instead, only by working together can we ensure a bright future for the rural Britain that we all care so deeply about.

5.44 pm

Craig Whittaker (Calder Valley) (Con): It is a pleasure to serve under your chairmanship, Mr Davies.

Many people, not least the hon. Member for Bristol East (Kerry McCarthy), will be aware of the opinion circulating around the Calder valley that one of the big factors that contributed to the horrendous flooding in the valley at Christmas was the grouse moor on the Walshaw estate above Hebden Bridge. As a townie, I thought I needed to go and visit the estate to see how justified the petition is, and to consider what influence the management of the estate has upon the mitigation of flood risk. I have to tell you, Mr Davies, that what

I saw horrified me. Actually, I felt quite sick, and not because I saw anything repugnant—quite the opposite. I quickly realised that the petition and much of the information peddled around the Calder valley about the estate are, in many cases, simply untrue and based more on ideology than on fact and reason. The nonsense that people are led to believe could not be further from the truth, and it is time to put some of those things straight.

It is true that our peatland moors are in a poor state, but that is not because of grouse shooting. Rather, it is a consequence of a number of different factors, not least decades of abuse from coal burning, the over-intensification of farming—to name just two—and others mentioned by the hon. Member for Penistone and Stocksbridge (Angela Smith). So why am I horrified about the amount of misinformation, which is quite frankly breathtaking, relating to the Walshaw estate? Does the estate slash and burn, as is suggested by many? No, it does not. It does, however, use what is called cool burning. The estate works in partnership with Natural England, Yorkshire Water and many other agencies. Everything it does is done under licence and is strictly controlled and plotted by GPS, and mapped, so that no area is burnt out of cycle, which, for active peat, is over 25 years, and, for other areas, is over 20 and 15 years.

Does this contribute to the increased peak flows? Common sense would probably say that it does; as does a study completed by Durham University and commissioned by Treesponsibility in the Calder valley. Although the study shows that burning does indeed have an impact on flows—I say “flows”, and not “flooding”—its methodology is so inherently flawed by a number of omissions and inaccurate assumptions that it is of very limited value. For example, the author of the study does not take into consideration any other burning outside the Walshaw estate. The author assumes that all channels on the moorland are unimpeded and allow the free flow of water; grips, ditches and drains are ignored; bankside areas are all assumed to be unimpeded and free flowing; and, finally, it is assumed that our six local reservoirs are storage neutral and allow for the unimpeded passage of water. As such, before drawing any conclusions from the study, we have to be aware of the significant weaknesses in its methodology.

We know that water does not have an unimpeded flow. There are thousands of acres around the Calder valley that are up hill and down dale and that have thousands of natural traps and bungs. On top of that, our reservoirs are not always storage neutral. Indeed, managing the level of reservoirs can have a significant impact upon mitigating the risk of flooding. Owing to the significant proportion of water on the moorlands that runs through the six reservoirs on and around the estate, if the levels of the reservoirs had been proactively managed last winter, the scale of the destruction caused to the communities in the valley bottom may have been reduced. Ironically, going into this winter, many of our reservoirs are kept low or empty.

As a result of a variety of factors, including the use of cool burning, mechanical cutting and spraying, and the planting of mixtures of new seeds of heather and cotton grass replacement, we have seen a huge influx of bird species back on to the moor. Many of those species have been mentioned today, and none of them have been on the Walshaw estate for decades. I was fortunate to see some of those species during my recent visit. This evidence is contrary to the petition, which states that

[Craig Whittaker]

grouse shooting exterminates wildlife. The careful custodianship of our moorlands is actually supporting and encouraging wildlife in a way that we have not previously seen.

Julian Sturdy (York Outer) (Con): My hon. Friend is making a very important point about cool burning. Does he also recognise that cool burning allows mosses to develop, which has a huge impact on the carbon capture of the moors?

Craig Whittaker: Yes, I thank my hon. Friend for that question. He is absolutely right. A key point about the over-intensification of farming over decades—20,000 sheep were kept on the Walshaw moor during the war and in subsequent years, and the number is now down to 1,000—is that molinia is a huge problem that causes deeply damaging wildfires, so he is absolutely right.

In relation to the petition, I point out that it is already illegal to kill endangered species. Banning grouse shooting will have no influence on this practice; policing of the law that is in place will. Furthermore, it has been alleged that the grouse moors practise “gripping”, which is designed to drain the moor to encourage heather growth and that that, in turn, has contributed to flooding. The opposite is true. The Walshaw estate has practised grip blocking over the last three years. That practice blocks grips that were paid for by the Government in the 1970s to encourage more intensive farming. Over a third of grips have been blocked at Walshaw and the work to completely block the rest will take place over the next 18 months.

Finally, it is worth drawing attention to the very substantial cost of the restoration work and moorland maintenance programme. The seven full-time gamekeepers—I would call them, more appropriately, “custodians”—who carry out the vast amount of restoration work are on constant lookout in the summer for wildfires, which can totally destroy the peat.

Angela Smith: Does the hon. Gentleman not acknowledge that although landowners make a significant contribution to moorland restoration, they nevertheless generally do so with a wide range of partners, such as, in my area—and I think in the hon. Gentleman’s too—the Moors for the Future partnership?

Craig Whittaker: The hon. Lady is absolutely right. A lot of this stuff is done in partnership with Natural England. Yorkshire Water is a big partner up there as well. Of course, there is also our local council; our full flood catchment plan was released only last Friday and part of that is about working in partnership to manage the uplands.

As I was saying, these guys are on constant lookout for wildfires, which destroy the peat. Were they not there and were the estate not to have grouse shooting, there would be no capacity to prevent the wildfires. In fact, due to the poor state of much of our moorland, because of the factors that have been outlined, not having those custodians would result in the moors degenerating even further. West Yorkshire fire brigade has attended 249 illegal fires around the Calder valley since 2009. Those really do damage moors and wildlife.

Where do we go from here? In common with organisations such as the Royal Society for the Protection of Birds, I do not think that banning driven grouse shooting is the answer. Similarly, I am not convinced that burning is needed to the extent that we hear about, although on the Walshaw estate, that only equates to approximately 2% of the 16,000 acres each year. I understand that there is machinery available that can access hard-to-reach areas, which reduces the need to burn. At the very least, I believe that a reduction in the scale of burning should be worked on and should be achievable.

However, we have to remember that if the current owners of our moors did not carry out the scale of restoration that they currently do, our moorlands would be in significantly worse condition than they are. I do not think that banning driven grouse shooting is the answer—in fact, it would be a sledgehammer to crack a nut—and as far as flood measures go, it would actually be detrimental. Common sense, not ideology, should prevail.

5.53 pm

Nigel Adams (Selby and Ainsty) (Con): As many will know, driven grouse shooting is a really important aspect of the economy and rural community life in counties such as North Yorkshire. It is so pleasing to see so many honourable colleagues here from our county this afternoon.

Clearly, we have to look at both sides of any argument, but I believe that the petition to ban driven grouse shooting simply does not stand up to scrutiny, and it does not seem to have ignited the enthusiasm of many Members who support the ban to speak here today. The economic impact of banning driven grouse shooting would be disastrous. There are estimates that revenue from walked-up grouse shooting would be less than 10% of that gained by driven grouse shooting. Many grouse moors rely on the sale of grouse shooting days for their economic survival.

Richard Arkless: Since I was elected to this place, economics has been used to justify dropping bombs, supplying arms, withdrawing tax credits and now killing birds. Does this place ever come down on the side of morality versus economics, or will it always be the case that if it makes a few quid, it is okay with the Tories?

Nigel Adams: I appreciate the hon. Gentleman’s intervention, but it is probably one of the most nonsensical I have heard in this Chamber in the six years that I have had the pleasure of being here.

The petition’s proposals would result in a huge number of job losses. Grouse shooting supports more than 1,500 full-time jobs and many more part-time jobs, so its proposals would be very damaging. In many cases, these are quality jobs, with most paying above minimum wage and with the benefits of working in a beautiful natural environment. Businesses related to or dependent on grouse shooting in the north of England also generate more local jobs and tens of millions of pounds of income, mostly to small and family-owned businesses. This industry is reasonably run and already heavily regulated, and I do not support a further threat to the jobs that are created.

Steve Double: Does my hon. Friend agree that there is nothing moral about knowingly making a decision that will put hundreds of people in some of the poorest parts of our country out of work?

Nigel Adams: I could not agree more with my hon. Friend, and I congratulate him again on introducing this petition today. I certainly would not want any further excessive burdens to be placed on the approximately 450 estates that offer grouse shooting.

Grouse moor management is conducted in accordance with clear regulations contained within conservation designations, such as sites of special scientific interest and special areas of conservation. That has been shown to be highly effective, with SSSIs that are also grouse moors demonstrating a massive improvement in condition in the last decade. An overwhelming majority are now in either “good” or “recovering” condition, whereas only approximately a third were previously.

The legal predator control and habitat management undertaken by managers of grouse moors is supported by Natural England because these have proven to provide sanctuary and habitat for increased populations of endangered wading bird species, including lapwings, curlew, and other red-listed species, including the red grouse, which is unique to the British Isles.

Additionally, there is little evidence to show that predator species are damaged by the responsible management of grouse moor estates. In fact, studies show that they benefit: breeding merlin pairs were four times as high in kept moorland than elsewhere, and the control of predators was shown to reduce nest predation, increasing the population of hen harriers and other native birds of prey. When keeping stopped, hen harrier populations did not increase. In fact, they declined alongside grouse populations, because crow and fox populations took over. This petition may be well intentioned, but if its recommendations were implemented, it would end up shooting the uplands in the foot.

Grouse moor managers actively restore peatland and well-maintained peatland helps to reduce flood risk, as we have heard. Those are essential environmental maintenance tasks that the Government do not have to fund, yet they produce huge public benefits—a virtually free service is conducted by grouse moor managers. Grouse moor owners in England alone spend approximately £52.5 million every year on moorland management, 90% of which is private investment. Those tasks would have to be taken up and funded by the public purse or we would face declining biodiversity, increased flood risk and damage to a rare type of habitat on the basis of neglect.

Let me come to those who really matter in this: the local community, many of whom benefit from and enjoy grouse shooting and enjoy living near picturesque, well-maintained heather moorland. It gathers people of all ages together to enjoy the camaraderie of a day’s grouse shooting. Driven grouse shooting brings the rural community together in areas that struggle with social isolation and low levels of employment. It keeps a cultural tradition thriving. Among those who have newly taken up the profession, there are people whose families have been grouse shooting, farming and keeping for centuries.

I will try to put this gently, but I feel that there is a bit of misplaced or inverted snobbery in the petition to ban this practice. There is a sense of knee-jerk opposition without a full understanding of the facts. There is an impression, for example, that grouse shooting involves a bunch of tweed-clad toffs trampling the countryside and killing for fun, but that is a huge misconception. I suspect that those who want to see driven grouse shooting banned, some of whom are given a very regular platform by the BBC to espouse their views, are keen to propagate that image, alongside their dodgy science.

[MR DAVID NUTTALL *in the Chair*]

The industry is supported primarily by those who have spent their lives living in and working hard for the countryside. All sides—the rural community, the shooters and the gamekeepers—know that their environment and occupation cannot continue unless they maintain good relations with one another and conserve the countryside. The actual business of conservation requires people to get their hands very literally dirty, not simply sign a petition from the comfort of their home.

In the debate, there is an element of seizing upon a convenient, if fallacious, environmental objection as a straw man for some people’s misguided opposition to shooting when, in fact, most country sports contribute massively to conservation and animal welfare. I encourage anyone who is interested to visit a grouse moor and speak with the passionate, hands-on and knowledgeable gamekeepers before leaping to criticise, based solely on a couple of deeply unrepresentative bad examples.

Shot game tends to be of an incredibly high quality and raised to high welfare standards, and is often organic. Almost all game that is shot on such estates, including grouse, gets eaten. A lot of people object to seeing a shooting party carrying home a bird to pluck and cook, but those same people sometimes buy at their local supermarket, without a second thought, eggs and chicken raised in truly deplorable conditions. We must not pander to squeamishness about where food comes from, especially when those ideas are based on uninformed prejudices. Therefore, I am fully in support of the alternative petition to support the countryside and driven grouse shooting.

6.1 pm

Simon Hart (Carmarthen West and South Pembrokeshire) (Con): I draw the attention of the House to my entry in the Register of Members’ Financial Interests, as I am the chairman of the Countryside Alliance. I will not repeat absolutely everything that has been said this afternoon, but I will compare two moorlands, and build on the excellent story that we heard from my right hon. Friend the Member for Mid Sussex (Sir Nicholas Soames).

I, too, spent a pleasant day on a moorland—not actually shooting—not that long ago. Many species have been mentioned, and I think I counted 44 in total that day, including mammals and birds. There were blackcock, golden plover, woodcock, snipe, jack snipe, greylag geese, teal, widgeon, mallard, gadwall, pintail and even, right out in the middle of the moor, miles from anywhere, a wild chicken. I am not sure whether there are wild chicken, but there was a chicken that was probably not born and brought up there. There were also a collection of corvids and a few raptors. Probably as important, to pick up on the comments made by my

[Simon Hart]

hon. Friend the Member for Selby and Ainsty (Nigel Adams), was the thriving school, the busy shop and a pub that did business not just during the tourist season, but throughout the winter. In other words, the place was a proper community built around the agriculture and shooting activity of the area.

Compare and contrast that with my other experience of a moorland in mid-Wales, where I used to live and where, something like 20 years ago, grouse shooting of any sort came to an end. Now, as we heard from the hon. Member for Strangford (Jim Shannon), lapwing have become extinct on those moors. The numbers of golden plover are down by 90% and curlew by 79%. The moors are dominated by crows and other corvids, as well as ground predators. Biodiversity has been damaged by a lack of investment and overgrazing. A new phenomenon—at this stage being reported anecdotally—is the uninterrupted rock climbing in some of the few cliff areas, which is deterring peregrine falcons from nesting. No malice is intended, but the pretty unlimited and unregulated disturbance each and every weekend is contributing to difficulties elsewhere.

Stephen Timms: Will the hon. Gentleman give way?

Simon Hart: If it is a quick one. I always regret giving way, but I will do so for the right hon. Gentleman.

Stephen Timms: The hon. Gentleman has not yet mentioned hen harriers. A lot of my constituents are deeply concerned about the decline of the hen harrier population in England. Does he accept that there is a real concern that grouse shooting is making things worse?

Simon Hart: If the right hon. Gentleman—and this is not an insult—had been around earlier, he would have heard quite a lot about that. I suspect we will also hear from the Minister on that point. We have all acknowledged that the problem exists, but hen harriers are susceptible to a number of different things; persecution is but one. I will pass that ball to the Minister to deal with when she sums up.

We are told that there are good alternatives to driven grouse shooting. As far as I can make out, those include forestry, wind generation, rewilding—whatever the definition of that is—ecotourism, farming and rough shooting or walked-up shooting, as some people call it. The point is that the alternative already exists across a lot of the UK, including across a lot of Wales. Therefore, arguments that suggest that somehow there will be a booming rural economy in areas where driven grouse shooting does not take place can be contested, because we have the example already. It is not a case of speculating about what the alternatives may be. We know what the alternatives are because they are out there for anybody who wishes to go and see them, and they do not reflect in any way the suggestions made by those who wish to criminalise the activity.

In the joint evidence session last week between the Environment, Food and Rural Affairs Committee and the Petitions Committee, it was pretty obvious to us that the people promoting a ban on driven grouse shooting had made no assessment of the economic or

ecological costs, or the social consequences. The Committee felt, I think—I certainly did—that if people are going to make a case that would essentially add to the criminal sanctions of the country, put people out of work and alter the management of the uplands, the very least they could do is come up with a reason that their alternative is better than the existing model that has been tried and tested over some time. Until opponents of driven grouse shooting actually bother to make that case, their argument deserves to fail.

I finish by turning to a slightly more political argument. Earlier this year, the hon. Member for Garston and Halewood (Maria Eagle) produced a document entitled, “Labour’s rural problem”, which was an analysis of why Labour was not succeeding in its electoral ambitions in rural areas. On page 33, she confesses that

“much of the party treats the countryside with a polite indifference.”

The report goes on to state:

“An activist from Labour South West, said...‘in the future we need to ensure that we focus on rural issues that most people worry about. Rural issues shouldn’t be confused with animal welfare issues.’”

And so it goes on.

The report compares interestingly with another document, produced by a former Labour MP, called the comprehensive animal protection review, which apparently has the warm endorsement of the shadow Minister. The author of the report says:

“As part of our wider environmental priorities, we will no longer allow drainage of land to facilitate grouse shooting and landowners will have obligations to restore land to its natural environment... We will introduce a licensing requirement for shooting estates”,

without defining what a shooting estate is. There are various other comments about further restrictions on shotgun ownership and increased licensing costs and so on.

There seems to be a problem. There is recognition that, in order to re-engage with rural communities, all political parties need to do things for them, rather than to them. Sadly, some of the comments today reveal that there is still an ambition to pursue a political agenda under the cover of some kind of ecological argument. Because of that and because of the lack of the proponents of the motion coming up with any more positive alternatives whatever, the proposal to ban driven grouse shooting deserves to fail, and I hope that it does.

6.8 pm

Geoffrey Clifton-Brown (The Cotswolds) (Con): I must immediately declare an interest as chairman of the all-party group on shooting and conservation, the sister of the group to which my right hon. Friend the Member for Mid Sussex (Sir Nicholas Soames) referred. In his excellent speech, he described, par excellence, the biodiversity that takes place on a well-managed moor. I will sketch for the House—my hon. Friend the Member for Richmond (Yorks) (Rishi Sunak) got somewhere towards it—what the opposite course may entail.

I have been visiting an estate on the Caithness-Sutherland borders almost continuously for 36 years. When I started, there were a few grouse there. It was decided that the estate would gradually be stocked with more and more sheep. Tick numbers went up. Biodiversity on the moor went down. In the early days, there were raptors, skylarks,

curlew, oystercatchers—the whole range of birds discussed today—but now virtually none of those birds remains. The quality of the moor has gone down considerably: the heather has got rank because it is not burnt; the number of grass species has immeasurably increased; and the amount of bracken, which is no good for any wildlife, has increased hugely. Without managed moors, I say to the hon. Member for Bristol East (Kerry McCarthy), biodiversity would definitely go down. I disabuse her of one other fact: without driven grouse shooting, and without proper management, vast tracts of our precious moorland would degrade in the way I have described—we have already heard that moorland is rarer than rain forest and that in the United Kingdom we have 75% of the world's heather moorland.

Many others have commented on the economic benefits of grouse shooting, so I will not go over that too much, except to say that the £50 million spent on grouse moors, and the associated £15 million spent on ancillary businesses, supports 1,500 full-time equivalent jobs, according to the Moorland Association—my hon. Friend the Member for St Austell and Newquay (Steve Double) may have got the figure wrong in his excellent speech—and some 125 days of seasonal work. Those are considerable figures in some of our country's remotest areas.

Some 2,715 miles of moorland drainage ditches have been plugged in the north Pennines alone as a result of revegetation with 120 hectares of bare peat, and there has been a reduction in flood risk. Many Members have commented on burning, but it is a fact that just 0.68% of heather moorland in Britain is burned each year. If it is burned properly under proper conditions—Members have talked about hot and cold burning and about rotation around the moor—it should not create the damage that has been mentioned.

On the hen harrier problem, the RSPB came to see me ahead of this debate and pleaded with me to be reasonable. I will be reasonable to the RSPB if it will be reasonable to the grouse landowners. The RSPB pulled out of the biodiversity action plan earlier this year, and I appeal to it to rejoin that action plan because only talking between the two sides is likely to solve the problems. I do not condone anyone who breaks the law, and it is important that we sort out the problem, but the fact that hen harriers do not breed may not in itself automatically be due to grouse shooting landowners. Many other things may cause hen harriers not to breed, including disturbance and weather.

Craig Whittaker: Will my hon. Friend give way?

Geoffrey Clifton-Brown: We are getting close to the end of this debate, so I will move on.

On licensing and regulation, some wish to ban driven grouse shooting altogether, which would be extreme and would be detrimental to the biodiversity of this country. Licensing is an option, but grouse moor owners already have to comply with a panoply of legislation. Like others, I pay huge tribute to the keepers who keep our precious landscape in its current state and maintain its biodiversity. They already have to comply with the Wildlife and Countryside Act 1981, the heather and grass burning code of 2007 and the close season Acts for grouse. There is a panoply of legislation, and increasing regulation is rarely, if ever, a sensible answer. By using a sledgehammer to crack a nut, the Government would

only harm an activity that has immense economic and environmental benefits. Any discrepancy or case of malpractice should be dealt with locally, and I repeat that I do not condone any breaking of the law.

Finally, we have a fundamental choice between thriving grouse and wider bird populations, local tourism, conservation and strong rural economies; and the devastation of some of these remote areas, job losses, the loss of endangered species, an increase in disease and the loss of habitat. It is all too easy to impose a blanket ban on shooting, and it is irresponsible to ignore the hard science and the factual benefits that driven grouse shooting provides to the UK's countryside.

Mr David Nuttall (in the Chair): For the benefit of all Members here, this debate is scheduled to finish at 7.30 pm. Thanks to the brevity of Members who have spoken already, even if Members wish to take an intervention or two, there may be time to fit in all the remaining speakers and to hear from the Front Benchers before the conclusion of the debate.

6.14 pm

Antoinette Sandbach (Eddisbury) (Con): It is a pleasure to serve under your chairmanship, Mr Nuttall. I am pleased to contribute to this debate because the area of Wales that my hon. Friend the Member for Newbury (Richard Benyon) spoke about, the Berwyn range, is well known to me. It is worth remembering that that range, which covers a huge area and is internationally protected because of its significant numbers of hen harriers, has been managed by the RSPB. The peer-reviewed findings of the study between 1983 and 2002 are therefore incredibly important. If the decline is down to grouse moor management, why are we not seeing an explosion of hen harrier and grouse numbers on the more than 312,000 acres of land managed by the RSPB? That is peer-reviewed scientific evidence. The hon. Member for Bristol East (Kerry McCarthy) failed to say what sources she is relying on or, indeed, whether those sources are peer-reviewed.

Between 1983 and 2002, lapwing were lost from the Berwyn survey area, golden plover declined from 10 birds to one and curlew declined by 79% despite its conservation designations. Carrion crow numbers increased sixfold and raven numbers fourfold, with the number of 1 sq km grid squares that they occupied doubling and trebling respectively. Buzzard numbers increased twofold, and the number of occupied grid squares increased fourfold. Peregrine numbers increased sevenfold, whereas hen harrier numbers declined by half. No significant changes were detected in the abundance of other SPA-designated raptors, merlin and kite.

Angela Smith: I appreciate the hon. Lady's point, but the latest report of the Peak District raptor monitoring group is absolutely clear. The group is frustrated by the heavy focus on hen harriers—I say that as a hen harrier champion—because, despite its best efforts over nearly eight years, merlin and peregrine numbers are going down. A range of significant birds are going down in number.

Antoinette Sandbach: I would be grateful if the hon. Lady provided me with a peer-reviewed study showing those numbers.

[Antoinette Sandbach]

There has been no grouse shooting and no grouse moor management in the Berwyn range, where the number changes have been happening, since the late 1990s. Between upland breeding surveys, red grouse numbers declined by 54% and the occupied range—in other words, where the birds were—fell by 38%. Grouse count data collected on four moors since 1995 show that grouse numbers have remained at low levels on three of the moors. The study is important because it covers an RSPB-managed reserve. Grouse numbers declined, and so did hen harrier numbers.

Contrast that with what happened in relation to the plastic carrier bag charge in Wales, where landowners and the RSPB worked together to protect the black grouse, which was a huge success. There was a big increase in black grouse numbers on one kept moor; on the three other RSPB moors, black grouse numbers did not increase. On the kept moor on the Wynnstay Hall estate at Ruabon, the number of black grouse, one of our rarest grouse, increased. That shows what partnership can do, but it also shows that, when the land is not being managed by keepers, or is not where driven shooting happens, there is a decline in biodiversity. The RSPB reserve saw minor increases in black grouse.

This House has a responsibility to judge on proper evidence, not some scientific allegations made by third parties. [Interruption.] I am quoting the scientific facts from peer-reviewed research. I find it difficult that very few RSPB reserves release their data. They do not allow peer-reviewing of their bird numbers. One need only drive down the Llangollen valley to see the bracken on the hills of the RSPB reserves.

Mr Charles Walker: I point out to my hon. Friend that the Avian Population Estimates Panel states that 100 years ago there were no hen harriers in mainland UK, whereas today there are around 645 breeding pairs across the country. In 1963, there were 360 pairs of peregrines in the UK; today there are 1,500. There were 160 breeding pairs of red kites 20 years ago; there are now 1,600. Birds of prey are doing well in the United Kingdom.

Antoinette Sandbach: I am grateful to my hon. Friend for quoting those data. I would have referred to them myself. Furthermore, Natural England's report "A Future for the Hen Harrier in England?" identified six causes of hen harrier nest failure: wildfire, predation, lack of food, poor weather, infertility and illegal killing. Clearly, there is an issue with illegal killing; I do not say by whom. It is interesting that the figures released by DEFRA show that, of 12 hen harrier nesting attempts in England last year, six were successful, of which four were on or immediately adjacent to moorland managed for grouse shooting.

What is happening in the RSPB reserves? What is happening on the more than 300,000 acres of managed land? Why is it not working? The evidence that I have cited shows that the call for a ban on driven grouse shooting is not rooted in science or evidence, and I do not support it.

6.21 pm

Richard Drax (South Dorset) (Con): It is nice to be under your chairmanship, Mr Nuttall. I refer Members to my entry in the Register of Members' Financial

Interests. I congratulate my colleague and friend the hon. Member for Eddisbury (Antoinette Sandbach) on making an excellent speech using facts and figures. Many of the facts in my speech have already been quoted, so I have spent a lot of my time crossing them out, as I do not want to repeat those points. If I may, I will go through what I have left. The facts are the important part of this debate.

We know that birds thrive where moorlands are managed. Without the conservation management of moorland, there would be no red grouse. They have already disappeared from the south-western moors and most of Wales, and are amber-listed for conservation concern. Many endangered species, such as lapwing, curlew, golden plover, merlin and black grouse, that are in serious decline elsewhere can still be found in good numbers on grouse moors. Research shows that, where predator control is in place on kept grouse moors, red-listed birds such as the curlew and lapwing are 3.5 times more likely to fledge their chicks. Scientific research also shows that densities of golden plover, curlew, redshank and lapwing are up to five times greater on managed grouse moors, and that there are four times as many merlin, according to breeding records. In the last 20 years, merlin numbers have doubled on areas kept for red grouse, but halved on unkept moorland.

Where driven grouse shooting has been lost in Wales, populations of many of these species have dropped by 60% to 90%. Driven grouse shooting stopped in Wales in the 1990s, and was replaced by intensive sheep grazing. As a result, the all-important conservation management for red grouse also ended, resulting in red-listed species such as curlew, ring ouzel and black grouse plummeting by between 70% and 90% in just 10 years. The lapwing has been lost completely. All that has happened in an area designated as a special protection area for its bird life.

We have heard about the benefits for wildlife. The 2013 Natural England evidence review "The effects of managed burning on upland peatland biodiversity, carbon and water" concluded that there was "strong evidence" that controlled heather burning and predator control correlated with higher densities of red grouse, golden plover, curlew, lapwing, redshank and ring ouzel.

Caroline Lucas (Brighton, Pavilion) (Green): The hon. Gentleman has talked a lot about evidence, as have previous Conservative speakers. Can he say something about the evidence on the climate impacts of grouse shooting? Precisely the moorland management that he is extolling is destroying heather uplands. We know that, as a result, layers of peat are releasing large quantities of stored carbon dioxide into the atmosphere, driving climate change. If he wants peer-reviewed documents, I have some here from Leeds University. What does he say about the evidence on the climate impact?

Richard Drax: I am grateful for that intervention. If the hon. Lady will wait, I will come to that point, and I will try to answer it for her.

A 50-year study of Scottish moorland in the July 2016 *Journal of Botany* concludes that

"to maintain diversity, timely burning is recommended."

The RSPB has a controlled burning programme at Loch Garten and Hobbister

"to increase the suitability of the reserve for key breeding birds such as hen harriers, short-eared owls, merlins and curlews."

Strictly controlled and regulated heather burning from October to April ensures a mix of older heather for nesting, younger heather for feeding and fresh burn for regrowth. Using patchwork burning and reseeding creates a mosaic of niche habitats, so that one acre can contain red grouse, curlew, lapwing and golden plover. Research by the Game and Wildlife Conservation Trust shows that rotational heather burning prevents wildfires, which are likely to burn the peat beneath, damaging the ability of the peatland to store water and carbon.

Written evidence submitted to the Petitions Committee by the Northern Farmers and Landowners Group states:

“These people”—

that is, gamekeepers—

“are the ones with the local knowledge, specialist skills and equipment on site which can be deployed, in tandem with the NFRS, to tackle wildfires in the most efficient manner”.

The Moorland Association has employed 25% more gamekeepers to manage the heather and protect vulnerable ground-nesting birds including curlew, lapwing and golden plover from predators, increasing their populations by up to five times compared with moorland areas without gamekeepers. Legal control of foxes, stoats, weasels and carrion crows on grouse moors is proven to benefit a range of ground-nesting birds, such as black grouse, lapwing, skylark, curlew, and grey partridge. Scientific research shows that endangered ground nesting birds such as curlew and lapwing are 3.5 times more likely to raise chicks successfully on managed grouse moors.

The Wildlife and Countryside Act 1981 protects all wild birds, including harriers, falcons, golden eagles, sea eagles, ospreys and many other moorland birds, with fines and six months' imprisonment for illegal killing. I, too, condemn any illegal activity, and I suspect, although I do not know and it is hard to prove, that on many occasions, illegal killings in large areas are done not by gamekeepers, landowners or anybody else, but by people off the land. I shall leave those listening to conclude who could be doing it, but the evidence and the numbers show that those wild birds are increasing.

A colleague just mentioned historical trends in population numbers, and it is important to go over them again. Whereas 100 years ago there were no hen harriers on mainland UK, today, there are around 645 breeding pairs across the country. Internationally, they are resident in 87 countries across the northern hemisphere, with a population of 1.3 million. In 1963, there were 360 pairs of peregrines in the UK; today there are 1,500. Over the past 20 years, breeding pairs of red kites have increased from 160 to 1600, and pairs of buzzards from 14,500 to 68,000.

As we have heard, heather moorland is rarer than rain forest and threatened globally. Some 75% of the world's remaining heather moorland is in the UK and viewed as globally important. It is widely recognised that grouse shooting has helped to preserve it. Written evidence submitted to the Petitions Committee by the Heather Trust states:

“It is clear that the best management takes place where there is private funding available and a passion to apply it for the improvement of moorland. This normally means that there is a sporting interest, either grouse or deer.”

With 30 seconds to go, I regret that I have not quite got to the point that the hon. Member for Brighton, Pavilion (Caroline Lucas) asked me about, but I am happy to talk to her after the debate.

Regrettably, my time has run out, although I would like to say an awful lot more. In conclusion, common sense is the solution to what is perceived by a few people as a problem. Wildlife in this country is in safe hands, and there is nowhere better to be than on a driven grouse moor.

6.29 pm

Sir Gerald Howarth (Aldershot) (Con): I am very pleased to take part in this debate. As befits the Member of Parliament for Aldershot, I engage in shooting, although I tend to confine myself to pheasant, partridge and the like, sometimes at the kind invitation of my friends. Grouse shooting is not something with which I am so familiar—the grouse with which I am most closely familiar comes in a very fine bottle from Scotland that has “Famous” on the side of it. However, I come from a long line of Scottish border farmers and I have a cousin, Will Garfit, who is not only one of the most exceptional shots in the country but a famous artist. He is also responsible for a magnificent, award-winning small sporting estate, which he has transformed from a gravel pit. He illustrates the association between shooting and conservation that is exemplified by the British Association for Shooting and Conservation, which also kindly invites me to go shooting from time to time. The contributions we have heard today strongly illustrate how shooting and conservation go hand in hand.

I believe that people should be free to decide for themselves whether to go shooting. It is currently lawful, it should remain lawful, and it should be a matter for individuals, unless there is damage to the environment. I have been impressed by the speeches of so many right hon. and hon. Members in this debate, particularly that of my right hon. Friend the Member for Mid Sussex (Sir Nicholas Soames), who knows a huge amount about the subject. The collective wisdom produced today must provide very compelling evidence to those who have signed the petition. I have had a handful of identical emails about the petition but, as we know, our constituents have not written them; they have simply been fed them by the League Against Cruel Sports and have duly ticked the box and sent the emails winging their way to us.

Caroline Lucas: I want to come back to the point about climate change. When the hon. Gentleman talks about scientific evidence, he makes it sound as if grouse shooting is good for the environment. However, the Committee on Climate Change's 2015 progress report to Parliament notes:

“Wetland habitats, including the majority of upland areas with carbon-rich peat soils, are in poor condition. The damaging practice of burning peat to increase grouse yields continues, including on internationally-protected sites.”

That is the kind of evidence that the hon. Gentleman is talking about, but it shows exactly the opposite conclusion to the one he draws.

Sir Gerald Howarth: All the hon. Lady has managed to do, I am afraid, is illustrate her complete and utter obsession with climate change. It is an important subject, but the science is not settled. If she is saying that burning 0.6% of heather in this country is contributing to climate change, I am afraid to say that I, for one, do not believe it.

[Sir Gerald Howarth]

I do not want to make a long speech, but I have a couple of observations to make. First, moorlands account for something like 4 million acres across the whole United Kingdom, as we have heard, and they employ something like 2,500 people—1,500 in England and Wales and more in Scotland. These are some of the most remote parts of the kingdom. So many of the people who write to us about these matters obviously feel emotional about it but do not understand what it is like to have to farm the countryside to maintain its beauty. As my hon. Friend the Member for Richmond (Yorks) (Rishi Sunak) so rightly pointed out, it is people in the farming community—the agricultural community—who tend the land and make it such a magnet for those in the rest of the country to go and visit. They manage the moorland 24/7, 365 days a year in all weathers, to the benefit not just of the landscape, as my hon. Friend pointed out, but of the birds.

The role of gamekeepers, whom my hon. Friend the Member for Calder Valley (Craig Whittaker) described as custodians, really needs to be emphasised. A conversation with a gamekeeper is absolutely fascinating, because gamekeepers have so much knowledge, understanding and passion for the countryside. If shooting were made unlawful or banned, it would be hugely to the detriment of the quality of the management of rural countryside in this country. The case for that has been made by my hon. Friend the Member for South Dorset (Richard Drax), who cited the statistics. My noble Friend Viscount Ridley had an excellent article published in *The Spectator* in August, in which he pointed out that on a North Pennine moor,

“a survey of breeding birds was carried out this spring. The results have gobsmacked conservationists. On this one grouse moor, there were at least 400 pairs of curlews breeding. This is about as many as in the whole of Wales. There were 800 pairs of lapwings, 100 pairs of golden plovers, 50 pairs of oyster-catchers, 40 pairs of redshanks, 200 pairs of snipe, 50 pairs of woodcocks, 60 pairs of common sandpipers.”

That is an illustration of the point made by my hon. Friend the Member for Eddisbury (Antoinette Sandbach) about the fantastic effect that conservation and shooting have produced in the countryside. Viscount Ridley’s article continues:

“In the early 2000s, at Otterburn in Northumberland, the trust”—

the Game and Wildlife Conservation Trust—

“did a neat experiment in which two areas had gamekeepers and two did not, then they swapped for four years. The results were astonishing. With gamekeepers, the breeding success of golden plovers, curlews and lapwings more than doubled, and their numbers rocketed.”

I think the case is made.

I fear that opposition to driven grouse shooting is founded not on concern for the stewardship of upland Britain but on emotional hostility to those who participate in shooting, and that the science is being twisted to fit the case for a ban. My right hon. and hon. Friends in this Chamber today have produced a compelling archive of the reasons why this emotional campaign is ill-founded and, if listened to and acted upon, would be seriously damaging to the very countryside that its supporters understandably wish to see preserved.

6.37 pm

Andrew Bingham (High Peak) (Con): It is a pleasure to serve under your chairmanship, Mr Nuttall. In a constituency such as mine, this debate is of great relevance and importance. Let me state from the outset that I am in favour of driven grouse shooting and all the benefits it brings to communities such as mine in the High Peak. However, I will qualify that and outline some of the issues, as I see them, and what I have learned over the past few weeks as I have looked into the matter in greater depth. Although many of the points I wish to make have already been made by my right hon. and hon. Friends, some of them need adding to or repeating.

My support for grouse shooting is matched by my support for enforcement of the law against the killing of birds of prey: kestrels, peregrines and hen harriers, to name but a few. They are majestic animals—seeing one is a fantastic experience—and anybody caught killing one must feel the full force of the law. That is not in dispute.

As I understand it from the representations I have received in the High Peak, opposition to driven grouse shooting exists for three principal reasons. The first is the persecution of birds of prey: it is alleged that they are being killed to protect grouse from predation. The second is ecological: the maintenance of grouse moors harms the environment. The third is the objection on philosophical grounds.

I suspect that my remarks, along with those of colleagues, may incur wrath on Twitter, because many proponents of banning driven grouse shooting tend to use Twitter as a method of expressing their views. However, I reassure them and others that my views are not preconceived ideas; they are the result of extensive discussions with people on both sides of the argument. I have met constituents who asked to see me on the matter, regardless of whether they are for or against driven grouse shooting, and our discussions have generally been cordial and reasonable.

I pay tribute to all those who have taken the time to come to see me on this issue. I thank them for their time and interest. As with any issue, I am always impressed when people feel impassioned enough to come to talk to me about it because it is close to their heart. In a world in which it is easy to just click and send an email, for someone to physically take the time and trouble to make their case in person always resonates more with me than an intemperate email.

In addition to meetings in my constituency office, I have been out on the High Peak grouse moors over the last two weeks to see how they are managed. There is a deluge of conflicting evidence on this issue, both authentic and anecdotal. As ever, as parliamentarians we have to digest it all and formulate our own views on that basis. I make the following observations on the three issues I have highlighted.

On the persecution of birds of prey, claims have been made about gamekeepers killing birds willy-nilly to protect the grouse from predation. I am not saying that all those claims are without foundation, but we cannot assume that all gamekeepers are going round killing birds of prey. That would be ridiculous. Having met gamekeepers, landowners and tenants over the last few weeks, I am convinced that that is not the case.

I have seen and heard of raptors living and being encouraged on grouse moors in my constituency and others. The hon. Member for Penistone and Stocksbridge

(Angela Smith) says there are no hen harriers in her constituency at all, but on Friday I saw a video of five hen harriers that had hatched there. I was assured that they were in her constituency by the chap who discovered them. That is what I have been told and I will happily discuss it with her after the debate.

Angela Smith: I feel the need to respond to that point because I have been named. That just is not true. There are no hen harriers in my constituency. They have not nested in my constituency for years. There have been just three nests across the whole of England this year, and none of them is in the Peak district. The hon. Gentleman ought to talk to the national park in which he and I are neighbours to establish the truth. The Peak District national park is on the point of walking away from voluntary partnerships because we are not getting the success on hen harrier nesting that we deserve.

Andrew Bingham: I refer the hon. Lady to an article that appeared in *The Derbyshire Magazine* written by Jim Dixon, who is the former chief executive of the Peak District national park. The article is about hen harriers, and the last sentence says:

“These harriers raise their precious family on a grouse moor in the Peak District.”

That was what the then chief executive of the Peak District national park wrote in 2014.

Angela Smith: In the Peak district, not in my constituency.

Andrew Bingham: The hon. Lady just said that there were none in the Peak district. I shall confirm it with the chap who found them, but he assured me. He actually said that he would be happy to speak to the hon. Lady if she wanted to. I have seen and heard of raptors living and encouraged throughout my constituency. The management of grouse moors requires the control of predators such as foxes, weasels and crows, which actually aids and promotes the survival of birds of prey.

I have seen the ecological benefits that the management of the moors can bring. There are claims that the burning of heather can result in the burning of the peat and so on. On Friday, I saw evidence that that is not the case. When it is done properly, the cool burning of heather does not burn the peat. If we left the heather unburned, it would grow longer and become more of a fire hazard, which, were it to catch light, certainly would burn the peat. The burning of heather, little and often, does not have an ecological impact.

As we have heard, there is also a philosophical opposition, which can be applied to many country sports, from grouse shooting through even to fishing. I have never been grouse shooting. My only experience of shooting is a couple of attempts at clay pigeon shooting that were not successful, so I have no vested interest other than the impact on my constituency. Shooting as a whole makes a contribution to country life and the rural economy.

Nigel Adams: Those who seek to ban driven grouse shooting, such as Mr Avery, who my hon. Friend the Member for Broxbourne (Mr Walker) referred to earlier, argue that walked-up shooting could be a practical alternative. Does my hon. Friend agree that that argument simply flies in the face of basic economics, given the

obvious reduction in the bag and the amount of money that a day's walked-up shooting would take compared with a driven day?

Andrew Bingham: I completely agree. I think the figures cited earlier were that that alternative would account for only 10% of the economic benefit of driven grouse shooting.

Simon Hart: On enforcement, does my hon. Friend agree that trying to write a law that defines shooting a grouse that is flying towards one as a criminal offence, but leaves it perfectly legal to shoot it when it is flying away, could pose some difficulties?

Andrew Bingham: Yes, that would be completely unenforceable and probably slightly ridiculous.

Grouse shooting makes such a huge contribution to country life. Not only does it provide employment and people's livelihoods, but it helps with social cohesion in rural areas. I fully respect those who hold the view that we should not hunt, shoot or fish any animal, but there is always the alternative. Look at the benefits to rural areas such as mine. Shooting providers spend millions every year on the conservation and management of some of the most beautiful areas of the country, which are often the hardest to maintain.

I have studied this matter in some depth. I have listened to all sides of the argument and I have been out to the moors to see things for myself. I have met many people; at this point I shall mention Mike Price from the Peak district raptor monitoring group, to whom other Members have referred. He came to London to see me and articulated his concerns. The report referred to by the hon. Member for Penistone and Stocksbridge actually says that the group does not currently support a ban on driven grouse shooting, although Mr Price expressed a desire to see stronger penalties enforced for those who transgress the law. I thank him for the time he took and for his reasoned approach.

As a result of all the discussions I have had, I conclude thus. Grouse shooting provides economic, ecological and environmental benefits not just to the areas where it operates but beyond. The shooting community continues to make its case and should continue to demonstrate zero tolerance of those who break the law. Similarly, opponents are free to make their points and voice their opposition, but it should be based on rigorous evidence that would stand up in a court of law. It cannot be anecdotal, but should be strong enough to lead to prosecution, if required. It is not only possible for birds of prey and successful grouse moors to co-exist; in many ways, they are necessary for each other to survive.

6.46 pm

Chris Davies (Brecon and Radnorshire) (Con): It is a great pleasure to serve under your chairmanship, Mr Nuttall. I thank the Petitions Committee for selecting this topic for debate. After nearly two and a half hours, most of what is to be said has already been said.

My constituency is in mid-Wales and is very rural. Several grouse moor owners and workers live and operate in Brecon and Radnorshire. Having grown up in rural Wales, I am keen on rural pursuits, although I have never engaged in a driven grouse shooting day. I have the

[Chris Davies]

pleasure of sitting on the Environment, Food and Rural Affairs Committee. Only the other week I had the privilege of attending the evidence session on grouse shooting. Several right hon. and hon. Members have already referred to Mr Mark Avery, who was on the first panel to give evidence, along with the RSPB. I understand that he is a former employee of the RSPB. It was interesting to hear his evidence, which seemed to be based on ideology and prejudice. He wanted driven grouse shooting to be banned, whereas his former employer wanted no such thing. I want it to go on record that the RSPB does not want to see grouse shooting banned.

There are many different views on grouse shooting—as we have heard today, although I was expecting to hear more from the Opposition—and the perceived ideas that go with it. As I say, I am a lucky man to sit on the EFRA Committee: for many hours and days over many months we conducted an inquiry into flooding, which took us to the south and north of the country. We interviewed people who had been affected by flooding—people whose houses had been flooded right through and businesses that had been flooded and so had to cease trading—and many environmentalists. There are four members of the Select Committee present, and they were involved in that inquiry. I cannot remember one person who shouted from the top of a grouse moor that it is the grouse moors that are causing floods throughout the country. We need to put the evidence into perspective. The flooding this year was caused by many other issues, not by grouse moors.

Antoinette Sandbach: The problem is the grips on the land, which are basically big ditches that were dug out of the moors. They are responsible for water draining off the moors. When they are blocked up, sphagnum mosses help to absorb the water and lessen the risk of flooding. As seen in Mynydd Mynyllod, much of the necessary work on grouse moors is being carried out in co-operation with private landlords.

Chris Davies: I agree with my hon. Friend. When wearing another hat, I am the chair of the all-party group on forestry, and I would love to see a lot more planting of commercial forests in this country. However, that should never be at the expense of grouse moors, because they add a completely different package. At the end of the day, one thing that we seem to have tilted away from in this country in many different spheres is balance. We need to have a balance right across this country, and grouse moors play their part in that. We all want to see flora and fauna in Britain thrive, while also protecting and preserving our rural way of life, which has existed alongside them for centuries. So what can we do? The way I see it, the issue comes down to one simple word: preservation—the preservation of land, the preservation of livelihood and the preservation of our legacy.

The preservation of land is essential to the survival of a number of species of animals, not just grouse. Research from a number of studies has shown the benefits of having properly managed moorland. For example, Natural England has said that an area about the size of 22,000 football pitches has been repaired and revegetated in the north of England alone.

I draw hon. Members' attention to two moors in my constituency of Brecon and Radnorshire. I sat on the Brecon Beacons national park authority before coming into this place and I had to face a debate exactly like the one we are facing now, only there was a vote at the end of it. Sadly, the national park authority decided by about 18 to six to ban grouse shooting on one of the moors in the Brecon Beacons national park. I could take you there now, Mr Nuttall, and you would see that there are no grouse; in fact, it is a grouse moor in name only. Indeed, not only have the grouse disappeared but so have many other forms of wildlife, including ground-nesting birds.

By contrast, in Radnorshire, there are the hills that surround my home, where I have lived, walked, ridden and hunted for my whole life. I went up there only in the summer with a keeper on that moor and, my goodness me, I saw more in that afternoon—bear in mind that I have lived near that moor and been involved with it all my life—through the professionalism of a keeper, who showed me more and from whom I learned more, than ever I had seen before. As has already been pointed out today, that demonstrates the true professionalism of the keepers on our wonderful grouse moors.

Angela Smith: I thank my fellow member of the Select Committee for giving way. Only 12% of blanket bog in sites of special scientific interest in England is in favourable condition. I am not in favour of a ban on driven grouse shooting, but I am absolutely clear that although there is some very good practice in the management of our grouse moors, it has to be accepted that a balanced position in this debate would suggest that there is still a lot to learn, that there has to be compromise on both sides, that the economic and environmental interests of the grouse moors must be balanced, and that we have a long way to go on this issue. Does the hon. Gentleman agree with that point?

Chris Davies: I am delighted to hear my fellow member of the EFRA Committee talking so much sense. Yes, of course I agree—I have already touched on this; in fact, I have forcefully said so—that balance should come back into the equation and back into British life, certainly in the countryside.

I also condemn the persecution of birds of prey, as have other Members, on both sides of the Chamber. There is no room in grouse shooting or any other form of shooting or countryside activity for the persecution of birds of prey. In fact, if Members come to my driven grouse moor in Radnorshire, they will see that kites in particular are now in abundance, whereas they were not before.

The second form of preservation is the preservation of livelihood. As a rural MP, I have seen the benefits of this great industry at first hand. Studies show that the industry creates over 40,000 days of work for many thousands of people in rural England and Wales. That is not to be sniffed at when one considers the number of jobs available in very rural areas. I know first-hand, from a number of constituents who have spoken to me, how difficult it can be to find work in areas without large banks, businesses or warehouses. Our rural areas are the most beautiful places to live, but they are also among the most challenging places to live in.

With farm-gate prices low—as we are seeing, they are slowly rising with a weaker pound, although we will not touch on Brexit in this debate, Mr Nuttall—many farmers have found that they need to diversify in order to make ends meet. Participating in the grouse season is one way of diversifying to keep a farm business running.

Others have given evidence that young people who have worked as beaters have had their first jobs out on the moorland or in the hotels that supply those who go on grouse days. Therefore, the industry fosters an attitude, from a very early age, that work pays. This is not just one-track economic activity; in whole villages and sometimes whole areas, many rural people rely upon grouse shooting for their livelihoods.

Those who take part in grouse days need accommodation, food, clothing and equipment. Often, this is all supplied by local traders and in many isolated areas in our country, grouse shooting has encouraged regional growth. Therefore, we should ensure that we preserve the livelihoods of those in the most rural areas by making sure they have access to economic opportunities for generations to come.

Finally, we must preserve our legacy. We are all concerned about the world that we will pass down to our children and our children's children. None of us wants a world in which we cannot spot rare and beautiful birds or wander in ancient and well managed woodland and moorland. We each want the world we pass down to be better than the one we came into. However, if we were to outlaw the income that provides us with well managed moorland, I am not sure that the world that we would pass down would be one that we would like to see passed down to future generations. Therefore, it is vital that we also preserve our legacy.

In order to achieve the goals that we set in this sector, we all need to work together, as the hon. Member for Penistone and Stocksbridge (Angela Smith) stated. There is no use calling for grouse shooting to be banned on spurious grounds, any more than there is in calling for deregulation to free the industry to do what it likes. We need a balance between the two approaches; balance is key.

Ultimately, we need action to preserve the three aspects that I have referred to in my speech: the land, the livelihood and the legacy of our rural areas. Two endangered species are affected by this issue—the birds and the rural way of life—and we should do all we can to protect and preserve them both.

Mr David Nuttall (in the Chair): We now move to the speeches from the Front Benches.

6.56 pm

Rachael Maskell (York Central) (Lab/Co-op): As always, it is a pleasure to serve under your chairmanship, Mr Nuttall.

I thank those who took the time to petition their MP about the subject of driven grouse shooting, whether they are among the 123,000 people calling for a ban on it or the 20,000 people who expressed a different view. I am sure that all of them have done their own research into the subject. Therefore, I take issue with the insults that have been made against those who choose to petition their MP through the internet.

I also thank all hon. Members for their contributions today—

Sir Gerald Howarth: I think the hon. Lady's remarks referred to me. The only point I was making was that, as my hon. Friend the Member for High Peak (Andrew Bingham) said, if people come to an MP's surgery and talk to their MP, or if they write in their own terms, one is much more prepared to listen to them than to people who have simply ticked a box and then an email is automatically dispatched, maybe in the middle of the night.

Rachael Maskell: I say to the hon. Gentleman, do not make assumptions about the research that constituents make in order to make their point to their MP. All have an opportunity to petition; it is a formal mechanism that this Parliament recognises as a means of forwarding debate. Therefore, it is the duty of this House to respect that process.

Clearly, this debate is needed. There are areas on which everyone can—

Andrew Bingham: Will the hon. Lady give way?

Rachael Maskell: I am going to move on. There are areas on which everyone can agree, such as the need to ensure that raptor protection, hydrological management and the wider management of moorland are sustainable. However, there are clearly areas of disagreement, too.

Labour believes, above all, that more research is needed and that is certainly our biggest call on the Government today. However, we also believe that there are some key principles that need to be considered urgently and some areas where the Government must take action now.

Antoinette Sandbach: Will the hon. Lady give way on that point?

Rachael Maskell: If I may, I am just going to make my opening remarks.

Taking no action over driven grouse shooting is not an option and tighter conservation measures are imperative. Every action taken has consequences on others, and we have heard references to the importance of balance in today's debate. Our fragile biodiversity and the wider ecosystem demand that we study the evidence.

We have heard again today that historic upland management has undoubtedly been damaging, whether it is about drainage and gripping, or about the industrialisation that we have seen on the moorlands over many centuries, which has been deeply damaging to our environment. However, there are also questions to be asked about land management today.

We have heard from my hon. Friend the Member for Penistone and Stocksbridge (Angela Smith) about the degradation of her local environment and her local moorland, and about the real need to see conservation creating a more sustainable environment there, so as to protect its unique biodiversity. We talk about moorland as if all moors were the same but they are, of course, all different, with their own characteristics. Yes, we must be obsessed with the conservation of this land.

[*Rachael Maskell*]

The big issues that need to be addressed are soil, drainage and hydrology; conservation and biodiversity; wildlife crime; and our wider concern about sustainability. On soil, drainage and hydration, the Boxing day floods brought into sharp focus for me, as for many MPs, the need to concentrate again on the causes of so much flooding. It is Labour Members who have consistently called for further action on catchment management. I thank my hon. Friends the Members for Bristol East (Kerry McCarthy) and for Halifax (Holly Lynch) for raising their concerns about the impact of land management on flooding.

Mr Charles Walker: As I said in my speech, we saw flooding in December 2015 because it had been the wettest two months for 105 years. In some parts of the country, 30 inches of rain fell in a single month. That is why we had flooding; there is no other reason.

Rachael Maskell: I listened carefully to the hon. Gentleman's speech. Yes, there were unprecedented levels of rainfall and, yes, we are seeing climate change that is bringing increased rainfall. The Environment Agency's mapping shows that we should expect to see more heavy downpours. However, importantly, the causation of some of the flooding—not all of it—is how the uplands are managed. I took time over the summer to visit the sources of some of the rivers that feed into my city, which also flooded. I observed the deep peat bogs and both the post-industrial land and the driven grouse moorland, recognising the differences in the land use, and also pulled on the evidence that we have much debated today.

Kerry McCarthy: I also visited my hon. Friend's constituency during the Boxing day floods. During that period we had, I think, two Opposition day debates, at least two statements and an urgent question, and all the Government Front Benchers acknowledged that upland management was an issue and that we had to look at the role played by tree planting and other forms of upland management when considering flood protection. I am surprised, therefore, that the hon. Member for Broxbourne (Mr Walker) does not acknowledge that.

Rachael Maskell: That is very much what the former Minister said in every single contribution we heard about the need to use upland management to deal with flooding. We continue, therefore, to press the issue, and are very disappointed that in the national resilience plan, the decision about how to address the catchment areas was deferred.

A number of interventions are clearly needed. We have heard about "slow the flow" schemes and hydro-retention schemes, but we also need to consider upland management. We are not looking just at the flow of the water, but at the soil and vegetation, and at how we hold the water in the uplands. The research by the University of Leeds on the effects of moorland burning on the ecohydrology of river basins—the EMBER research, as it has come to be known—is one of the most comprehensive studies out there. It shows that where there is heavy rainfall, there is more water flowing more rapidly downhill, contributing to flooding. The research also states that the burning of heather has an impact on hydrology,

peat chemistry and physical properties, water chemistry and river ecology. As we know, the University of York is also carrying out a study, which is even more comprehensive and sustained, and we must see the completion of that evidence base as well.

Simon Hart: The Environment, Food and Rural Affairs Committee report into flooding will be published the day after tomorrow. I obviously cannot comment on its conclusions because they are embargoed. Would the hon. Lady at least agree to read that cross-party report in full and consider any future comments on grouse shooting in the context of what she discovers in it?

Rachael Maskell: I will, of course, read the report as soon as it is published because, I, like so many MPs, have been waiting for a long time to see the outcome of that investigation. I thank the hon. Gentleman for drawing our attention to the report.

We also know that because of heather burning, water is more acidic and contains a higher concentration of minerals such as manganese, silica, iron, aluminium and dissolved carbon, and that it is left to the water companies to purify it, at the cost, of course, of the consumer. The cost of flooding is huge to the public purse—we have heard about the £2.5 billion that the Government have paid out or will pay out over a 12-month period—and also to the insurance industry and individuals themselves. Driven grouse shooting cannot be held responsible for all of that, but it can be a contributory factor, which is why we say that more research is needed.

Craig Whittaker: I absolutely agree with much of what the hon. Lady has said about the need for a wider catchment plan. I am a bit surprised though to hear that she is disappointed with the Government's response, when last Friday we saw a wider catchment plan for the Calder valley produced, delivered and on the table. That plan includes upland management, and the hon. Lady's constituency, which also suffered from the floods in December, is covered by a wider catchment plan that is being put together as we speak.

Rachael Maskell: Indeed. I have been one of the proponents of the need to get on with the wider catchment management of water and flooding, but the national resilience plan talks about a delay beyond this Parliament, which is why it is really important that we press on with the necessary changes. Winter is encroaching upon us and our constituents are clearly concerned.

Geoffrey Clifton-Brown: Will the hon. Lady give way?

Rachael Maskell: I want to move on to the next issue. I have limited time and I have generously allowed interventions so far.

The use of lead shot has been much debated in this place, including last December, in a debate led by my hon. Friend the Member for Merthyr Tydfil and Rhymney (Gerald Jones). Lead remains a major pollutant, with 6,000 tonnes being discharged into the environment each year, 2,000 tonnes of which is from game shooting. Research is conclusive as to the environmental detriment caused by lead shot usage, and further concern has been expressed by the Food Standards Agency about the way

in which the lead enters the food chain. Lead shot has been banned in Denmark for 20 years. We need to see progress on that.

I want to put it on the record that Labour recognises the conservation work that is being done on the upper moorland, and the professionalism of gamekeepers in executing that work. Conservation concerns have been expressed by Members from both sides of the House today.

We also need to look at cost. The cost is not just to the landowner, as many Members have indicated; there is a cost that is met from European Union funding, including money from the common agricultural policy, which, as the Secretary of State will want us to acknowledge, is public money in the first place, from people across our communities. The money also comes from non-departmental public bodies, such as Natural England and the national parks, and from the voluntary sector. Money from the public is, therefore, very much invested in the uplands. In other words, if the public are funding upper moors activities, they must have a say in how the money is spent. If the impact they see is detrimental, we can expect them to sign petitions calling for change. They have done that, and Parliament must listen.

Therefore, change we must, to ensure that soil, vegetation and hydrology are greatly improved. That must be a prime interest in land management, and if it means a move away from current business models, that is what must happen. I take issue with many of the contributions today about the all-or-nothing approach: either there is driven grouse moor shooting or we leave the land barren to develop itself. It does not have to be an either/or model. Thousands of volunteers work in conservation across the country, including in the upper moorland, and there are other opportunities for managing the land. We must recognise the volunteers who spend hours of their own time preserving our countryside. It cannot be an all-or-nothing approach, and the choice that has been put forward in the debate does not reflect the reality. I will give way on that point and will then conclude my remarks.

Geoffrey Clifton-Brown: I am grateful to the hon. Lady for giving way right at the end. On the all-or-nothing point, does she accept that while there are problems—some more real than others—a ban on driven grouse shooting is not the way forwards in terms of biodiversity?

Rachael Maskell: The hon. Gentleman may have heard me calling for more research to take the whole debate forward. That is important.

Because of time, I will move on. We need to be cognisant of tomorrow's debate on sustainability, and the points that Members have made on climate change are important. We have to understand the urgency of the issue. Conservation must be the prime driver and main consideration of our management of the uplands, as opposed to the pursuits carried out on the land. It is a matter of urgency, and we cannot just focus on the economic issues. The economic issues and the environmental issues are of equal importance. The crisis happening across the globe should focus everyone's attention as a prime issue.

My question to the Minister is: how systemically is she prepared to look at the issues? Can we allow the burning of heather, which reduces the carbon storage

properties of soil, impacts on hydrology, removes some mosses and leaves degraded soil and habitats behind? Is that acceptable? We would say no. Heather burning has also been cited by the Committee on Climate Change due to the depletion of carbon-rich peat soil, so how can we sustain that activity?

We know that some landowners will burn peat under agreement with Natural England—that is how the codes are managed—but we heard in the evidence session that some of those burnings go outside the allowed perimeters. We know that there are wider issues, too. We need to know how effective the codes are at managing the land. If there is further, conclusive evidence that peat burning causes environmental harm, will the Government call for a ban? In this post-referendum era, what further obligations will they place on upland managers to revegetate, to protect species and to hold more water in the uplands? This cannot just be a debate about choices and freedoms, as some Members have argued today. It must be seen as a matter of urgency to rescue our consumerist society from draining more natural resources.

Turning to raptors, it is of great concern that just three pairs of hen harriers were found on the moors in the past year. I am told that there should be 300 pairs—100 times the amount. Some 149 moors have no hen harriers at all. The numbers have fallen from last year, when there were 13 pairs. We are losing the species. It is a crisis. Numbers of peregrine falcons, white-tailed eagles and the awesome golden eagle—I once saw a pair soaring as I was hillwalking in Scotland—are declining, too. We need to ensure that we get on top of the issue of predation by humans.

I want to turn to the peer-reviewed research by Dr Ruth Tingay of the University of Nottingham. She has produced 30 peer-reviewed papers and 24 research papers. She highlighted how there have been 252 incidences of raptor persecution over the past 10 years. She highlights whether they were shot, disappeared, poisoned, caught by illegal pole traps and so on. The law is not effective, and we need to move it forward.

I am sure no one in the Chamber would condone wildlife crime, but positive action is needed for the hen harrier. The hen harrier action plan is not working in delivering an increased population, and that must be of great concern to everyone. What additional activity is the Minister prepared to undertake to ensure that we see the hen harrier population increase and tougher penalties on those who abuse the law? Financial penalties are clearly not enough. It is important to apply restrictive penalties, such as removing the right to manage a grouse moor. We also need to look closely at the Scottish licensing system and the shifting of responsibility around vicarious liability. We have seen two strong prosecutions in Scotland under the scheme. We need to look at whether that would lead to better managed moors as we move forward.

In the main Chamber, we have debated the use of snares and the impact that that has, but we need to look at the wider impact on wildlife. We have not heard about the mountain hare and the impact that culling is having on that species.

Mr Charles Walker: On a point of order, Mr Nuttall. The Labour Front-Bench spokesperson has been very generous in giving way, but she has now been speaking for 19 minutes, leaving less than 15 minutes for the Minister.

Mr David Nuttall (in the Chair): I am grateful to the hon. Gentleman for that point of order. I am sure that the shadow Minister is coming towards the very end of her remarks, because she has been posing a lot of questions and she will be keen to hear the answers.

Rachael Maskell: Thank you, Mr Nuttall. I am just coming to my concluding remarks. There are many issues that we would want to discuss if there were more time, but time is limited today. A responsible Government must recognise that land management cannot just be a balance of choices. We have to address the ecological crisis facing our nation. I will watch the Minister closely and listen to her response.

7.16 pm

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Dr Thérèse Coffey): It is a pleasure to serve under your chairmanship, Mr Nuttall, in this debate, which was chosen by the Petitions Committee and ably opened by my hon. Friend the Member for St Austell and Newquay (Steve Double). It was triggered by a petition to ban driven grouse shooting, and the Committee also selected the petition to protect grouse moors and grouse shooting for debate. I thank all 20 right hon. and hon. Members who have spoken today, especially those who made full speeches and stayed the course. We have heard speeches with passion, insight and clarity. I particularly commend my hon. Friend the Member for High Peak (Andrew Bingham), who described the extensive research he undertook for this debate. Members made a number of points during the debate, and I will respond to them during my speech.

The level of interest has been considerable, and we have had contributions from all parts of the United Kingdom. Not everyone who intervened has stayed. I thought we had got away from that habit in the previous Parliament. It used to be the Liberal Democrats who popped in, intervened, left and proclaimed proudly that they had spoken in the debate. They are an endangered species, and not one I am trying to save, but it seems that the Green party is adopting similar habits.

As set out in our manifesto, the Government support shooting for all the benefits it brings to individuals, the environment and the rural economy. We are also clear that wildlife should be properly respected and protected. We expect anyone involved in these enterprises to uphold the law in deed and spirit. According to a report by Public and Corporate Economic Consultants, which I recognise was criticised by the hon. Member for Bristol East (Kerry McCarthy), shooting as a whole is estimated to be worth about £2 billion a year to the economy, supporting more than 70,000 full-time equivalent jobs. It is also involved in the management of about two thirds of the UK's rural landscape. The Moorland Association estimates that the grouse shooting industry supports 1,520 full-time jobs.

Much has rightly been made by hon. Members, and by my hon. Friends in particular, of the supporting economy, which must be recognised, particularly in the most remote parts of rural England—too many Members spoke about it to name now, but their contributions will all be on the record. The hon. Member for Dumfries and Galloway (Richard Arkless) did not do so, although he seems very happy to have huge taxpayer support for

the oil industry currently helping Scottish jobs in a fossil-fuel, carbon-busting economy. However, he is no longer in his place.

On moorland management, I think we can all agree on the importance of conserving the habitats on which grouse shooting takes place. It is undertaken on moors in several parts of the United Kingdom. Moorland management is vital for a biodiverse landscape, as has been extensively described. It can offer important benefits for wildlife and habitat conservation—for example, healthy heather provides good habitat for ground nesting birds and attracts butterflies and bees. The control of predators such as foxes also helps ground nesting birds, and without active management and conservation of the land, the landscape would quickly change and biodiversity would be lost. No one wants to see the landscape degrade, as my hon. Friend the Member for The Cotswolds (Geoffrey Clifton-Brown) eloquently illustrated after his visits to the moors on the borders.

Extensive mention has been made of the importance of managed grouse moors to the preservation and increase of numbers of several species of bird, such as the golden plover, the curlew and the merlin, a bird of prey. I support the consensus on the importance of healthy, active peat, which provides good habitat for grouse and other wildlife, as well as numerous benefits to the environment and ecosystem services. Dry, degraded peat helps no one. We are absolutely committed to protecting and restoring these soils and have invested millions in large-scale peatland restoration projects, such as the Dark Peak nature improvement area. The Government will continue to work with moor owners and stakeholders to further improve management practices and peat condition.

The vast majority of grouse moors are in sites of special scientific interest, with Natural England's consent required for management actions on these sites which could impact their important wildlife.

Angela Smith: Will the Minister give way?

Dr Coffey: With respect to the hon. Lady, I have less time than the shadow Front Bencher took, so I will try to get through the points. If there is any chance I can take an intervention at the end, I will. On moorland management and the evidence of non-compliance on burning, if the hon. Member for York Central (Rachael Maskell) can share that with me, I will share that with Natural England.

The issue of agri-environment funding has been raised. I expect we will continue to support our environment once we have left the EU and that, in the meantime, payments will be made to support environmentally beneficial land management, including the management of specific wildlife habitats, and works to improve the quality of the environment for wildlife, water quality and carbon capture.

As was mentioned by my hon. Friend the Member for North Herefordshire (Bill Wiggin), the uplands have complex land ownership and tenure arrangements, with many areas designated as common land. Many agreements result in funding going to grazing tenancies, which are critical to undertaking the beneficial management of the moors. I disagree with the hon. Member for Bristol East, who suggested that grouse shooting has been

subsidised. I want to make it clear that agri-environment payments are not subsidies and they are not paid to support shooting activities.

Margaret Ferrier (Rutherglen and Hamilton West) (SNP): Will the Minister give way?

Dr Coffey: I am afraid I will not give way to the hon. Lady, who was not here at the start of the debate.

Grouse moors contain a range of habitats that require different management methods. Rotational burning is considered to help to maintain healthy heather on the moors at different heights. Short heather provides food for sheep and red grouse and shelter for some ground-nesting birds. Tall heather provides shelter and nesting for other birds. The tapestry, if not the kaleidoscope, of heather plants at different stages of regeneration is achieved by rotational burning, and was cited as key to the success of the Glenwherry project that was referred to by the hon. Member for South Antrim (Danny Kinahan). My hon. Friend the Member for Eddisbury (Antoinette Sandbach) referred to the successful preservation of black grouse in north Wales.

Burning takes place over winter and early spring when there are no birds nesting and the soil is wet. I understand that the peat itself is not deliberately burned and that there is a strong presumption against rotational burning on sensitive areas such as blanket bog, as noted in the heather and grass burning code, which recommends the cool burns that several hon. Members referred to earlier. Natural England's consent is required to burn on a site of special scientific interest. I note the comments of my hon. Friend the Member for Calder Valley (Craig Whittaker) on alternatives and a reduction in burning. Heather could be cut as an alternative to burning, but that can be achieved only on suitable topography, and it may leave highly combustible material behind if not removed. He will know that several fires have been accidentally triggered. They have taken much resource to tackle and left damaged habitats that have taken years to recover.

A DEFRA-funded project is currently looking into the costs and effects of cutting as an alternative. I know the benefits of peat restoration for absorbing water, but, to be clear—I will cover this again—we know that upland peat is vital for filtering our drinking water, of which 70% comes from the uplands. We are committed to restoring and protecting that upland peat.

The 2013 Natural England study on the effects of managed burning found no direct evidence specifically relating to the effect of burning on watercourse flow or the risk of downstream flood events. It is the study to which my hon. Friend the Member for Newbury (Richard Benyon) referred. My hon. Friend the Member for Broxbourne (Mr Walker) talked about cod science; I thought he was in a fishing debate. However, he rightly referred to the sustained rainfall that was the decisive factor in the unprecedented flooding in modern times, and he challenged the selective use of statistics from reports. He gave us some interesting analogies to do with bull elephants. I heard an analogy the other day about the River Wear in the north-east, which suffered flooding last year: something the size of the Royal Albert Hall would have been filled full of water in less than a minute, such was the torrent suffered in the north-east.

Drainage damages blanket bog, and Natural England does not consent to constructing drainage ditches on blanket bog in SSSIs. Grouse moor owners and other stakeholders are currently carrying out programmes of ditch blocking across the country, helping to restore peat condition. My hon. Friend the Member for Calder Valley referred to the levels of reservoirs, which takes me to another debate. Perhaps he might apply for another debate another time. The hon. Member for Penistone and Stocksbridge (Angela Smith) referred to continuing funding for the York University study. No decision has yet been made, but I note her concerns on that matter.

On the “bogathon” milestones, I must admit I did not know about them; I will look into them. My officials assure me that stakeholders are carrying out valuable work to look at ways of restoring peat, including through the “bogathon” events. We are committed to working with moor owners and stakeholders through the blanket bog restoration strategy.

Angela Smith: Will the Minister give way?

Dr Coffey: I cannot, but I promise to come to the hon. Lady at the end if I have time.

Upland peat is important for carbon sequestration. That is why the Government are committed to working with moor owners and stakeholders to further improve management practices and peat condition. As has already been mentioned, burning is done for heather management, although cool burns are recommended, as I have already said. I absolutely recognise the impact of climate change, but we should also recognise the importance of biodiversity, without which the world would cease to exist.

Although we have heard much about improvements in the numbers of birds, described in detail by several of my hon. Friends, including my hon. Friend the Member for South Dorset (Richard Drax), I have heard the concerns of some hon. Members that birds of prey, particularly hen harriers, are deliberately being killed. The Government take the illegal persecution of raptors very seriously. On the missing hen harriers in the last fortnight, the matter has been referred to the police. The local wildlife team has been involved and the national wildlife crime unit is aware. I can assure hon. Members that wildlife crime is a Government priority. We recently confirmed £300,000 of funding per annum for the NWCUC for the next four years. Raptor persecution is one of six wildlife crime priorities for the UK. The unit has a dedicated group chaired by a senior police officer, with representatives from Government and NGOs working to deliver progress against this wildlife crime priority. It is building an intelligence picture and is due to advise on further action.

We recognise that the legal control of predators is a legitimate wildlife management practice in some circumstances. That is why Natural England will license the killing of certain birds of prey, although it would not consider licensing any activity that would adversely affect the conservation status of a species. My hon. Friend the Member for Eddisbury referred to the Moorland Association study in Berwyn. The issue of hen harriers in Wales is interesting. When grouse shooting stopped, it might have been expected that the populations would burgeon and start to spread, but that has not happened. The populations have stabilised and they have not spread from the area that they occupied.

[*Dr Thérèse Coffey*]

On the decline in the hen harrier population in England, the Government are committed to securing the future of this bird. That is why we took the lead in developing a hen harrier action plan, which was launched earlier this year. The plan sets out six complementary actions designed to increase hen harrier numbers in England, alongside the continuation of driven grouse shooting and the environmental, social and economic benefits that it brings. The plan is still at an early stage. Many factors can affect the successful nesting of hen harriers—food supply, weather conditions, predation and persecution—but we absolutely believe that the plan remains the best way to safeguard the hen harrier in England.

The Government have no plans to introduce licensing. As has been said, considerable regulation is already in place. Several Members referred to vicarious liability. I am aware that this principle was introduced in Scotland, but there is little evidence to suggest it has had an impact on the conservation of birds of prey. However, we will continue to monitor the situation and will consider whether the approach is necessary and proportionate to assist in tackling wildlife crime here.

Since the introduction of the offence, there have been two prosecutions, but the RSPB's report suggests that there continues to be persecution incidents. In 2013 and 2014 a total of 18 poisoning incidents were recorded in Scotland. One particular incident involved the poisoning of 12 red kites and four buzzards, which I am sure we all deplore.

The professionalism of keepers has been extensively referred to; I wish to add my contribution to that. I thank hon. Members for debating the petitions today. I am sorry I have not been able to take any interventions in the short time I have had. However, it has been useful to hear the views of Members from across the United Kingdom regarding moorland management for driven grouse shooting. This is not a binary debate. The Government want to see a vibrant working countryside that is enhanced by a biodiverse environment. The uplands are a treasured asset prized by people for their tranquillity,

quiet enjoyment, inspirational nature and recreation. They are also a vital source for goods and services, particularly food and drinking water, and make a major contribution to overall livestock production in the UK.

Central to the provision of services and assets that the uplands provide is the active management of the land by farmers, landowners and land managers. Successful upland policy is dependent on upland communities, particularly farmers and land managers, whose rural businesses are fundamental to the rural economy and whose role in managing the land in the long term will ultimately determine the value of the environmental outcomes.

I will finish by stating that the Government have no intention of banning driven grouse shooting, but we have every intention of bringing to justice those who break the law. We all agree that conserving the upland moorlands is in everyone's best interests. We will help to ensure that a constructive dialogue continues so that grouse shooting is protected and these valuable moorlands thrive.

Mr David Nuttall (in the Chair): Mr Double, you have about 30 seconds to wind up the debate.

7.29 pm

Steve Double: I thank all right hon. and hon. Members who contributed to the debate. It is good to see a lively debate with strongly held views. Everyone spoke up on behalf of our rural communities, our environment and the diversity of our wildlife, so it has been a very good debate.

Question put and agreed to.

Resolved,

That this House has considered e-petitions 125003 and 164851 relating to driven grouse shooting.

7.30 pm

Sitting adjourned.

Written Statements

Monday 31 October 2016

HOME DEPARTMENT

Policing

The Secretary of State for the Home Department (Amber Rudd): The Government have been considering a submission from the Orgreave Truth and Justice Campaign on the need for an inquiry or independent review into the events that occurred at Orgreave coking plant on 18 June 1984, and subsequently.

This has been a difficult decision to make, and one which I have thought about very carefully. I have now concluded that there is not a sufficient basis for me to instigate either a statutory inquiry or an independent review. I know that this decision will come as a significant disappointment to the Orgreave Truth and Justice Campaign and its supporters and I have set out in a letter to them today the detailed reasons for my decision which include the following points.

Despite the forceful accounts and arguments provided by the campaigners and former miners who were present that day, about the effect that these events have had on them, ultimately there were no deaths or wrongful convictions.

The campaigners say that had the consequences of the events at Orgreave been addressed properly at the time, the tragic events at Hillsborough would never have happened five years later. That is not a conclusion which I believe can be reached with any certainty.

It was absolutely right that the Government established the Hillsborough independent panel. Significantly the panel's report led to the High Court quashing the original inquests verdicts and the opening of the fresh inquests. The jury's determinations and findings were unequivocal and clear: 96 victims were unlawfully killed. The criminal investigations should now be allowed to proceed unimpeded. The IPCC is working with the CPS to assess whether material related to the policing at Orgreave is relevant to the Hillsborough criminal investigations. The intention is that criminal investigations in respect of Hillsborough will provide files to the CPS by the turn of the year following which the CPS will make decisions about whether any criminal proceedings will be brought as a result.

The campaign and their supporters explained to me when I met them that they want to get to the bottom of what happened on the 18 June 1984, and that only by doing so will their trust, and that of their community, be restored in the police.

However, there have been very significant changes in the oversight of policing since 1984, at every level, including major reforms to criminal procedure, changes to public order policing and practice, stronger external scrutiny and greater local accountability.

The operational delivery and practice of public order policing has moved on a great deal from the arrangements in 1984, and tactics have now been reviewed and altered several times both by the police and the courts.

Protections which were singularly lacking at the time of Orgreave now exist with the introduction in the mid-80s of the Police and Criminal Evidence Act which has vastly improved the way police investigations and powers operate.

The creation of the Crown Prosecution Service in 1986, with the introduction of independent CPS prosecutors, fundamentally altered the prosecution of offences. It ended the existence of ad hoc prosecution arrangements across the country whereby a mixture of police prosecutors and private firms of solicitors—hired by the police and acting for and on the instruction of the police—conducted prosecutions.

With regards to the external scrutiny of complaints against the police, this was strengthened by the creation, in 1985, of the Police Complaints Authority which was replaced in 2004 by the more effective Independent Police Complaints Commission and in turn will be replaced by the Office for Police Conduct in 2017. The exemplary standards of behaviour expected of everyone who works in policing were reinforced by the introduction of a statutory code of ethics, laid before this House in 2014.

Lastly, the introduction of directly elected police and crime commissioners in 2012 has given the public a voice in shaping their local policing priorities and improved the accountability of police leadership.

Over 30 years later, policing is very different and one of my key concerns as Home Secretary is to ensure there is a policing system which works effectively and fairly now. The policing landscape has changed fundamentally since 1984—at the political, legislative and operational levels. The same is true also for the wider criminal justice system.

There would therefore be very few lessons for the policing system today to be learned from any review of the events and practices of three decades ago. This is a very important consideration when looking at the necessity for an inquiry or independent review and the public interest to be derived from holding one.

Taking these considerations into account, I do not believe that establishing any kind of inquiry is required to allay public concerns or for any other reason.

I believe that we should focus on continuing to ensure that the policing system is the best it can be for the future, including through reforms before Parliament in the Policing and Crime Bill, so that we can have the best possible policing both in South Yorkshire and across the country.

[HCWS227]

WORK AND PENSIONS

Work, Health and Disability

The Secretary of State for Work and Pensions (Damian Green): Today, we are publishing a Green Paper on work, health and disability. It represents an important step towards building a society that works for everyone, where all disabled people and those with health conditions are able to go as far as their talents will take them.

The Green Paper, published by the Department for Work and Pensions and the Department of Health, marks a new era of joint working to tackle the barriers that disabled people have faced for far too long and redefine how we think about work, health and disability.

A disability employment gap of 32 percentage points currently exists between disabled people and non-disabled people. We are bold in our ambition to halve that gap. We must also be bold in action, on the part of the welfare and health systems, employers and wider society.

We need a more personalised and integrated health and welfare system that puts individuals at its heart, but also one that protects those who need the most support. A welfare system that provides work for those who can, support for those who could and care for those who cannot.

The Green Paper focuses on how best to provide the support for those who could work. We will look at how best to improve the way that work and sickness certification works. Jobcentre work coaches will be encouraged to signpost claimants to therapy.

The Green Paper also consults on the crucial role that employers need to play, for this is not a challenge for the Government alone. Sickness absence costs business nearly £10 billion a year and having a strong, diverse labour market is vital for the economy's future growth. The Green Paper asks how businesses can help attract and support disabled people in the workforce.

As part of the consultation, over the coming months, we will be talking with disabled people and those who have health conditions. We will be talking to carers, families, professionals, and a range of organisations who are so important to getting this right.

Together, our plan to help and support more disabled people into work is a key step towards building a great meritocracy where all that matters is the talent you have and how hard you are prepared to work.

[HCWS226]

ORAL ANSWERS

Monday 31 October 2016

	<i>Col. No.</i>		<i>Col. No.</i>
HOME DEPARTMENT	625	HOME DEPARTMENT—continued	
Domestic Abuse	636	International Students	625
Europol/European Arrest Warrant	630	Online Child Sexual Exploitation.....	633
Extradition Orders: Vulnerable People.....	640	Online Radicalisation.....	633
Fraud	632	Orgreave.....	628
Heroin Addiction.....	640	Refugees: Age Identification	637
Immigration	634	Topical Questions	641
Indefinite Leave to Remain	636		

WRITTEN STATEMENTS

Monday 31 October 2016

	<i>Col. No.</i>		<i>Col. No.</i>
HOME DEPARTMENT	21WS	WORK AND PENSIONS	22WS
Policing	21WS	Work, Health and Disability	22WS

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CONTENTS

Monday 31 October 2016

Oral Answers to Questions [Col. 625] [see index inside back page]
Secretary of State for the Home Department

NHS Funding [Col. 649]
Answer to urgent question—(Mr Jeremy Hunt)

Improving Lives: Work, Health and Disability Green Paper [Col. 666]
Statement—(Damian Green)

Nissan: Sunderland [Col. 679]
Statement—(Greg Clark)

Cultural Property (Armed Conflicts) Bill [Lords] [Col. 697]
*Motion for Second Reading—(Karen Bradley)—agreed to
Read a Second time*

Justice Committee [Col. 744]
Motion—(Bill Wiggin, on behalf of the Committee of Selection)—on a Division, agreed to

Social Housing: Regulation [Col. 751]
Debate on motion for Adjournment

Westminster Hall
Driven Grouse Shooting [Col. 229WH]
General Debate

Written Statements [Col. 21WS]

Written Answers to Questions [The written answers can now be found at <http://www.parliament.uk/writtenanswers>]
