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**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES**

(HANSARD)

Tuesday 1 November 2016

House of Commons

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The House met at half-past Eleven o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

Oral Answers to Questions

JUSTICE

The Secretary of State was asked—

Prison Safety

1. **Victoria Prentis** (Banbury) (Con): What steps her Department is taking to improve safety in prisons. [906937]

12. **Maria Caulfield** (Lewes) (Con): What steps her Department is taking to improve safety in prisons. [906949]

16. **Helen Jones** (Warrington North) (Lab): What steps her Department is taking to improve safety in prisons. [906954]

The Lord Chancellor and Secretary of State for Justice (Elizabeth Truss): Last week's violence statistics show the very serious issues we have in our prisons, including a 43% rise in the number of attacks on officers. This is unacceptable, and I am determined to tackle it. I have already announced an investment of £14 million in 10 of our most challenging prisons, and I shall say more with the launch of our White Paper shortly.

Several hon. Members *rose—*

Mr Speaker: Order. Just before we take the question, I am very pleased to announce that today we are joined by Lobsang Sangay, the Sikyong or Prime Minister of the Tibetan Government in exile. It is a pleasure and a privilege, Sir, to welcome you to the House of Commons.

Victoria Prentis: What an honour that is, Mr Speaker.

We welcome the Secretary of State's commitment to prison reform, but those sitting on the Justice Select Committee are very concerned about the recent statistics that she mentioned, not just in relation to the safety of prison workers, but in respect of vulnerable prisoners. What steps is she going to take to improve assessment and screening, so that those people can be identified at the beginning of their sentence?

Elizabeth Truss: My hon. Friend is absolutely right. I am extremely concerned about the level of self-harm, which is particularly high in the women's estate. We know

that the first 24 hours are absolutely vital, and we are already taking steps to provide vulnerable prisoners with immediate mental health support. Next year, we will bring out a strategy on women offenders.

Maria Caulfield: Given the level of violence in Lewes prison over the weekend, will the Secretary of State update the House on what progress has been made to secure the prison, and what steps are being taken to increase staffing levels to prevent this from happening again?

Elizabeth Truss: The incident at HMP Lewes has been resolved and the prison remains secure with no threat to the public. The prisons Minister, my hon. Friend the Member for East Surrey (Mr Gyimah), spoke to the governor, Jim Bourke, offering support for him and all his staff. We are going to make sure that we have sufficient staff in that prison. I shall have more to say about staffing when we launch the White Paper.

Helen Jones: The number of front-line prison officers has fallen by over 30% under this Government, and the Secretary of State's own Department's statistics show a correlation between those cuts and increased levels of violence in prisons. Does the right hon. Lady now accept that what she has announced goes no way towards solving these problems and that there needs to be a thorough investigation so that we can have the safe levels of staffing required in our prisons?

Elizabeth Truss: I have acknowledged that we have a serious issue. I think we have to recognise that there have been a number of causes. The prison and probation ombudsman said that the emergence of dangerous psychoactive substances was a game changer for prison security. We are taking measures to put in place proper testing for that, which we announced in September. I acknowledge that there is an issue with staffing, which is why I have already taken steps in 10 of the most challenging prisons to increase staffing levels, and why we are due to do more in the White Paper.

Mr David Hanson (Delyn) (Lab): In addition to the staffing cuts mentioned by my hon. Friend the Member for Warrington North (Helen Jones), there is the problem of prison officer retention. The 400 by which the right hon. Lady has said she is going to increase staff numbers are being lost because of the number of people who are leaving. Experienced staff are leaving, and experienced prisoners are now running prisons.

Elizabeth Truss: The right hon. Gentleman is right that we need to make sure that, as well as recruiting prison officers, we are also retaining our fantastic prison officers. At every prison I visit, I meet fantastic people who have come into the service to turn people's lives around. I want to encourage more people to become prison officers, which is why we launched a programme to bring former armed service personnel into the service. We will announce more about recruitment shortly.

Robert Neill (Bromley and Chislehurst) (Con): As part of taking those important steps, will the Secretary of State revisit and act upon the Select Committee's recommendation that we should be able transparently to measure the performance of the National Offender

Management Service by publishing and making available the key data on indicators of disorder; staffing and turnover, and the reasons for turnover; its performance ratings, including those for individual prisons; and activity—the amount of time each prisoner is out of cell or in cell, and what they are doing?

Elizabeth Truss: The Select Committee Chairman is absolutely right that we need clear and transparent data and metrics to be able to understand what is happening in our prison system. I will outline more detail on that issue when we launch the White Paper.

Yasmin Qureshi (Bolton South East) (Lab): Suicides in prisons are at record levels, and self-harm and violence are soaring. The situation in women's prisons is worse than it was a decade ago. The Government's own statistics show that the rate of deaths in England and Wales has risen to almost one a day—a record high of 324 in the last 12 months. Does the Secretary of State recognise that cutting staff and prison budgets while the number of people behind bars grows unchecked has created a toxic mix of violence, death and human misery?

Elizabeth Truss: I agree with the hon. Lady that we need to act on those very problematic statistics, and in particular to deal with the high levels of self-harm and suicide. One of the 10 prisons to which we have given additional money for staffing is a women's prison. We are looking more widely at how we can ensure that women offenders are given the support that they need, because many come into prison with mental health issues and many have suffered abuse in the past. I want to ensure that those offenders have the support that will enable them to turn their lives around.

Yasmin Qureshi: I hear what the Secretary of State has to say about funding for the 10 prisons, but Pentonville, where only last week there was a stabbing and two people were injured, is not one of them, and the events that took place at Lewes prison at the weekend also underlined the problem of prison understaffing. John Attard, of the Prison Governors Association, has written that we need

“more than the...400 extra officers in just 10 prisons.”

Will the Secretary of State listen to what is being said by that association, and by the Prison Officers Association, about the Ministry's failings in respect of prison staffing?

Elizabeth Truss: I agree with the hon. Lady that violence and levels of suicide are serious issues, and I am determined to address them. That is my No. 1 priority. I have made an immediate start in 10 of the most challenging prisons, and I will be outlining more in the White Paper. Let me, at this point, express my sincere condolences to the family of Jamal Mahmoud, who unfortunately died in Pentonville.

We all need to recognise that these are serious issues, which have numerous causes including the rise in psychoactive substances. It will take time to turn the situation around—it takes months to train prison officers—but we have developed and will be launching a comprehensive strategy. I want our prisons to be places of safety but also places of reform, where we address reoffending and make our society as a whole safer.

Mr Speaker: I am extremely grateful to the Secretary of State. I call Fiona Mactaggart.

Deaths in Custody Suites

2. **Fiona Mactaggart** (Slough) (Lab): How many deaths have occurred in (a) custody suites operated by G4S and (b) other custody suites in the last three years. [906938]

The Parliamentary Under-Secretary of State for Justice (Mr Sam Gyimah): G4S has not operated court custody suites in England and Wales since 2011.

Fiona Mactaggart: Very vulnerable people are held in custody suites, and many have committed suicide. That translates into the presence of such people in prisons, where, as the Secretary of State has just acknowledged, there have been more deaths in custody than there have been for many years. More women are killing themselves than at any time since the Corston report. When we know what has gone wrong from the reports of coroners' courts or the Corston report, which have given us real advice on what ought to happen, why is it not happening? Has the Minister read those coroners' reports?

Mr Speaker: Order. We really do need to make progress. This is very slow.

Mr Gyimah: All deaths in custody are a tragedy. They are fully investigated by the independent prisons and probation ombudsman and are subject to coroners' inquests. As the Secretary of State pointed out, a number of women in prison have been victims of crime themselves and are incredibly vulnerable members of society. As well as modernising the women's prison estate, we are looking into diversion tactics to ensure that those women do not end up in the criminal justice system in the first place.

Mr Philip Hollobone (Kettering) (Con): Which country in the world has the fewest deaths in custody, and what lessons are we learning from that country?

Mr Gyimah: I am afraid I cannot name the country with the fewest deaths in custody, but what I can say is that we in this country work to create decent and humane prisons, and we are a signatory to the relevant United Nations protocols. As the Secretary of State has rightly pointed out, the rise in the number of deaths in custody is too high, and for that reason we shall shortly be publishing a safety and reform plan in our White Paper.

HMP Chelmsford

3. **Sir Simon Burns** (Chelmsford) (Con): What steps she is taking to tackle bullying and drug abuse at HMP Chelmsford; and if she will make a statement. [906939]

The Lord Chancellor and Secretary of State for Justice (Elizabeth Truss): I share my right hon. Friend's concerns about what has happened at HMP Chelmsford. I can confirm that it is one of the 10 prisons for which we are training up additional officers. This will provide a 30% increase in officer numbers to help tackle the scourges of bullying and drug abuse.

Sir Simon Burns: I welcome that answer. It is crucial that more is done to eliminate bullying in the prison. On drug abuse, can the Secretary of State confirm whether sniffer dogs are being used on a regular basis on not only the prison inmates but all types of people entering and leaving prison?

Elizabeth Truss: I can confirm that that is happening. We have trained 300 sniffer dogs to be able to detect new dangerous psychoactive substances, and that testing was being rolled out across the prison estate in September. *[Interruption.]*

Mr Speaker: Order. I say very gently to the hon. Member for Dumfries and Galloway (Richard Arkless) that I am sure his constituency has many magnificent merits but it is a long way from Chelmsford.

Legal Aid, Sentencing and Punishment of Offenders Act

4. **Kelvin Hopkins** (Luton North) (Lab): What steps she is taking to assess the effect of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 on access to justice. [906941]

The Minister for Courts and Justice (Sir Oliver Heald): The coalition Government promised to review parts 1 and 2 of the Act and we remain committed to undertaking that review.

Mr Speaker: We are grateful to the Minister for that reply, but I think he may want to take question 15 with question 4.

Sir Oliver Heald: I would be very happy to do that, Mr Speaker.

Mr Speaker: It is very good of the right hon. and learned Gentleman the Minister to be willing to do what he asked me for permission to do; that is extraordinarily gracious of him.

15. **Rob Marris** (Wolverhampton South West) (Lab): What assessment she has made of the effect on people on low incomes of changes made to the legal aid system by the Legal Aid, Sentencing and Punishment of Offenders Act 2012. [906953]

Kelvin Hopkins: I thank the Minister for his answer to my question, but a TUC report of this October raised concerns that the Act is a barrier to access to justice for victims of domestic violence. The regulations concerning the provision of evidence of domestic violence are restrictive and narrow and have led to a 16% drop in applications and a 17% drop in applications granted. Is it not time the Secretary of State admitted that the Act is denying access to justice for thousands and must be amended?

Sir Oliver Heald: It is of course important that legal aid is available for victims of domestic violence, particularly those seeking protective injunctions. On the evidence requirements, in April we more than doubled the time limit on evidence from two to five years, and we have introduced a provision that allows the Legal Aid Agency to grant legal aid if it is satisfied that an application

demonstrates financial abuse. This is important and it has been varied in the light of experience over the last two or three years, and we will continue to monitor it.

Rob Marris: Access to justice and legal aid are pillars of the welfare state, yet almost one third of legal aid areas in England and Wales have one or no housing advice providers, including the legal aid area covering my constituency. One provider is not enough, so what steps will the Government take to ensure there are at least two providers for each area?

Sir Oliver Heald: It is important to recognise that housing cases where a person's home is at risk fall within the scope of legal aid. The Law Society has raised concerns, as the hon. Gentleman will know. There are a lot of these cases in some parts of the country, but very few in other parts. What we have done is, through the Legal Aid Agency, taken active steps to ensure that there is adequate provision of housing advice around the country.

Rob Marris: Two!

Sir Oliver Heald: On the point about one or two providers, there are some places where one firm is providing a range of offices and functions across a number of clients, and other areas where the circumstances only really require that there should be something like a telephone hotline, which there is. The provision that is being made is what is needed.

Mr Jonathan Djanogly (Huntingdon) (Con): There seem to be conflicting reports on the Government's position on raising the cost bar for personal injury claims from £1,000 to £5,000. I would be grateful to hear what the Government's position is.

Sir Oliver Heald: I am grateful to my hon. Friend for raising that important point. The Government have been looking at this issue. I do not think we have made a formal announcement on it yet, and therefore I will write to him giving him the absolute latest position.

Ms Margaret Ritchie (South Down) (SDLP): What assessment has the Minister made of the recent report by Amnesty International, which has found that insufficient resources for legal aid are creating a two-tier judicial system?

Sir Oliver Heald: It is important that legal aid is available in the most serious cases, such as those in which life or liberty is involved, a person's home is at risk, domestic violence is involved, or children are being taken away from their families. That is the legal aid provision that we have here. The hon. Lady claims that that is a two-tier system, but we claim that it is one that is targeted on need.

Karl Turner (Kingston upon Hull East) (Lab): I should declare an indirect interest, in that my wife is a legal aid solicitor and part-time judge. The previous Lord Chancellor promised a review of LASPO. The legislation has not worked. It is a complete and utter shambles, and it urgently needs a review. When will it be properly reviewed?

Sir Oliver Heald: As the hon. Gentleman knows, a promise was made that the Act would be reviewed within three years and five years of implementation—*[Interruption.]* Yes, within the period starting at three years and going up to five years. That period has just started, and an announcement will be made in due course.

Christina Rees (Neath) (Lab/Co-op): Exceptional case funding was introduced as part of LASPO with the aim of ensuring that out-of-scope cases with exceptional circumstances would have access to legal aid. Between 2013 and 2016, 4,032 applications were made but, due to the stringency of the criteria, a staggering 3,081 of those applications were not granted. Will the Minister commit to broadening the criteria for exceptional case funding to allow more people to become eligible for this safety net and to increase access to justice for those who need it most?

Sir Oliver Heald: The hon. Lady raises an important point. The number of cases being applied for and granted is rising, but there is also the question of ensuring that people who might need this funding are aware of it. That is an important part of the picture. Exceptional needs funding is a vital part of the picture and we will certainly keep it under review. If she wants to raise a detailed point with me about how it is operating, I would be more than happy either to discuss it with her or to enter into correspondence about it.

Human Rights Act

5. **Steven Paterson** (Stirling) (SNP): What recent progress has been made on the Government's plans to replace the Human Rights Act 1998. [906942]

The Minister for Courts and Justice (Sir Oliver Heald): We will set out our proposals for a Bill of Rights in due course. We will consult fully on our proposals.

Mr Speaker: This question is to be taken with No. 7. There is something missing from the right hon. and learned Gentleman's briefing today.

Sir Oliver Heald: I am so sorry, Mr Speaker. Perhaps with your leave I could also answer question 7 in the same way.

7. **Martyn Day** (Linlithgow and East Falkirk) (SNP): What recent progress has been made on the Government's plans to replace the Human Rights Act 1998. [906944]

Steven Paterson: We are no closer to a timeframe, a plan or a common theme in regard to how the Human Rights Act is to be replaced. Earlier this year, Nils Muižnieks, the Council of Europe commissioner for human rights, said that the

"repeatedly delayed launch of the consultation process"

was

"creating an atmosphere of anxiety and concern in civil society and within the devolved administrations".

Will the Minister tell us exactly when the consultation on this matter will be brought forward?

Sir Oliver Heald: The Government were elected with a mandate to reform and modernise the UK human rights framework, and there are good reasons for that. We have a proud tradition in respect of human rights. The Government are also considering the overall constitutional landscape and how this will fit it following Brexit, but this is something that we are committed to.

Martyn Day: The Council of Europe commissioner for human rights has also said of the consultation on the Human Rights Act:

"My impression is that the debate over the HRA in Westminster is not a true reflection of concerns outside England".

Does the Minister appreciate that there is no support in Scotland for the plans, and that the impact of any attempt to repeal the Act would be to provoke a constitutional crisis?

Sir Oliver Heald: The issue of human rights is important in all parts of the United Kingdom, and we accept that. We will fully engage with the devolved Administrations on this question. Many people feel that there is a need for a British jurisprudence to emerge on the European convention on human rights and a need to assert certain ancient rights that we have in Britain, such as that relating to jury trial.

Mr Julian Brazier (Canterbury) (Con): I welcome that statement from my right hon. and learned Friend, but I urge him to look particularly hard at the military aspects. The efforts of those who currently risk their lives for us on operations are being overshadowed by what is going on with IHAT—the Iraq Historic Allegations Team—and the pursuit of human rights cases under British law by people who were our enemies.

Sir Oliver Heald: My hon. Friend makes an important point. He will be aware of the announcement about derogation. Previously, there have been occasions when industrial-scale allegations could be made, many of which were later proved to be false, but that will change once the derogation process is in place.

David T. C. Davies (Monmouth) (Con): It has been reported that 28 terrorists have used the Human Rights Act to avoid deportation—no doubt using legal aid as well. Is it not time to scrap the Act and to start thinking less about the human rights of terrorists and foreign-born criminals and more about the human rights of law-abiding members of the British public?

Sir Oliver Heald: The House will be aware that there are concerns among the British public about the barriers to the deportation of criminals that should not have been there. There is also a need for British conditions and British jurisprudence in this area, something which the Conservative party has been calling for over many years and which the Government are alive to.

Justice System: Women

6. **Mr David Burrowes** (Enfield, Southgate) (Con): What steps her Department is taking to address the specific needs of women in the justice system. [906943]

The Parliamentary Under-Secretary of State for Justice (Dr Phillip Lee): Crime is falling and fewer women are entering the justice system, and the female prison population is now consistently under 4,000. Women who commit

crimes are often some of the most vulnerable in our society, which is why we are developing a strategy for women to be set out in the new year. We want to see fewer women in custody and to promote a greater focus on early intervention, diversion and multi-agency approaches to ensure that the justice system can take proper account of the specific needs of women.

Mr Burrowes: There are many victims of domestic violence within the justice system with multiple complex needs—mostly women. What are the Government doing to address the concerns of Women’s Aid about the perverse impact of gender-neutral commissioning cutting women-only specialist services?

Dr Lee: I am committed to ensuring that victims of crime get the support they need. Specialist services for victims of domestic abuse are commissioned both locally by police and crime commissioners and nationally. It is important that a range of provisions are in place to meet the diverse needs of domestic abuse victims. The Government’s new strategy on ending violence against women and girls sets out an ambition that by the end of this Parliament all victims of abuse will get the support they need. We have pledged increased funding of £80 million for that between now and 2020.

Chris Evans (Islwyn) (Lab/Co-op): Some 82% of women who are sentenced to prison are convicted of non-violent crimes. Is it not about time that the Government had a cross-Department agenda that focuses on early intervention, so that we avoid locking women up?

Dr Lee: I am aware of the complex problems often exhibited by women offenders—mental health and substance misuse problems—and I am actively engaged with other Departments to bring forward such a strategy in the new year.

Philip Davies (Shipley) (Con): Both boys and girls have to wear uniforms at school. Both men and women have to wear uniforms in the workplace. However, convicted men have to wear uniforms in prison while convicted women do not. Does the Minister agree with that? If so, what does the word “equality” mean to him?

Dr Lee: My hon. Friend has a rich track record in this area. Women are twice as likely to report experiences of abuse as a child. They are more likely than men to be primary or sole carers of their children. They are more likely to display mental health problems and, indeed, class A drug use. It is important that we have a gender-specific approach for women and if that involves different uniforms, so be it.

Luciana Berger (Liverpool, Wavertree) (Lab/Co-op): At the last Justice questions in September, the Under-Secretary of State for Justice, the hon. Member for Bracknell (Dr Lee), said that he was not going to “make any commitments” about what he or the Department were going to do to provide adequate support to the thousands of people in our prisons with mental health conditions, including so many women. The latest figures show another increase in suicide in our prisons. Since the new Secretary of State took office, one person takes their own life every three days—the highest level in 25 years. Is the Parliamentary Under-Secretary of State

for Justice ashamed of the figures? Will he now commit to ensure that paying for crime in this country will never mean paying with one’s life?

Dr Lee: I recall answering the hon. Lady’s question at the last Justice Question Time, and my point was that the cause of this is very complex. I am very much aware of the suicide list, and we know that we have had an increase in the number of suicides this year, particularly in the women’s system. One case in the north-east, that of Michelle Barnes, is particularly shocking. The hon. Lady can be assured that I am looking closely at it, but there have been others. In dealing with this, I am not only trying to work on a women’s strategy that can be brought forward in the new year, but looking at offender mental health across the entire prisons system.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): Will the Minister commit to work with devolved Governments to ensure funding for third sector organisations such as the North Wales Women’s Centre, which supports women in the criminal justice system as an alternative to prison?

Dr Lee: I have already met Claire Sugden, Northern Ireland’s Justice Minister, and I intend to meet Justice Ministers from the other devolved regions. I am very happy to discuss those issues with them.

Christina Rees (Neath) (Lab/Co-op): The continued cuts to legal aid funding mean that there is a rising number of litigants in person. Many women have to face their abusive partner in court, with no assistance on how to navigate the complexities of the law. More needs to be done to protect women during the legal process. What steps is the Minister taking to increase legal assistance for women and ensure that justice can truly be done?

Dr Lee: Women do need additional support, not just in going through the legal process, but in housing and on many different issues, before, during and after their time in prison. I have already visited the Pause project in Hackney, where I was struck by how effective its approach has been in helping these vulnerable women. On the specific questions, we are working on this, but I would be happy to write to the hon. Lady with a more detailed response.

Access to Justice

8. **Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP):** What steps her Department is taking to improve access to justice. [906945]

The Minister for Courts and Justice (Sir Oliver Heald): The Government’s reform programme is intended to deliver a simpler, fairer justice system that works for everyone. We are reforming our courts to make them more modern, open, swift and accountable. Since January 2015, we have invested £3.5 million to provide more support to litigants in person.

Stuart C. McDonald: The Government have utterly undermined access to justice for EU citizens and other migrants with their incredible 500% increase in immigration tribunal fees. Will the Minister at least closely monitor the drastic impact that that ridiculous increase is going

to have and respond accordingly when everything the Government were warned about during their consultation actually comes to pass?

Sir Oliver Heald: The Government take a markedly different view from the hon. Gentleman about this. The fact is that these tribunals cost money and there are people making applications to them who are not in the category of needing help with fees. Where people need help with fees, we of course have a remissions scheme, but where they do not need help, how can it be wrong that they should pay for the costs of the system? It is only right that they do so.

21. [906960] **John Howell** (Henley) (Con): As the Minister has mentioned, an important element of improving access to justice is reform of the courts system. Would he like to say a little more about the modernisation of that system and, in particular, whether Lord Justice Briggs's concept of an online court will be introduced?

Sir Oliver Heald: Lord Justice Briggs has prepared a report that has been not only revolutionary, but extremely helpful in the modernisation process, and I pay tribute to his work. We do intend to introduce a new online procedure for lower-value civil money claims. This procedure will be a mix of new technology, conciliation and judicial resolution, and will provide a simple dispute resolution process. We intend also to create a new rules committee to design the simpler rules this will require.

Joanna Cherry (Edinburgh South West) (SNP): The Minister says that the Government take a "markedly different" view on tribunal fees from my hon. Friend the Member for Cumbernauld, Kilsyth and Kirkintilloch East (Stuart C. McDonald). However, when the Justice Committee published its review of court and tribunal fees earlier this year, its excellent chairperson, the hon. Member for Bromley and Chislehurst (Robert Neill)—a Government Back Bencher—stated:

"Where there is conflict between the objectives of achieving full cost recovery and preserving access to justice, the latter must prevail."

Does the Minister agree with that statement?

Sir Oliver Heald: Yes, and I pay tribute to my hon. Friend the Member for Bromley and Chislehurst (Robert Neill) for the work that he does, chairing the Committee so ably. There is no question but that we do need a mitigation system, as we have for fees, but having said that I welcome the Justice Committee's report, which goes into a wide range of issues and we will respond to it shortly.

Joanna Cherry: Employment tribunal fees are an additional pressure on people who have been relieved of their employment in inappropriate circumstances, and they create a very real restriction on access to justice for those who are vulnerable. The group Maternity Action has said that, since the introduction of employment tribunal fees, there has been a 40% drop in claims for pregnancy-related detriment or dismissal. Why do the Government not follow the example of the Scottish Government and commit to scrapping employment tribunal fees?

Sir Oliver Heald: The principle should be that if someone cannot pay and mitigation is required, then there should be a system of mitigation of fees. If someone is able to pay, given that this costs the country a huge amount of money, why should they not make a contribution if they are using these facilities?

Richard Burgon (Leeds East) (Lab): In our country, it is a cornerstone of access to justice that there should be equality of arms in court. I was therefore shocked last week to hear the Minister of State for Courts and Justice tell us in an Adjournment debate on the Birmingham pub bombings that only

"an element of equality of arms"—[*Official Report*, 26 October 2016; Vol. 616, c. 400.]—

is necessary. Will the Minister come to the Dispatch Box and either reassure us that this was a mere slip of his well-trained legal tongue, or, alternatively, admit that his Government are reducing, not defending, access to justice?

Sir Oliver Heald: That is a bit rich when, at that debate, I was able to announce that the families had got a legal aid certificate through the Legal Aid Agency. The hon. Gentleman is now talking semantics. I was saying that the element that was needed of equality of arms was being met in accordance with the rules of the agency. When it comes to Labour politicians talking about cuts and concerns about legal aid, it is worth remembering why it was necessary to make those cuts—it was because of the mismanagement of the economy, which the Government inherited in 2010.

Richard Burgon: On the subject of that Adjournment debate of last Wednesday, Lynn Bennett died—[*Interruption.*] I will not give it up. Lynn Bennett died aged 18 in the Birmingham pub bombings in 1974. Her father, Stanley Bennett, and her sister, Claire Luckman, are still searching for the truth. On principle, they refuse to fill in means-testing forms for legal aid representation in the inquest into Lynn's death. They believe that the state is forcing them effectively to beg for access to justice. Will the Justice Secretary today agree to go back to the Home Secretary and ask her to reconsider this, so that Stanley and Claire can have access to justice on behalf of Lynn?

Sir Oliver Heald: As the hon. Gentleman knows, the Legal Aid Agency, which is independent, has considered two applications for legal aid. One has been granted, and on the other, as was pointed out in the debate, a way has been described and set out in which it would be possible for those families to have legal aid, too. There is no question but that the families can be, and will be, represented. I accept that the Birmingham pub bombings were the most dreadful incident of a generation. I said in the debate that I remembered, as a young student, the powerful effect on the whole country of the worst bombing incident since the second world war, in which 21 people died and 222 were injured. All our thoughts in this House are with the families, their loved ones, and those who had their lives affected. On how we deal with these very difficult inquests in a very special category of cases, I made it clear in the debate that the Home Office and the Ministry of Justice are working on that matter, looking at the precedents of what happened with

Hillsborough and waiting for Bishop James Jones's report. We will also look at all the matters that were discussed in that debate.

Released Offenders: Employment

9. **Maggie Throup** (Erewash) (Con): What steps her Department is taking to help offenders find employment on release. [906946]

The Parliamentary Under-Secretary of State for Justice (Mr Sam Gyimah): We know that getting prisoners into employment is key to reducing reoffending. While there are some excellent initiatives in the Prison Service, there is still no coherent system that links work inside with education and training, and employment opportunities on the outside. That is why I will be bringing forward a plan, early in the new year, to boost offender employment.

Maggie Throup: Despite undergoing training in prison, some offenders are still struggling to secure employment on their release, as highlighted recently by one of my constituents. What more is being done, and can be done, to ensure that the qualifications undertaken by inmates while in prison are both relevant and acceptable to potential employers?

Mr Gyimah: My hon. Friend describes a situation that is all too familiar in our Prison Service where prisoners undertake courses in prison that bear no relation to the outside world or the ability to get a job. In our White Paper, which will be published shortly, we will be saying how we can improve that education system—we have already accepted the reforms announced by Dame Sally Coates in her review—and how we can help governors work with prisoners in the local labour market to boost employment for inmates.

Jenny Chapman (Darlington) (Lab): There is a well-established link between unemployment and reoffending, and we are now five years on from the Government's rehabilitation revolution. Will the Minister let us know whether the latest reoffending statistics show an increase or a decrease in reoffending rates?

Mr Gyimah: It is still the case, as it has been for decades in the UK, that roughly a third of people who leave our prison system reoffend. The hon. Lady mentions the Government's record. I do not recollect the last Labour Government ever talking about rehabilitation and reform in our prisons. My right hon. Friend the Secretary of State will introduce plans that will give governors real power on the frontline, so that they can act as the ringmasters working locally to deliver real reform.

Andrew Selous (South West Bedfordshire) (Con): Will the Minister agree to visit Jobs, Friends & Houses, which not only gets ex-offenders into construction jobs, but helps to find them somewhere to live, gets them off drugs and provides them with a supportive group of friends. That is such a good project; I am hoping to set it up in Bedfordshire as well.

Mr Gyimah: My hon. Friend the former Minister mentions an excellent scheme that I definitely support, along with a number of other schemes that are going on in the Prison Service and with some great employers

such as Timpson's, Greggs and Halfords. In our employment strategy, we will make sure that that works throughout the system, rather than having a few bright spots here and there.

Gavin Robinson (Belfast East) (DUP): An important follow-on to that is the impediment that insurance premiums caused for employers who wished to engage somebody who had left prison. The former Minister, the hon. Member for South West Bedfordshire (Andrew Selous), was seized of the issue and pursuing good work in that regard. Will the Minister give an update on the progress with insurers and continue the hon. Gentleman's good work?

Mr Gyimah: I agree with the hon. Gentleman that there are a number of barriers for employers in taking ex-offenders—some around trust, some around stigma—and some real hard issues such as insurance. We will be looking at all those issues and reducing those barriers, so that employers are incentivised to take on ex-offenders. Interestingly, those who do so, such as Timpson's, say that some of their most loyal employees are those who have come out of the prison system. We want that to continue.

19. [906957] **Mrs Cheryl Gillan** (Chesham and Amersham) (Con): Some 15% of young people in custody are autistic. With yesterday's publication of the Government's excellent Green Paper on halving the disability employment gap and the recognition that autistic people need specific personal help, what contribution will the Department make to ensuring that autistic offenders find employment on release?

Mr Gyimah: The issue is not just autistic offenders. We know that many people in the youth justice system, as well as in the prison population as a whole, have special educational needs and low levels of literacy. A key step that the Government have taken is moving the relevant education budgets from the Department for Education to the Ministry of Justice. We will be delegating those budgets to prison governors, so that they can spend appropriately on the needs of each prisoner to help them to get the right education so they can get employment.

HMP Maghaberry

10. **Danny Kinahan** (South Antrim) (UUP): What discussions she has had with the Secretary of State for Northern Ireland on the future of the separated prison regime at HMP Maghaberry. [906947]

The Parliamentary Under-Secretary of State for Justice (Mr Sam Gyimah): I have had no such discussions on this issue. Prisons are a devolved matter and responsibility for HMP Maghaberry lies with the Northern Ireland Department of Justice.

Danny Kinahan: I was hoping that we would not hear about devolved matters now that we are all pulling together more as a Union. This is a vital matter and we must move on. Will the Minister discuss with the Secretary of State for Northern Ireland and the Justice Minister how we achieve a level playing field, change the present system and, more importantly, make sure that there are no on-the-run letters in the system?

Mr Gyimah: The hon. Gentleman refers to on-the-run letters, which is a vital issue. This is normally an issue for the Northern Ireland Office, and as the previous Secretary of State for Northern Ireland set out in her statement to the Commons in 2014, the so-called on-the-run administrative scheme established by the previous Labour Government is at an end.

Criminal Driving Offences

11. **Greg Mulholland** (Leeds North West) (LD): What recent assessment she has made of the effectiveness of sentencing policy for criminal driving offences. [906948]

The Parliamentary Under-Secretary of State for Justice (Dr Phillip Lee): The Government are very much aware of the concerns expressed about sentencing for driving offences. We are committed to making sure that the courts have sufficient powers to deal with driving offences appropriately and proportionately. We will consult by the end of the year on those offences and penalties.

Greg Mulholland: Members across the House have supported families who have lost family members to the most reckless criminal driving. Members have also had to support such families through the reality of being failed by our justice system. The Department announced a review two and a half years ago, which should have concluded by now. Three Secretaries of State later, we are told again that there will be consultation this year. It is not good enough. Can the Minister give the House a clear date when the review will finally be published and there will be more justice for victims of criminal driving?

Dr Lee: I am aware that a constituent of the hon. Gentleman was recently knocked down and killed by a driver over the drink-drive limit, and I offer my deepest condolences to the family of that constituent. Parliament sets the maximum penalties for road traffic offences, and we intend to consult by the end of the year on driving offences and penalties for the most serious cases that result in death or serious injury.

Kevin Foster (Torbay) (Con): I welcome the Minister's comments, but will he reassure me that part of the review will consider whether greater use can be made of the charge of manslaughter, so that those who have behaved so recklessly and caused someone's death get the same type of penalty for doing that with their car as they would if they had done it with anything else?

Dr Lee: The Crown Prosecution Service can and will charge a person with manslaughter where the evidence supports that charge, it is in the public interest to do so and there is a reasonable prospect of a conviction. In many driving cases, however, the offending behaviour, which may be highly irresponsible, does not suggest that the vehicle was intentionally used as a weapon to kill or commit grievous bodily harm or that the standard of driving was grossly negligent.

Pardons for Gay and Bisexual Men (Northern Ireland)

13. **Tom Elliott** (Fermanagh and South Tyrone) (UUP): What discussions she has had with the Northern Ireland Executive on pardons for gay and bisexual men convicted of offences which have subsequently been abolished. [906951]

The Parliamentary Under-Secretary of State for Justice (Mr Sam Gyimah): I am aware that Lord Lexden has tabled amendments seeking to extend to Northern Ireland the provisions tabled by Lord Sharkey in respect of England and Wales on this issue. Northern Ireland has legislative powers over matters relating to justice and policing. This is a devolved matter.

Tom Elliott: Given the unique equality legislation in Northern Ireland, does the Minister see a problem in any attempt to introduce such a measure in the Province?

Mr Gyimah: If legislation is to be introduced extending the Turing pardon and a disregard process to Northern Ireland, that is a decision for the Northern Ireland Assembly to take. Were the provisions to be extended to Northern Ireland, a legislative consent motion would, by convention, be required.

Leaving the EU: Departmental Responsibilities

14. **Ms Tasmina Ahmed-Sheikh** (Ochil and South Perthshire) (SNP): What assessment she has made of the implications for her departmental responsibilities of the UK leaving the EU. [906952]

The Lord Chancellor and Secretary of State for Justice (Elizabeth Truss): The Ministry of Justice is leading work on future arrangements with the EU for civil, family and commercial law. We are also working closely with the Home Office on EU criminal justice measures. I am determined to make sure that UK legal services, which contribute £26 billion a year to our economy, continue to thrive once we leave the EU.

Ms Ahmed-Sheikh: Official figures show that between 2010 and 2015 the UK made 1,424 requests to EU members under the European arrest warrant, as a result of which 916 successful arrests were made. Will access to the system continue when the UK leaves the EU?

Elizabeth Truss: As I have said, the Home Office is leading on criminal justice matters. We are working very closely with the Home Office, and we want to preserve those beneficial policies where we can deal with criminal and civil justice matters, so that we can make sure that we have the best possible legal services in the world.

Mr Alan Mak (Havant) (Con): English law—particularly English commercial law—is respected around the world for its quality. Will the Secretary of State confirm that her Department will use Brexit as an opportunity to spread its use around the world, working with our international law firms?

Elizabeth Truss: I completely agree with my hon. Friend, who has a background in commercial law in one of the top City firms. I had a roundtable with the magic circle and the silver circle to talk about how we can promote those legal areas, as well as all the practices right through the UK, including those practising in Scots law. We have a big opportunity to promote this more widely, and we are using the GREAT campaign as a vehicle to do that.

Topical Questions

T1. [906927] **John Pugh** (Southport) (LD): If she will make a statement on her departmental responsibilities.

The Lord Chancellor and Secretary of State for Justice (Elizabeth Truss): First, I would like to express my deepest sympathy for the family and friends of Jamal Mahmoud, who, sadly, died at HMP Pentonville on 18 October. We need to address the major issue of violence in our prisons, and that is why I have been conducting a comprehensive review of the system. I will shortly be launching a White Paper on how I plan to transform prisons into places of safety and reform. I have announced immediate investment of £14 million to increase staffing levels in 10 of the most challenging prisons.

John Pugh: I thank the Minister for that, but may I change the subject slightly, to domestic violence? Incidents are sharply up, successful Crown Prosecution Service prosecutions are up, which is good, but references to the CPS are, puzzlingly, down. What is the Minister's take on this anomaly, and do we need some positive feedback from the courts to the police?

Elizabeth Truss: I thank the hon. Gentleman for his question. We have put in extra measures—particularly the law on coercive behaviour, which has been very important. What I am determined to do is make sure our courts system treats vulnerable witnesses and victims as well as possible to encourage more people to come forward.

T3. [906930] **Sir Desmond Swayne** (New Forest West) (Con): Can smuggling into prisons by drones be stopped?

The Parliamentary Under-Secretary of State for Justice (Mr Sam Gyimah): A very pithy question. The new threat from drones is a game-changer, not just for prisons but for other parts of the Government. That is why I am working with Ministers across the Government to engage with drone manufacturers to find a solution to this problem. I am keeping a close eye on what is happening internationally, particularly in Holland, where eagles are used to stop drones. I am sure that we will find a solution in the UK that will take off.

T2. [906929] **John Mc Nally** (Falkirk) (SNP): I hope that the Secretary of State is aware that the Scottish Government are going to grant a pardon to men who were convicted of historical consensual same-sex offences involving parties over the age of 16. Will she follow the Scottish Government's example and commit to a pardon that covers the living as well as the dead?

Mr Gyimah: The Government are intent on delivering on their historic manifesto commitment to grant a pardon to all those convicted under archaic gay laws. The Scottish Government have announced their plans, but I note that, even in those plans, they are talking about a disregard process in just the same way as the UK Government. Our disregard process will ensure that people who are guilty of crimes that are still a crime do not accidentally get pardoned. That is absolutely right: to have an appropriate safeguard, we do not right a wrong by creating another injustice.

Several hon. Members rose—

Mr Speaker: I noted—I am sure colleagues did—that the prince of pithiness was about to leave the Chamber, and I think it ought to be noted.

T4. [906931] **Pauline Latham** (Mid Derbyshire) (Con): What action are the Government taking to protect vulnerable witnesses when they testify in court?

Elizabeth Truss: I thank my hon. Friend for her question. We want to make sure that vulnerable witnesses, including children, who have to go in front of an open court at the moment, testify and be cross-examined can be cross-examined in advance—pre-trial and pre-recorded. This is much less intimidating, and I think that it will encourage more victims to come forward.

T8. [906935] **Dan Jarvis** (Barnsley Central) (Lab): One of the Secretary of State's four departmental priorities is to build a

“One Nation justice system...for all citizens whatever their background”.

What impact does she think yesterday's Orgreave announcement will have on ordinary people's confidence in our justice system?

Elizabeth Truss: My right hon. Friend the Home Secretary made it absolutely clear why she has made that decision. It is very important that people have access to justice and we have a country that works for everyone.

T6. [906933] **Tom Tugendhat** (Tonbridge and Malling) (Con): The Lord Chancellor, in her role as head of the judiciary, has oversight of all legal action that continues in our country. Today there is an abuse of power whereby soldiers are facing, in effect, double jeopardy through the work of the Iraq Historic Allegations Team. Although I understand that the Ministry of Defence is leading on this, will she, as the chief judicial officer of this land, please comment?

The Minister for Courts and Justice (Sir Oliver Heald): Our armed forces make huge sacrifices, and plainly no current or former serving member should face unwarranted investigation. However, where there are credible serious allegations of criminal behaviour, they must be investigated; I think that everyone in the military world understands that. It is important to make rapid progress with the Iraq Historic Allegation Team's caseload. The team expects the caseload to have reduced from the original 3,300 cases to about 250 by early January.

Bridget Phillipson (Houghton and Sunderland South) (Lab): Plans to rebuild Sunderland's courts complex have been on hold since 2010. Despite raising this issue on numerous occasions with the Courts and Justice Minister's predecessors, we still have not had a decision. Will the current Minister meet me and my hon. Friend the Member for Sunderland Central (Julie Elliott) as a matter of priority to see whether we can make any progress?

Elizabeth Truss: My right hon. and learned Friend will be extremely happy to meet the hon. Lady.

T7. [906934] **Maria Caulfield** (Lewes) (Con): Given that 20% of the prison population have spent some time in care, what steps are the Government taking to prevent children in care from ending up in the prison system?

Elizabeth Truss: My hon. Friend is absolutely right. We are working very closely with the Department for Education, and we will shortly produce our paper on youth offenders, which will talk about how we intervene earlier before people end up with custodial sentences.

Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP): My constituent, Mrs Fleeting, tragically lost her son, Robert, when he was serving honourably on an English base. The family cannot gain closure, as there is no automatic inquest by jury, and they are understandably distraught. Will the Minister meet Mrs Fleeting and me to discuss the case and access to justice for the late Robert Fleeting?

Sir Oliver Heald: Yes, I would be more than happy to meet the hon. Lady and her constituent.

T9. [906936] **Suella Fernandes** (Fareham) (Con): The reforms to family justice included in the Children and Families Act 2014 implemented by the coalition Government are bold and invaluable. However, as the president of the family division recently commented, care applications are rising and high-conflict divorce cases linger for too long in the system and cost far too much money. What steps are the Government taking to resolve this outstanding issue?

The Parliamentary Under-Secretary of State for Justice (Dr Phillip Lee): Care applications are made only when a child is suffering, or is likely to suffer, significant harm. The rise in care applications requires a cross-system response, and we are working closely with a range of partners to establish its causes and mitigate its operational impacts. Conflict during divorce is often focused on children and the division of assets. Mediation can be a quicker alternative to court, and legal aid is available to eligible parties.

John Mann (Bassetlaw) (Lab): Recognising the significant flexibility recently given to the governor of Ranby prison in employment and rehabilitation matters, may I propose that the Prisons Minister and I conduct a joint visit to maximise local and national support for that reform?

Mr Gyimah: With trepidation, I accept the hon. Gentleman's invitation to a joint visit to Ranby. I am grateful that he appreciates the reform. Giving prison governors real power can make a difference.

Mr Speaker: We learn a lot more about the opinions of the hon. Member for Bassetlaw (John Mann) on a vast miscellany of matters—of that he can rest assured.

Mr Shailesh Vara (North West Cambridgeshire) (Con): The Justice Secretary will be aware that in the past couple of years considerable progress has been made in allowing UK lawyers to practise in India. Will she update the House on progress so far, particularly given that the Prime Minister will be visiting India in the next few days?

Elizabeth Truss: I commend my hon. Friend for his work as a Minister in the Department to promote legal links with India; I am pleased to say that those are being taken forward. The Prime Minister will visit India this month to pave the way for UK lawyers to practise there, helping to improve our international business and trade. English law is a massive asset that we can leverage for wider business negotiation.

Fiona Mactaggart (Slough) (Lab): How many of the inquest reports on self-inflicted deaths in custody has the Minister read, and what actions has he taken as a result of the recommendations of inquests that have caused real distress to families?

Mr Gyimah: Every death in custody is a tragic event. As the Minister with responsibility for prisons—I have been in the role for four months—I take every one of them seriously. I look at all the reports and I sign many of the responses to those reports where, for example, the independent monitoring board is involved. We have plans to make sure that we deliver on them.

Mr Dominic Raab (Esher and Walton) (Con): Does the Secretary of State agree that we need bold reform to cut reoffending and that that must mean giving prison governors the powers and the accountability to innovate, especially when it comes to skills training and drugs rehabilitation in the prisons that they run?

Elizabeth Truss: My hon. Friend is nothing but bold. I absolutely agree with him that we need to change the way we are doing things, because the fact is that we have had a persistently high reoffending rate. Almost half the people in prison will reoffend within a year, and that is not acceptable. We need to give governors the power to turn lives around, to get people off drugs and to get them into work.

Margaret Ferrier (Rutherglen and Hamilton West) (SNP): The Ministry's review into the care and management of transgender offenders was due to be concluded in the spring, but almost a year since the review was first announced, a report is yet to be published. Can the Secretary of State update the House today on when we can expect to see that report?

Dr Lee: The Government are firmly committed to ensuring that transgender offenders are treated fairly, lawfully and decently and that their rights are respected. A Ministry of Justice-led review of the care and management of transgender offenders concluded that treating offenders in the gender with which they identify is the most effective starting point for safety and reducing reoffending, where an assessment of all known risks can be considered alongside the offender's views.

Craig Whittaker (Calder Valley) (Con): Mary—not her real name—a constituent of mine, went to Benidorm on a hen do. Her drink was spiked by a British man known to one of the group, and then she was raped by the man. It is now six months since the offence, and the Spanish police seem no closer to taking the case seriously. Does my right hon. Friend agree that the ability to bring to trial in this country a case involving a sexual

offence against a Briton overseas is vital for justice when the country in which the offence occurred does not take it seriously?

Sir Oliver Heald: Yes, I do agree. The Istanbul convention, which the UK signed in June 2012, requires ratifying states to assume jurisdiction over offences of this sort when committed by our nationals overseas. But we need to make changes to primary legislation to introduce this, because the existing law applies only where the rape involves a person under 18 years of age.

Kevin Hollinrake (Thirsk and Malton) (Con): Will Ministers update the House on progress with the Missing Persons Guardianship Bill? It is of great interest to my constituents Mr and Mrs Lawrence; they are the parents of Claudia, who went missing seven long years ago.

Sir Oliver Heald: I will write to my hon. Friend, because this is a subject on which we will be saying something shortly.

Matt Warman (Boston and Skegness) (Con): The illicit use of mobile phones in prisons is a pernicious issue that must be tackled. Will the Secretary of State update the House on what more the Government are doing to make sure that we use a technology solution to deal with that?

Mr Gyimah: My hon. Friend is right. Technology is the problem here, and we believe that technology is the answer. We are working very closely with mobile network operators to develop a solution to stop the illegal use of mobile phones in our prisons.

Mr Speaker: Finally, the Chair of the Select Committee on Justice, Mr Robert Neill.

Robert Neill (Bromley and Chislehurst) (Con): Does the Secretary of State share my concern at the 40% increase in suicides in 2015-16 among offenders undergoing supervision in the community? Will she therefore expedite the Department's review of the effectiveness of the transforming rehabilitation programme?

Elizabeth Truss: I thank the Committee Chairman for his question, and I share his concern about this issue. We recognise that there are benefits from the transforming rehabilitation programme: for example, 45,000 people with sentences of less than a year who previously were not being supervised are now being supervised. However, the Minister is conducting a review, as we do with all new legislation, to check how it is working. That is one of the aspects that he will be looking at.

Orgreave

12.34 pm

Andy Burnham (Leigh) (Lab) (*Urgent Question*): To ask the Secretary of State for the Home Department if she will make a statement on the process she went through and the papers she considered before reaching her decision not to proceed with an inquiry into the events at Orgreave in June 1984.

The Minister for Policing and the Fire Service (Brandon Lewis): The Home Secretary announced her decision in a written ministerial statement yesterday, in which she explained her main reasons for deciding against instigating either a statutory inquiry into or an independent review of the events at Orgreave coking plant. She has also written to the Orgreave Truth and Justice Campaign setting out the detailed reasons for her decision, and she answered a number of questions in the House yesterday in response to an oral parliamentary question on this subject.

In determining whether to establish a statutory inquiry or other review, the Home Secretary considered a number of factors, reviewed a wide range of documents and spoke to members of the campaign. She came to the view that neither an inquiry nor a review was required to allay public concern at this stage, more than 30 years after the events in question. In so doing, she noted the following factors. Despite the forceful accounts and arguments provided by the campaigners about the effect that these events had on them, ultimately there were no deaths or wrongful convictions. In addition, the policing landscape and the wider criminal justice system have changed fundamentally since 1984, with significant changes in the oversight of policing at every level, including major reforms to criminal procedure, changes to public order policing and practice, stronger external scrutiny and greater local accountability. There are few lessons to be learned from a 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.

Taking these considerations into account, we do not believe that establishing any kind of inquiry is required in the wider public interest or for any other reason.

Andy Burnham: The now Prime Minister invited Orgreave campaigners to submit a bid for an inquiry and she entered Downing Street talking about fighting burning injustices, so the House will understand why so many people feel bitterly betrayed today. Orgreave is one of the most divisive events in British social history. Given that there is evidence of unlawful conduct by the police in relation to it, is it not simply staggering that the Home Secretary has brushed aside an inquiry as not necessary? Is it not even more revealing that she was not prepared to come to this House today to justify her decision?

I want to focus very specifically on her decision-making process, and I expect direct answers from the Minister. Before making her decision, did the Home Secretary recall files held by South Yorkshire police and review them personally? I am told they never left Sheffield. Is that true? Did she consider in detail the new testimony that has emerged from police officers, particularly in

relation to police statements? Did she review all relevant Cabinet papers, such as the minutes—stamped “SECRET”—of the meeting between Margaret Thatcher and Leon Brittan, in which the then Home Secretary said he wanted

“to increase the rate of prosecutions”

of miners? If the Home Secretary did not do each and every one of these crucial things, will not many people conclude that the decision-making process was incomplete and therefore unsound?

Yesterday, the Home Secretary promised to release the operational order. Will the Minister make sure that that happens immediately? She also dismissed the link with Hillsborough. In doing so, is she dismissing the words of Margaret Aspinall, who believes that if the police had been properly held to account for their misdeeds in 1985, the Hillsborough cover-up may never have happened? Are we to conclude that from now on, under this Home Secretary, all manner of misdeeds will be left uninvestigated as long as there are “no deaths”?

The Minister attended a positive meeting with campaigners in early September. We left the meeting with the clear impression that it was not a question of whether there would be an inquiry, but of what form the inquiry would take. Indeed, the next day *The Times* reported on its front page that Whitehall sources had said there would be an inquiry. Did the Home Secretary or her advisers authorise this briefing, and what changed after it was given? In retrospect, does the Minister now concede that it was utterly cruel to give those campaigners false hope in that way?

Yesterday, we were hit with a bombshell, but today we dust ourselves down and we give notice to this Government that we will never give up this fight.

Brandon Lewis: The right hon. Gentleman will know full well from the meeting with campaigners that he came to, and I was also at, that we were very clear, as the Home Secretary has been throughout the process, that she would make a decision by the end of October and would take into account a wide range of factors. She considered a number of factors when making her decision. She reviewed a wide range of documents, carefully considered the arguments contained in the campaign’s submission and spoke to the campaign leaders and supporters, as she did yesterday, when she personally spoke to Barbara Jackson and to the right hon. Gentleman, among others, and I spoke to the police and crime commissioner.

The right hon. Gentleman commented on the links with Hillsborough. I know he will be aware that work is still ongoing on Hillsborough, with the Independent Police Complaints Commission still looking at the issues, and there could still be criminal proceedings.

When the right hon. Gentleman looks at the decision he should remember that, as the Home Secretary rightly pointed out yesterday, we fully appreciate that we disagree on this, but that does not mean that the Home Secretary’s decision is wrong.

Philip Davies (Shipley) (Con): I very much support the Home Secretary’s decision. Unlike most of the people bleating on the Labour Benches, I actually lived in South Yorkshire in a mining community during the time of the miners strike and saw at first hand the

bullying and intimidation from the miners that went on. People who did not contribute to the strike fund had their windows done in.

These people were trying to bring down the democratically elected Government of the time. They lost, and they need to get over it. Anyone only has to look at the TV pictures—[*Interruption.*]

Mr Speaker: Order. I recognise that this is a subject that arouses very strong feeling, but the House knows me well enough by now to know that I will facilitate the fullest possible questioning on the matter from Members in all parts of the House. However, I ought to be able to say without fear of contradiction that the hon. Member for Shipley will be heard.

Philip Davies: People only have to look at the TV footage of the event to see the violence that the miners were carrying out against police officers. Will the Minister explain why, if this matter is so important to Labour Members, in the 13 years they were in government they did absolutely nothing about it?

Brandon Lewis: My hon. Friend makes an impassioned point. I would not for a moment want to put words in the mouth of the right hon. Member for Leigh (Andy Burnham) from the Dispatch Box. I am sure he will be able to explain the actions he took or did not take during that period. For us, this has not been a political decision. The Home Secretary said yesterday that it is about looking at what is right in terms of the wider public interest and in the light of the substantial changes to and reforms of the police service there have been. All of us, across the House, should get behind the continued driving through of future reforms of the police service through the Policing and Crime Bill.

Ms Diane Abbott (Hackney North and Stoke Newington) (Lab): We on the Labour Benches have noted that the Home Secretary has not bothered to come before the House on this occasion to explain her decision.

Most people in this House remember the miners strike, and what happened at Orgreave was totemic. Most people in the House also remember what Lord Stockton—Harold Macmillan—said in his maiden speech in the House of Lords about the miners strike:

“it breaks my heart to see what is happening in our country today. A terrible strike...by the best men in the world. They beat the Kaiser’s army and they beat Hitler’s army. They never gave in.”—[*Official Report, House of Lords*, 13 November 1984; Vol. 457, c. 240.]

Does the Minister understand that the Home Secretary’s decision is a slap in the face to the best men in the world and their friends and supporters? Does he understand that the Orgreave campaigners feel that they have been led up the garden path by the Home Secretary? And does he understand that the Home Secretary’s proposition is that because there were no deaths and no convictions—and the cases only collapsed because the collusion by South Yorkshire police officers was revealed—justice must stand? The Opposition say to Ministers that we will not let this issue go and that injustice will not be allowed to stand.

Brandon Lewis: The hon. Lady was here yesterday when the Home Secretary was here, having already made a written ministerial statement, to answer questions

on this matter during oral questions. I am here today because this issue forms part of the portfolio I cover for the Home Office.

The Government have stood up and brought forward inquiries before. We have not been afraid to address matters to correct the wrongs of the past. We have had to consider the wider public interest, which includes what lessons need to be learned and how we change police behaviour based on what happened 30 years ago. Bear in mind that since that time we have had not only the Police and Criminal Evidence Act 1984 but a range of other reforms, not least the delivery of local accountability through police and crime commissioners and changes in police practice. Looking at what lessons could be learned, what the benefits would be and what outcomes we are looking for from a public inquiry, the Home Secretary’s decision, although the hon. Lady disagrees with it, is absolutely right.

I would just make a further point to the hon. Lady. In looking at the wider public interest, the Home Office considers a wide range of matters, including differences with previous cases where there were a substantial number of tragic deaths. In this case there were none and there were no convictions, so what we are looking at with a public inquiry is whether other lessons could be learned. As I said yesterday, if the hon. Lady looks at the changes in police practice over 30 years, she will see there would be no benefit from proceeding with a public inquiry.

Anna Soubry (Broxtowe) (Con): Some of us did not read accounts of the miners strike in *The Guardian*, with the benefit of living in London. Some of us—as I was, reporting for Central Television—were there on a daily basis. I totally agree with the Home Secretary’s very sensible decision. If we were to have an inquiry, does my right hon. Friend agree that it might be into the funding and activities of the National Union of Mineworkers, which on an almost daily basis bussed thousands of their members into the county of Nottinghamshire to not only bring down a democratically elected Government, but to thwart the democratic decision of the Nottinghamshire miners to work?

Brandon Lewis: My right hon. Friend highlights the very strong feelings on all sides about Orgreave. We totally understand that. The Home Secretary outlined that here yesterday and in the meeting with Orgreave campaigners that I and other MPs also attended. As the Home Secretary outlined yesterday, we appreciate that the campaigners will be disappointed with the decision she has made, but we have to make a decision about what is in the wider public interest, and an inquiry is not.

Joanna Cherry (Edinburgh South West) (SNP): I listened very carefully to what the Home Secretary had to say yesterday, but, as has already been indicated, her argument that there were no wrongful convictions does not hold water when one realises that the cases collapsed when a decent lawyer revealed collusion on the part of the police.

The absence of deaths at Orgreave is also a red herring. Is not the real issue here as follows: when the redactions to the June 2015 IPCC report were revealed, they showed striking similarities between the personnel

[*Joanna Cherry*]

and the alleged practices of South Yorkshire police at Orgreave and Hillsborough? Of course, we all now know what went on to happen at Hillsborough. Did the Home Secretary not feel that the striking similarities between personnel and practices at Orgreave and Hillsborough alone justified an independent inquiry, even as an opportunity to increase public trust in the police?

Moreover, there is a very important issue raised by Orgreave, which is the alleged political interference by the then UK Government in operational policing. If there was political interference from the Government in operational policing, it would be a deeply troubling matter and one of huge constitutional significance. Did the Home Secretary give this grave accusation consideration as part of the process leading to her decision yesterday?

Brandon Lewis: The hon. and learned Lady addresses issues relating to the investigation. The IPCC has said that, should further evidence emerge of any impropriety by an officer, retired or otherwise, it would look at it. I met the chairman of the IPCC yesterday afternoon. She confirmed again that if new evidence came forward it would look at it. Furthermore, the report published by the IPCC was redacted on legal advice because it contained passages relating to the then ongoing Hillsborough inquiry. I refer back to my comments of a short while ago: investigations are still going on into Hillsborough and criminal proceedings may well come out of them. The IPCC is involved in those investigations.

Andrew Bridgen (North West Leicestershire) (Con): It is disappointing that the Labour party seems to want to divide our society once again. Labour Members would do well to remember that the miners in South Derbyshire, North West Leicestershire and Nottinghamshire wanted to work and bore the full brunt of secondary picketing. Does the Minister agree it is important that the new chief constable of South Yorkshire police, who was only appointed in the summer, has a chance to bed into his position and start to rebuild his relationships with the local community?

Brandon Lewis: My hon. Friend makes a very important point, a variation of which was raised yesterday by another hon. Friend. I spoke to the police and crime commissioner of South Yorkshire yesterday, so I know that the force is determined to build a new relationship with the people of South Yorkshire. There is new leadership and new membership in that police force, and I said that I was looking forward to working with them to develop a new approach from what existed some 30 years ago. They acknowledge that they have a piece of work to do to rebuild engagement with the community, and we will stand with them in support.

Sarah Champion (Rotherham) (Lab): I find it painful that Members are rehashing discredited, 30-year-old smears, which does nothing for community cohesion. Both the Home Secretary yesterday and the Minister now seem to be saying that we are not having this inquiry because nobody died. Is that the new bar that this Government are levying on justice?

Brandon Lewis: No, and with all due respect, I think the hon. Lady is using an unfortunate interpretation of what I said. I have been clear, as was the Home Secretary yesterday, that there is a wide range of issues surrounding the public interest in having an inquiry. There were no wrongful convictions, and there were no deaths, but a key question is—I stress it again—what lessons are we looking to learn from an incident that happened 30 years ago? In the period from the Police and Criminal Evidence Act 1984 right through to the Policing and Crime Bill that is going through the House today, there has been a substantial and dramatic change in the system and structure of policing in this country. Things are very different today, so there is no wider public interest in having an inquiry at this time.

Gareth Johnson (Dartford) (Con): Does the Minister agree that we are in danger of running away with the concept that all police at the time were bad and all the striking miners were good? I still remember Arthur Scargill refusing to condemn picket line violence. I remember the murder of the taxi driver, David Wilkie; and I remember the relentless use of the word “scab” to describe anybody who simply wanted to go to work. Should we not get a sense of proportion here?

Brandon Lewis: My hon. Friend makes a strong point. I fully recognise that there are very strong feelings on all sides of the debate. Some families feel very strongly about it, and I and others met them in September this year. I absolutely understand the strength of their feeling and why they feel as they do, but we have to look at the wider public interest. The hon. Member for Rotherham (Sarah Champion) refers from a sedentary position to other issues around South Yorkshire, but they are separate issues. This is a decision specifically about Orgreave, not the wider issues for South Yorkshire. We may disagree with it, but the Home Secretary has made the decision—the right decision—that there is no benefit from having a public inquiry on this issue.

Edward Miliband (Doncaster North) (Lab): The Minister’s statement today reflects what the Home Secretary said in her written ministerial statement yesterday, which is that somehow there can be no inquiry because South Yorkshire policing has moved on. I have to tell the right hon. Gentleman that this is a new principle of truth and justice—that it can be denied, in the face of serious allegations, because of the dubious claim that lessons have been learned. That is why families and communities in South Yorkshire feel that they have been sold down the river by this Government—and this cannot stand.

Brandon Lewis: As I said earlier, this has to be looked at in the context of this particular case. Under this Government, the Prime Minister and Home Secretary have stood up to take on independent reviews and inquiries over a range of very difficult issues over the last six years, looking at what happened in the past. Despite what Opposition Members might wish to make of it, this is not a political decision; it is a decision based on looking at the particular case of Orgreave and at what is in the wider public interest. As I have outlined, a public inquiry will not serve that interest.

David T. C. Davies (Monmouth) (Con): Does the Minister agree that far and away the worst atrocity in those terrible events was the murder of the taxi driver, David Wilkie? Is my right hon. Friend as amazed as I

am that his death has not been mentioned once by Opposition Members? Does he agree that if we are to have a public inquiry, it should be into what the former leader of the Labour party called the lies, the violence and the lack of a ballot by those strike-breakers?

Brandon Lewis: My hon. Friend highlights the strength of feeling that exists on all sides of the debate about the activities that happened many years ago. On the point he raised about what would happen if there were a public inquiry, there will not be one. The decision of the Home Secretary and the Government is that the wider public interest is not served by having an Orgreave inquiry.

Mr Dennis Skinner (Bolsover) (Lab): Why is it that 31 years is too long for an inquiry, yet 31 years is not too long for this Government to carry on hiding the Cabinet papers on the strike and to refuse to release them? Why is it so long, when we know that the Thatcher Government were going to close 75 pits and not 20? The truth is that this nasty party has now become the nasty Government, who are more concerned about preserving the Thatcher legacy than they are fighting for truth and justice.

Brandon Lewis: Again, the hon. Gentleman misinterprets what I have said this afternoon. What I have said very clearly is that the decision not to have a public inquiry is based on looking at the wider public interest. Included in that are the facts that there were no wrongful convictions and no deaths and, importantly, that police structure and behaviour has changed. This was seen partly under the last Labour Government, but predominantly under this Government. I ask the hon. Gentleman to support and join us in carrying out the further work to continue those reforms and to work with the South Yorkshire police to improve their relationship with people as we go forward. I have spoken to the police and crime commissioner of South Yorkshire, and I know that he is very keen to be transparent and to deliver more. He has employed an archivist to try to ensure that South Yorkshire police get all the archives they can. I am sure that the hon. Gentleman will want to engage with that.

Simon Hoare (North Dorset) (Con): The synthetic indignation from Labour Members cannot mask the fact that in 13 years of a Labour Government, the issue of Orgreave was completely neglected and forgotten. Will my right hon. Friend confirm that, notwithstanding the absence of an inquiry—I concur wholeheartedly with the Home Secretary's decision—the clear and necessary changes in governance and mind-set required within the South Yorkshire police will continue and be delivered?

Brandon Lewis: My hon. Friend makes a good and important point. It is very important that we continue to reform the police service for the future. Some reforms are outlined in the Policing and Crime Bill, and there are others that the former Home Secretary, now our Prime Minister, has taken on, and that the Home Secretary is determined to deliver. It is part of the task of changing how the police work from how they used to work some 30 years ago. I spoke to Dr Alan Billings, the police and crime commissioner for South Yorkshire yesterday afternoon. I am determined to work with him and his chief constable to make sure that they get a good

relationship with the people of South Yorkshire in the future. We want to ensure that the police service delivers on the work that the police do every single day—policing by consent.

Kevin Barron (Rother Valley) (Lab): I have represented Orgreave in this House since 1983. I well remember the events of the miners strike at that time. I called for a public inquiry to review the policing of the miners strike in 1985—and it was denied at that time as it has been denied now. The Minister says that the IPCC is still looking at these issues, but he must know that the IPCC deals with serving police officers. If they are still serving in South Yorkshire, they would have been about 16 at the time, so this is not an answer to the problem. He says that the Home Secretary is looking at the papers, but we need an independent individual to look at them. If we cannot have a full public inquiry, we should surely be able to have someone of an independent nature to look at what happened to see if any lessons can be learned from the policing of the miners strike in 1984-85.

Brandon Lewis: I think the fact that the IPCC is involved in work on Hillsborough that could lead to criminal proceedings shows that it is prepared to deal with these issues appropriately. After all, it is an independent organisation. As I said earlier, I met its chair yesterday, and he confirmed again—as the IPCC has already confirmed publicly—that if new evidence appears, it will look at that evidence. I assume from the right hon. Gentleman's comments that he will fully support the work that we are doing to reform and update the IPCC to ensure that officers who have left the police force can still be involved in investigations and prosecuted by the organisation.

Byron Davies (Gower) (Con): I was a serving police officer at the time, and I well remember the situation as described by my hon. Friend the Member for Shipley (Philip Davies). Does the Minister agree that policing has moved on significantly in the last few decades, that there are sufficient safeguards against a repetition of an episode like Orgreave and that there is no useful purpose in an inquiry?

Brandon Lewis: My hon. Friend has made a very good point. As I have said, the changes made by the Police and Criminal Evidence Act and Her Majesty's inspectorate of constabulary, the criminal justice changes, and other reforms—not least the introduction of local accountability through police and crime commissioners—have led to a dramatic change in policing practices in the last few decades. I welcome that, but we all need to work to ensure that it continues.

Louise Haigh (Sheffield, Heeley) (Lab): I note that the Minister has failed to answer a single one of the questions asked by my right hon. Friend the Member for Leigh (Andy Burnham). I feel sorry for the Minister, because the Home Secretary bottled it yesterday and she has bottled it again today. He knows that she did not review the documents on the basis of which the IPCC reached its decision. Does he honestly believe that she can honestly say that there is no link with Hillsborough and that there are no lessons to be learnt today?

Brandon Lewis: The hon. Lady should have another look at what I said in response to the right hon. Gentleman's question. Although I fully appreciate that both she and he may not agree with or like what I said, that does not mean that I did not answer the question, and it does not mean that the Home Secretary's decision is wrong. A number of factors were taken into account in the making of that decision. It involved looking at a wide range of documents, and, indeed, meeting the Orgreave campaigners themselves, as the Home Secretary, the hon. Lady and I did in September. I suggest that the hon. Lady look again at my answers to questions, including my answers to the right hon. Gentleman.

Mike Wood (Dudley South) (Con): I wonder whether the Minister agrees with David Blunkett, the former Labour Home Secretary, who reportedly said that he "would take some convincing that another agonising internal inquiry would shed more light than is already known."

Brandon Lewis: I saw that quotation as well, and I think it underlines and highlights the fact that this was a difficult decision. No one has said that it was easy. As the Home Secretary herself said, in the House yesterday—and she was here yesterday, answering questions on this matter—and also during previous appearances in the House and when meeting the campaigners, a difficult decision had to be made and many factors weighed up. Ultimately, however, we had to make a decision about what was in the wider public interest, and this decision is in the wider public interest.

Dan Jarvis (Barnsley Central) (Lab): May I ask the Minister a very simple question? Will the Home Secretary meet members of the Orgreave Truth and Justice Campaign to discuss this matter further?

Brandon Lewis: The Home Secretary has met the Orgreave campaigners, and she spoke to Barbara Jackson yesterday. She has also written to the campaigners, and I think that they need time to digest her letter. I know that they made a statement shortly before I came into the House today, but we shall have to await their response to the Home Secretary and take matters from there.

Michael Tomlinson (Mid Dorset and North Poole) (Con): A few moments ago, the right hon. Member for Rother Valley (Kevin Barron) mentioned the 1983 election. May I invite the Minister to consider improvements that have been made in police codes of conduct in the past 30 years by, for example, the Police and Criminal Evidence Act 1984, which came into force on 1 January 1986? Given the apparent strength of feeling on the Opposition Benches, is it not strange that successive Labour Governments failed to conduct a review of, or inquiry into, what had happened at Orgreave?

Brandon Lewis: My hon. Friend has made a couple of points. I will let others draw their own conclusions about the actions of those other than ourselves in the Home Office, but I will say that he is absolutely right about the changes that have taken place. We have had PACE, the Public Order Act 1986, the changes at HMIC, and the police effectiveness, efficiency and legitimacy inspections. The Association of Chief Police Officers has now become the National Police Chiefs Council and has its own codes of conduct. Furthermore, we have the Policing and Crime Bill, and we have the police and crime commissioner reforms that were introduced

in the House by the present Prime Minister. Policing has changed dramatically, but we want the reforms to continue, and I urge all members to support that work.

Ann Clwyd (Cynon Valley) (Lab): I was elected to the House in 1984, in the middle of the miners strike. I spoke about the strike in my maiden speech, and I stood on the picket lines and saw what happened. I saw the brutality and the intimidation. I saw a pregnant woman kicked in the stomach. There was a lot of violence. That was in the Cynon valley, and people in the Cynon valley still feel very strongly about this issue. They believe that unless the Government have something to hide, they should agree to an inquiry. We are fully behind the people who call for the inquiry: people never forget, and certainly they will never forget the experiences of the miners strike.

Brandon Lewis: As I said earlier, the decision that we have had to make—the decision that the Home Secretary has made—involved looking at a range of issues relating to the specific case of Orgreave and considering whether it was in the wider public interest to hold an inquiry. It was decided that it was not.

Mr Peter Bone (Wellingborough) (Con): I congratulate the right hon. Member for Leigh (Andy Burnham) on being granted the urgent question, but does the Minister agree that if there is to be an inquiry of this kind, it should take place as soon as possible after the event? Did the Home Secretary take account of the fact that Prime Minister Brown and Prime Minister Blair did not hold such an inquiry? Is not the danger now that all that would happen is that a lot of lawyers would become even richer, and we would not gain any more knowledge?

Brandon Lewis: The Home Secretary's decision involved looking at a wide range of documents and considering a wide range of factors. Ultimately, however, the core of the decision was the question of what was in the wider public interest, and we have decided that an inquiry is not in the wider public interest.

Mike Kane (Wythenshawe and Sale East) (Lab): The Home Secretary stood at the Dispatch Box and encouraged me to present the evidence that I had been given by one of my local councillors, Mike Freeman. He was a serving officer in Greater Manchester police whose whistleblowing about the corrupt practices in South Yorkshire featured in an edition of the Channel 4 "Dispatches" programme. This Government did not have Mike's back. Would the Minister like to apologise for the personal cost that he has suffered?

Brandon Lewis: As I have said, the Home Secretary looked at a wide range of documents and considered a wide range of factors, and that included meeting the campaigners. We are determined to ensure that whistleblowers are properly protected, which is why we are seeking to increase their protections. I hope that the hon. Gentleman will support that, along with the Police and Crime Bill and our work with the IPCC.

Mr Philip Hollobone (Kettering) (Con): Does it not strike the Minister as odd that Labour Members are using part of their Opposition day tomorrow to debate police officers' safety? They seem to have forgotten that

32 years ago individual police officers from up and down the country, including Northamptonshire, faced an unprecedented wave of picket-line violence from jobs, led by trade unions, without the protective equipment that police officers have today. Yes, it was ugly; yes, it was violence, and those unfortunate events happened on both sides. However, to spend millions of pounds on investigating events of 32 years ago when things have moved on would be a waste of time.

Brandon Lewis: My hon. Friend has raised the important issue of the safety and security of our police, which we will debate tomorrow. It is right for people to appreciate that our forces police by consent, which is why I think that the reforms that have taken place over the past few decades are so important, and why I think that we must continue those reforms. We want a police force that we can continue to be proud of and continue to rate as the best in the world, and we want to make sure that our police officers are safe as well. That does not detract from the fact that both the Home Secretary and I fully appreciate the strength of feeling on all sides of the debate. Nevertheless, the decision about Orgreave had to be about what was in the wider public interest. That is the decision that the Home Secretary has made, and rightly so.

Chris Stephens (Glasgow South West) (SNP): The Orgreave Truth and Justice Campaign is supported by people throughout the United Kingdom, including many of my constituents. Yesterday's decision ultimately means that South Yorkshire police will not be held to account for their actions and required to answer the serious allegation that they were deliberately trying to create circumstances in which riot charges would stick, a narrative that was briefed to the then Prime Minister and her Cabinet. In the absence of an inquiry or an independent review, how do the Government intend to deal with that very serious allegation?

Brandon Lewis: If there are allegations and new evidence, the IPCC chair repeated to me yesterday what it has said publicly: it will look at any new evidence and take it into account in any decisions it makes moving forward. In particular, there are still ongoing investigations and potential criminal proceedings linked to Hillsborough. This is also why it is important that we not only continue to deliver the reforms outlined over the last 30 years, and in particular the last five or six years, but we continue the reform of the police service, especially working with South Yorkshire police on its relationships with its local community.

Robert Jenrick (Newark) (Con): I was very young during the miners strike but I do know Nottinghamshire's former coalfield communities today; I represent some of them. Those communities are still suffering in many respects from the miners strike. They are suffering from ill health, low levels of employment, addiction and many other problems. As so little is to be gained from having this inquiry, would it not be better if we all now concentrate on the present and the future?

Brandon Lewis: There is an important point here as this highlights why the Prime Minister is right to state that we as a Government need to work to ensure we deliver a country that works for everybody, so everyone

in those communities—communities I worked in myself a decade or more ago—has the chance to succeed in life. We must always learn the lessons of the past. That is why the reforms over the last three decades and the reforms going forward are so important in making sure we continue to have a first-class police force in this country.

Mr Clive Betts (Sheffield South East) (Lab): The police and crime commissioner in South Yorkshire, Dr Alan Billings, has made it absolutely clear that he does not want to begin the process of building a new future for South Yorkshire police by sweeping under the carpet the problems of the past. Will the Minister specifically say whether he and the Home Secretary have looked at the evidence of masonic links involved in the cover-up at Orgreave and whether they are the same masonic links that were evident in the cover-up at Hillsborough?

Brandon Lewis: I repeat what I said earlier this afternoon: the Home Secretary has considered a number of factors in the decision, including a wide range of documents and arguments put forward in the campaign submission. *[Interruption.]* Members on the Opposition Front Bench are saying this has already been said, but that might be because I am being asked the same question in effect time and again. No matter how many times I am asked, I will be clear to Opposition Members that the Home Secretary has looked at a wide range of issues in making her decision. *[Interruption.]* I say specifically on the hon. Gentleman's point about the PCC, if Opposition Front Benchers will allow him to hear what I am saying, that Dr Alan Billings makes an important point about wanting to move forward with a fresh start for the new leadership of South Yorkshire police. My hon. Friends have made that point, and when I spoke to the PCC yesterday he was clear about his determination to have transparency and to have an archivist work through the archives to get as much as possible out into the public domain to help us move forward. The relationship with the public of South Yorkshire is important.

Tom Tugendhat (Tonbridge and Malling) (Con): Does the Minister agree that, although there was of course a tragedy at Orgreave and there were abuses almost certainly on both sides, justice delayed is justice denied, and it would have been better to have had this inquiry 15 years after the event rather than waiting 31 years, when so many people are retired or have died, and it would be inappropriate to have it now?

Brandon Lewis: I understand my hon. Friend's point, but the reasoning behind the Home Secretary's decision comes from looking at the wider public interest. There were no wrongful convictions and no deaths and, importantly, the changes in policing over the last three decades mean policing has moved on, and we need to continue those reforms.

Maria Eagle (Garston and Halewood) (Lab): Does the Minister accept that there were no wrongful convictions because the case the police fabricated against those 95 miners collapsed because of the fabricated evidence? Does he not accept that there was then no accountability for the senior officers in South Yorkshire police, including the chief constable at the time, who led that arrangement

[*Maria Eagle*]

to fit people up wrongly? Five years later, that same cadre of senior officers was responsible for fabricating evidence against fans after the Hillsborough disaster. Yes, that did lead to 96 deaths, but the denial of justice over so many years for the Hillsborough families and those affected by the events at Hillsborough might never have happened if the chief constable and his senior cadre of officers had been held to account for what happened at Orgreave, but they were not.

Brandon Lewis: The hon. Lady has in effect outlined why it has been so important to have those reforms in how policing works and that local accountability over the last three decades. Her point about Hillsborough is right, and criminal proceedings may well come out of that with the IPCC, but that is because the reforms and changes through the IPCC and further reforms in the Policing and Crime Bill and the PCCs have changed the landscape of policing. It has changed dramatically in the last 30 years, and that forms a part of the Home Secretary's right decision that it is not in the public interest to have a public inquiry.

Sir Gerald Howarth (Aldershot) (Con): In 1984 I sat on these Benches representing the coalmining communities of Cannock and Burntwood. At that time my constituents working at Lea Hall and Littleton collieries were being subjected to the kind of intimidation that my right hon. Friend the Member for Broxtowe (Anna Soubry) has mentioned, including the throwing of bags of urine by striking south Wales miners as my constituents attempted to go to work. So does my hon. Friend the Minister accept that Orgreave was in fact a violent attempt to prevent the British Steel Corporation from going about its lawful business and furthermore a naked political attempt to bring down the Government of Margaret Thatcher, and that since then trade union relations and industrial relations have been transformed out of all recognition, to the betterment of this country?

Brandon Lewis: My hon. Friend highlights the strength of feeling on both sides about issues that happened decades ago, and also highlights again that, hugely importantly, the police have reformed. There are still reforms going forward that we need to see through, and I hope we will all be working together in the years ahead to deliver them.

John Mann (Bassetlaw) (Lab): The jobs of ordinary police officers, many of whom came from mining families, were made difficult for many years after the miners strike precisely because of the misuse of police by the state. Is that not the fundamental issue here? Zimbabwe, China and Venezuela are three countries that have recently used the police to undermine individual rights and freedoms. How do we know that senior politicians were not involved, as the Cabinet papers have not been revealed and there is no longer going to be an inquiry? When will we know, for better or for worse, what senior politicians did and what pressure they brought to bear on the police?

Brandon Lewis: A large number of historical files on Orgreave and the miners strike are already publicly available through the National Archives. Also, as I have

said, the PCC for South Yorkshire is employing an archivist to look at publishing even more from its archives, and I am sure the hon. Gentleman will take a great interest in that. He should also work with us and endorse the reforms to the police service that will lead to that key important result that Members have mentioned: that the new leadership of South Yorkshire police is able to find a way to build a new relationship with the people of South Yorkshire and to continue the work the police do every day, policing by consent.

Paula Sherriff (Dewsbury) (Lab): It is with great sadness that I hear Conservative Members saying that an inquiry is neither justified nor needed. I wonder how many said the same prior to the Hillsborough inquiry. We on this side of the House will continue our fight for justice and truth for those affected in Orgreave.

Brandon Lewis: I would just draw the hon. Lady's attention to the inquiries and work that this Government have done to bring injustice to the surface. We have a good track record of making sure we unearth things but ultimately always making a decision that is in the wider public interest.

Greg Mulholland (Leeds North West) (LD): The Prime Minister's own chief of staff, Nick Timothy, is on record as saying:

"If the police pre-planned a mass, unlawful assault on the miners at Orgreave and then sought to cover up what they did and arrest people on trumped up charges, we need to know."

He is absolutely right. Why are the Government stopping us knowing?

Brandon Lewis: I suggest the hon. Gentleman read through the evidence that is out there—that is published in the National Archives and being published by South Yorkshire police—and reads the full IPCC report on its investigation as well as the paperwork from the campaigners themselves. These are all part of the wide range of sources that we and the Home Secretary have looked at in making a decision on what is in the wider public interest.

Ian Murray (Edinburgh South) (Lab): It is incumbent on every Member of the House to fight for truth and justice when lies and injustice have been exposed. The Home Secretary is denying us a public inquiry into the Orgreave tragedy, and the Scottish Government are denying us an inquiry in Scotland on the policing and convictions relating to the injustices that happened there during the miners strike. Can the public of this country therefore conclude that the Governments that are democratically elected to represent them here and in Scotland are no longer interested in fighting for justice even when new information becomes available?

Brandon Lewis: As I have said, if new information becomes available, the IPCC will look into investigating it. I had that conversation with the chairman of the IPCC yesterday, and I refer the hon. Gentleman to the comments I made on that earlier this afternoon. I would also like to think that the public will look at the track record of the Government, the Home Secretary and the Prime Minister in taking on vested interests and making difficult decisions. This has been a difficult

decision. The Home Secretary has made a decision that we believe is in the wider public interest, and it is the right decision.

Margaret Greenwood (Wirral West) (Lab): Trust is crucial to policing, and the image of mounted police officers cantering towards the striking miners is seared on the imagination of everyone who has seen it. This is a huge issue of public interest, as are the allegations of political interference in policing in our country. Does the Minister not recognise the damage that the Secretary of State's failure to hold an investigation and to stand up for justice is having on public confidence in her Department?

Brandon Lewis: The IPCC has held an investigation, and if there is new evidence, it will look at the potential for further investigations. That is a matter for the IPCC, which is, by definition, independent. The hon. Lady also touched on the point that our police forces police by consent in this country. That is a two-way thing. In fact, we will be debating that subject tomorrow. It is important that the police and crime commissioner and the new leadership of the South Yorkshire police look at how they build that relationship with the public. It is also important that we and the public respect the police, as they continue to police us by consent. No doubt that will be part of the debate tomorrow afternoon.

Helen Jones (Warrington North) (Lab): It is not good enough for the Minister to say that there should have been an inquiry earlier, because papers on Orgreave were still being released up to Christmas 2015. Those papers prompted calls for an inquiry because they showed an abuse of power in South Yorkshire police and the concocting of statements. Yes, no one was killed at Orgreave but lives were ruined and innocent people were sent to jail on remand. More importantly, in the mining areas that I know well—I am the direct descendant of generations of miners—trust in the police was completely destroyed in communities where children were previously brought up to trust and support the police. Until there is an inquiry, those wrongs cannot be righted. How can the Minister possibly keep denying us one?

Brandon Lewis: If the hon. Lady looks at what I have said this afternoon, she will see that I have not commented on what the previous Government did or did not do. I have stated specifically that that is a matter for those who were members of that Government to comment on, not for me. Our decision is about the Orgreave case, based on the facts that the Home Secretary and I have looked at and the meetings with the families. The hon. Lady talked about the public's view of South Yorkshire police, and of the police in general, and it is important that we continue with the reforms and ensure that South Yorkshire police have the support they need to rebuild those relationships with the public. That is the outcome that should be right for people across the country. We should continue with the reforms and I hope that she will support us in doing so.

Chris Bryant (Rhondda) (Lab): The miners from the Rhondda at Orgreave were dressed in T-shirts and plimsolls, and they were batted aside like flies by what felt like a paramilitary operation under political instruction. There are very real questions that the community in the Rhondda is still asking. Who gave those instructions?

Has the present Home Secretary seen the operational instructions of the day? Why will she not publish them? Who told the police officers to fabricate evidence and to perjure themselves? The Home Secretary says that there has been no miscarriage of justice, but the people of the Rhondda will conclude that without a proper investigation and full publication, the miscarriage of justice is being done in this House by this Government. *[Interruption.]*

Brandon Lewis: The point that the Home Secretary was making—*[Interruption.]*

Mr Speaker: Order. There is so much yelling from each side of the Chamber that it was difficult for me to hear the hon. Member for Rhondda (Chris Bryant), who should be heard by the House—and, indeed, by the world. I also need to hear the response from the Minister, which should also be widely heard. I say to Members on both sides: please, hold your noise.

Brandon Lewis: The point that the Home Secretary was making, and that I have made today, is that we have looked at a whole range of factors. The comparison has been made with Hillsborough, but unlike at Hillsborough, there were no deaths or wrongful convictions as a result of Orgreave. Also, policing has changed dramatically in the years since then. That is why the Home Secretary's decision, which had to be made in the wider public interest, is the right one, despite the fact that there is disagreement on it.

Mark Durkan (Foyle) (SDLP): Today's exchanges show that what the Minister has described as the Home Secretary's "difficult decision" is hardly going to be received as an independent consideration. He has said a lot today about the public interest. Will he tell us which public interest would be compromised or undermined by a demonstrably independent and cost-effective review of these signal events?

Brandon Lewis: That is a very good question. This reminds me of a question I asked when I met the campaigners. I asked what they were hoping an inquiry would achieve. There were no wrongful convictions to correct, and there were no deaths to investigate. There was, however, a question about police behaviour. We can learn the lessons of the past and look at the behaviour, performance, structures and working of the police for the future. Things have changed dramatically in the past three decades, from the reforms in the Police and Criminal Evidence Act 1984 right through to the ones that we are introducing today. I therefore ask the hon. Gentleman to support us in our work on continuing with these important reforms.

Margaret Ferrier (Rutherglen and Hamilton West) (SNP): Many of those campaigning for an inquiry into Orgreave drew hope from the result of the Hillsborough inquiry. Is the real reason that no inquiry will be allowed in this instance the fact that the Government fear that it would show that, unlike at Hillsborough, the police conspired in advance and initiated the confrontations, which would undoubtedly lead to questions about Government involvement?

Brandon Lewis: As I have said, there are considerable differences between the two situations. The basis on which the Government's decision on an inquiry into Orgreave was made was whether it would be in the wider public interest.

Press Matters

1.27 pm

The Secretary of State for Culture, Media and Sport (Karen Bradley): With your permission, Mr Speaker, I wish to make a statement on matters relating to the Leveson inquiry. A free press is an essential component of a fully functioning democracy, which is why it was a manifesto commitment of this Government to defend a free press. The press should tell the truth without fear or favour and hold the powerful to account. However, we now know that that freedom has in the past been abused. We know that some parts of the press have ignored their own code of practice and the law. I have met victims of illegal and improper press intrusion, some of whom have suffered immense distress.

In July 2011, the coalition Government announced an inquiry into the role of the press and the police in phone hacking and other illegal practices in the British press. Lord Justice Leveson—now Sir Brian Leveson—was appointed chair of the inquiry. Part 1 of the inquiry examined the culture, practices and ethics of the press. It considered such matters as whether the press needed a different form of regulation and how the press interacted with the public, the police and politicians. Sir Brian Leveson heard evidence from more than 300 people, including some of those who had been affected by the most egregious press behaviour. On 29 November 2012, the Leveson inquiry published its report on part 1. It contained 92 recommendations, the majority of which have been acted on and are being delivered. Part 2 of the inquiry, which has not yet begun, would further examine wrongdoing in the press and the police.

Following a cross-party agreement, a royal charter established the Press Recognition Panel, which began operating in November 2014. As stated on its website, the panel's purpose is to ensure that any press self-regulator is

“independent, properly funded and able to protect the public, while recognising the important role carried out by the press”.

Since September 2015, the panel has been taking applications from regulators that are seeking recognition. Alongside the royal charter, section 40 of the Crime and Courts Act 2013 was designed to incentivise newspapers to join a recognised self-regulator. Section 40 has passed into law but remains uncommenced. It is one of two incentives. The other, relating to exemplary damages, came into effect on 3 November 2015. A self-regulator applying for recognition must meet the specific criteria set out in the royal charter, including providing a system of low-cost arbitration to replace the need for court action. Section 40 contains two presumptions: that if a publisher who is a member of a recognised self-regulator loses a relevant media case in court, they do not have to pay the winning side's costs; and that if a publisher who is not a member of a recognised self-regulator wins such a case in court, they would have to pay the losing side's costs as well as their own. Each element was intended to encourage the press to join a recognised self-regulator through a legitimate rebalancing of the normal rules on costs.

It has hitherto been the view of Government that as we wait for a number of elements of the new self-regulatory regime to settle in—the exemplary damages provisions of the 2013 Act, the press developing an effective form

of voluntary self-regulation, and self-regulators applying for recognition—the time has not been right to commence section 40. However, the panel recently recognised its first self-regulator, the independent monitor for the press or IMPRESS, which currently has around 50 members. Meanwhile, the Independent Press Standards Organisation, known as IPSO, regulates more than 2,500 publications but has been clear that it will not seek recognition from the panel. We think the time is right to consider section 40 further.

It has also become apparent that the final criminal case relating to the Leveson inquiry is entering its final stages. We therefore think it is an appropriate time to start to consider the next steps on part 2 of the inquiry. Many of the issues that part 2 would have covered have been addressed over the past five years. Three police investigations—Operations Elveden, Tuleta and Weeting—have investigated a wide range of offences. A clear message has been sent to all police officers and public officials that receiving payments for confidential information will not be tolerated and will be dealt with robustly. The Metropolitan Police Service has introduced new policies on whistleblowing, gifts and hospitality, and media relations.

There was also a degree of subject matter overlap between parts 1 and 2 of the Leveson inquiry. For example, the inquiry reviewed the MPS's initial investigation into phone hacking and the role of politicians and public servants regarding any failure to investigate wrongdoing in News International. Part 1 made numerous recommendations which, where they relate to them, are being addressed by the police, Her Majesty's inspectorate of constabulary, the Independent Police Complaints Commission and the College of Policing. Given the extent of the criminal investigations, the implementation of the recommendations from part 1 of the Leveson inquiry and the cost to the taxpayer of the investigations and part 1—£43.7 million and £5.4 million respectively—the Government are considering whether undertaking part 2 is still in the public interest.

We are keen to take stock and seek the views of the public and interested parties—not least those who have been the victims of press abuse. We will also formally consult Sir Brian Leveson, in his role as inquiry chair, on the question of part 2 at the appropriate time. I can announce that today we are launching a public consultation, inviting comments on both section 40 and part 2 of the Leveson inquiry from organisations that are affected by it and from the public. It will run for 10 weeks from today—1 November—until 10 January 2017. It is laid out in a consultation document entitled, “Consultation on the Leveson Inquiry and its implementation”, published on gov.uk. I am also depositing it in the Libraries of both Houses.

I have met Sir Brian Leveson, and spoke to him again this morning. I will write to him formally as well. I am extremely grateful for all the work that he and his team have done to get us this far. The Government are determined that a balance is struck between press freedom and the freedom of the individual. Those who are treated improperly must have redress. Likewise, politicians must not seek to muzzle the press or prevent it from doing legitimate work, such as holding us to account. The police must take seriously their role in protecting not only their own reputation, but also those people they are meant to serve. That is the balance that we wish

to strike, and the consultation is the most appropriate and fairest way of doing so. I commend this statement to the House.

1.35 pm

Mr Tom Watson (West Bromwich East) (Lab): What a sad day this is. I am at least grateful to the Secretary of State for giving me an advance copy of her statement an hour ago—947 days after all parties reached an agreement to implement in full the recommendations of the Leveson inquiry.

The Prime Minister herself set the test for the process on 14 June 2012 when she said to the inquiry:

“I will never forget meeting with the Dowler family in Downing Street to run through the terms of this Inquiry with them and to hear what they had been through and how it had redoubled, trebled the pain and agony they’d been through over losing Milly.”

She went on to say that the test should be

“are we really protecting people who have been caught up and absolutely thrown to the wolves by this process. That’s what the test is.”

The Government reassured victims that if they spoke out at Leveson, the Government would act on his recommendations. Today, the Culture Secretary has announced that we must wait another 10 weeks while the reforms are discussed all over again in the context of a wider consultation on the press. The Opposition believe that they have been discussed and debated enough and should have been implemented years ago. The victims of press intrusion cannot wait a day longer for this Government to honour David Cameron’s promises to pass the then Home Secretary’s self-defined test. For the Culture Secretary to stand here today and announce a consultation into the press nearly 1,000 days after those reforms were agreed by party leaders is deeply regrettable.

As the Culture Secretary said, it is more than five years since the previous Prime Minister stood at the Dispatch Box and announced an inquiry into press practices and ethics. A lot has happened since then. We have had the Hillsborough inquiry and its findings on misleading police statements to Government officials and subsequently newspapers. We had the urgent question on Orgreave just this morning. We have had the case of Mazher Mahmood, the fake sheikh who perverted the course of justice to secure his scoops and in so doing left scores of previous convictions unsafe. Senior police officers have had to resign over phone hacking. We have had more information emerge about the brutal murder of Daniel Morgan, a private investigator who was threatening to reveal police corruption to the press. Over 30 police and public officials have been jailed for bribery.

Leveson 2 was meant to look at the relationship that existed between newspapers and police. Despite the exposure of criminality, it is impossible for the Minister to credibly conclude that we have learned enough about corruption to halt Leveson 2 before it starts. After all, one of the terms of reference for the second part of Leveson is

“To inquire into the extent of corporate governance and management failures at News International and other newspaper organisations, and the role, if any, of politicians, public servants and others in relation to any failure to investigate wrongdoing”.

In other words, Leveson 2 is the investigation into how the cover-up of phone hacking was conducted. In effect, the Culture Secretary is today announcing a consultation

on whether the cover-up should be covered up. It is my view that the events of the past five years make Leveson 2 more urgent, not less. Leveson was created so that a Minister would not have to worry what pressure she was put under by newspaper editors. What the Secretary of State is doing today is abandoning that principle. She is taking back the power from an independent judge, and in so doing she opens up the Executive to accusations that they have succumbed to the vested interests of media barons—it is an age-old story and she is carrying the can.

I am afraid that the Secretary of State leaves us no choice but to ask her some searching questions. First, did the Prime Minister discuss the Leveson process at her private meeting with Rupert Murdoch in New York last month? Secondly, when the Secretary of State spoke to Lord Leveson earlier today, did he approve this hurried consultation? Does he agree with her analysis? Will she allow him to make a public statement? Finally, has she spoken to the parents of Milly Dowler and to other victims of press intrusion? What is their view of these proposals? Do they think this passes the Prime Minister’s test? Are we really protecting people who have been caught up and absolutely thrown to the wolves?

Karen Bradley: I welcome the hon. Gentleman to the Dispatch Box, but I disagree with much of what he has just said. Let me start by being clear about victims of press intrusion: the first people I met in this job regarding press regulation were the victims of phone hacking—I did so with Hacked Off. I have been determined throughout my time in this role to make sure that I meet as many victims as possible; I did the same in my previous role in the Home Office and I continue to do it, because if we do not listen to people and what they have been through, we cannot possibly imagine it and legislate in an appropriate way. But what is clear to me, and I think to him, is that we all want effective, robust press regulation, so we have to look at the situation we find ourselves in today, not five years ago, to make sure we can achieve that. In his list of things that had happened, he actually set out all the reasons why we need to take a step back and to consider the position, so I invite responses from all interested bodies—from all people affected by this. I am sure that we will get many, many responses to the consultation and I welcome them. We need to look at this in terms of the situation and the press regulation we have today, to make sure we get the right, appropriate, robust, effective press regulation, so that, as he said, we do all we can to protect people.

Mr John Whittingdale (Maldon) (Con): I welcome my right hon. Friend’s intention to continue to listen very carefully on these matters. Will she confirm that in considering how best to proceed, she will take account of the significant deterioration in the economic health of traditional media, which has taken place even since Leveson and is still leading to the closure of titles at both national and local level? Will she bear in mind that the real media giants of today, such as Facebook and Google, are outside the scope of legislation and regulation altogether?

Karen Bradley: My right hon. Friend, who was my predecessor in this role, sets out important arguments, which we need to consider. He rightly says that we need

[Karen Bradley]

to make sure that this regulation affects the whole of the press, not just the print media that are on our high streets and that are produced locally, but those global players on the internet.

John Nicolson (East Dunbartonshire) (SNP): As the House knows, section 40 of the Crime and Courts Act 2013 was passed to implement the recommendations made by the Leveson inquiry that any new regulator set up should be accredited as independent and effective. The purpose of that section is to provide costs protection for claimants and Leveson-regulated newspaper publishers. Section 40 extends to England and Wales only. Regulation of print media is devolved to the Scottish Parliament, which has provided cross-party support for the UK Government's actions to implement the royal charter. Does the Secretary of State understand the difficulties that local newspapers face and recognise that the majority of the press, especially the regional press in Scotland, was not involved in the sort of malpractice that prompted the Leveson recommendations?

It is important that we balance respect for the freedom of the press and the public desire for high standards, accuracy and transparency. That said, does the Secretary of State agree that the protection afforded by section 40 would be available to Scottish litigants who chose to sue newspapers based in England and Wales in the event that section 40 was enacted? In the meantime, Scottish National party MPs will support the House of Lords amendment to the Investigatory Powers Bill that will introduce a new clause 9, on the back of clause 8, which was introduced as an SNP amendment.

Karen Bradley: The hon. Gentleman raises the issues regarding the devolution of regulation of the press. As he will know, part 2 of Leveson will cover the whole United Kingdom but, as he said, section 40 covers England and Wales. I am due to speak to Fiona Hyslop this afternoon to discuss exactly how we make sure it works across the whole country. He makes the point strongly that many good local newspapers were not involved in any form of press abuse or intrusion, and we need to make sure that we do press regulation in a way that protects a free, vibrant local press.

Sir Peter Bottomley (Worthing West) (Con): I declare an interest, in that I have had four successful defamation actions against newspapers. I say to my right hon. Friend that having an effective, robust press is even more important than having effective, robust press regulation. If we have 2,500 newspapers, including all those—or nearly all those—represented by the Society of Editors, and we have a pretty pathetic list in IMPRESS, most of which do not have a circulation of more than 200, 300 or 1,000, we must not introduce section 40 and we ought to find a way in which the IPSO people cannot be forced into the Press Recognition Panel but can be recognised as representing newspapers, with a proper way of redress?

Karen Bradley: My hon. Friend sums up the dilemma that faces the Government today: we have more than 2,500 newspapers and other publications that have not signed up and never will sign up to a recognised regulator.

We have to make this work in that climate and with that situation, and I urge all interested parties to respond to the consultation, so that we can hear all those views.

Mr Ben Bradshaw (Exeter) (Lab): I thought I was going to welcome the Secretary of State's statement, because she explained in clear detail why the incentives contained in section 40 are essential to the Leveson recommendations, which this House approved overwhelmingly in the royal charter and which, as she said, are already in law—and we now have a recognised regulator. But she went on to say that, rather than commencing section 40, the Government were just going to consider it further. Why does she not just do the right thing by the victims and commence the legislation that this House and the House of Lords have already passed?

Karen Bradley: What I said is that we are going to consult; it is a 10-week consultation, and it is very clearly about part 2 of the Leveson inquiry and the commencement of section 40. I want to hear all views in that consultation.

Mr Edward Vaizey (Wantage) (Con): I was struck by an article in this weekend's *Observer* by the former editor of *The Guardian*, Peter Preston, who calls for section 40 to be mothballed and suggests that the Government could

“seek a fresh, more collegiate start.”

I would not expect the Secretary of State to take such an extreme position as the ex-editor of *The Guardian*, but does she agree that this consultation is exactly the right way forward and that it is an opportunity to take stock of where we are, to involve all interested parties and to see whether we can move on in a more consensual fashion?

Karen Bradley: I read that same article, and I should read out what Peter Preston says:

“It doesn't make sense any longer. Blanket bitterness stuck in a time warp. Most editors, like most politicians, with a soupçon of perspective, would know what to say about such impasses. Time to dismantle the barricades. Time to move on.”

Paul Farrelly (Newcastle-under-Lyme) (Lab): The Secretary of State has a very easy way out of her dilemma, which is to name a future date for the commencement of section 40. She will then get plenty of movement, because there will be plenty of incentive. We have all been circulated things by local newspapers, at the behest of national newspaper owners, but does the Secretary of State agree that that lobbying tells only half the truth? Section 40 gives protection for serious journalism from the chilling effect of deep-pocketed vexatious litigants, because such people would first have to go through a low-cost arbitration system and not to the courts? In that sense, it protects hard-pressed local newspapers in particular, whose investigations have, sadly, not been of the calibre that we have been used to.

Karen Bradley: The hon. Gentleman and I discussed that at the Select Committee last week. We share a local paper in the *Stoke Sentinel*, which has communicated with both of us, but he must recognise that the *Stoke Sentinel* and others have signed up to IPSO, which does not have recognition under the Press Recognition Panel. We need to ensure that we get this right, which is why we

need to take stock, listen to all views and consider the position based on the fact that we are now five years on from the original date of the inquiry.

Several hon. Members *rose*—

Mr Speaker: Order. Questions are rather long. Perhaps we can get pithiness from a classicist and a philosopher. I call Sir Oliver Letwin.

Sir Oliver Letwin (West Dorset) (Con): Thank you, Mr Speaker, for that equivocal introduction.

I welcome my right hon. Friend's statement. Does she agree that the members of IPSO—the press—could spare us a lot of grief and move the matter on if they were to enforce, through IPSO, a genuinely Leveson-compliant regime, including the provision of a low-cost arbitration service?

Karen Bradley: I pay tribute to my right hon. Friend for the role that he has played in developing the cross-party agreement. Those are exactly the kind of comments that we want to hear through the consultation.

Chris Bryant (Rhondda) (Lab): I rather agree with the right hon. Member for West Dorset (Sir Oliver Letwin) that that is precisely what IPSO could do, but this is now a matter of keeping faith. David Foulkes was killed in the 7 July bombings in Edgware Road. His father, Graham, said:

"We were in a very dark place. You think that it is as dark as it can get, and then you realise that there's someone out there who can make it darker."

The right hon. Gentleman made promises to Mr Foulkes, as did the Prime Minister at the time and the present Prime Minister. The right hon. Member for Wantage (Mr Vaizey) also made promises to Mr Foulkes and to so many others that, first, the commencement would start immediately, and secondly—no ifs, no buts—that there would be Leveson 2. Why on earth is the right hon. Lady reneging on all those promises made to the victims?

Karen Bradley: Nobody is reneging on any promises. We are having a consultation. We want to hear from all sides, and we will make a decision after that.

Philip Davies (Shipley) (Con): Will the Secretary of State bear most in mind the weakening and poor health of local and national newspapers, as set out by my right hon. Friend the Member for Maldon (Mr Whittingdale), and make sure that they will always be protected in being able to expose people in authority? They should be protected from rich bullies who, by the very threat of legal action against them, may force newspapers not to print stories that would be in the public interest. Not doing that may suit many people in this House, but it would do a gross disservice to the public at large.

Karen Bradley: My hon. Friend is right. We all know of instances when local newspapers have perhaps printed something with which we did not necessarily agree, but I defend the right for them to do so.

Julie Elliott (Sunderland Central) (Lab): I feel so let down and disappointed by the Secretary of State's statement. She could have come here and announced the commencement of section 40, which would have been the right and proper thing to do. I do not know what she thinks more talking will do after the months

and months of Leveson, but I want to ask this specific question: has she met the families and the victims of the lack of press regulation—not on the day that she took office, but today or yesterday—to say that there was going to be more delay and more consultation and to explain what she was coming here to announce today?

Karen Bradley: As I told the hon. Member for West Bromwich East (Mr Watson), I have met victims and I will continue to meet them. I will ensure that I have correspondence and engagement with all, but I wanted to come to the House and make this announcement because Parliament needs to hear it first.

Mr Jacob Rees-Mogg (North East Somerset) (Con): I suppose I had better begin by declaring an hereditary interest rather than a direct one.

I want to commend my right hon. Friend for her excellent statement. She is clearly right to be reviewing this, because the system cannot be working when IMPRESS, funded by a degenerate libertine who was embarrassed by free newspapers a few years ago, has only 50 subscribers, and IPSO, representing the vast swathe of the press, has 2,500 subscribers. She is quite right to review that, and also right to defend the freedom of the press, which is more important than the press being responsible.

Karen Bradley: I thank my hon. Friend for his comments. That is why we are having a consultation. I want to hear all responses, and I want to look at this in the light of today, not of five, 10 or 15 years ago.

Andy Burnham (Leigh) (Lab): One common thread that runs between the injustices uncovered in recent years is an unhealthy, collusive relationship between police and the press. Part 2 of the Leveson inquiry was intended to examine that in detail. It is seen as essential by Hillsborough campaigners to bring a form of accountability, and yet the Secretary of State, if I heard her correctly, has effectively announced today that she is consulting on a decision to reject it. Can she not see that that will leave campaigners feeling bitterly let down? Does it not sound for all the world like the second Government cover-up in just two days?

Karen Bradley: I disagree with the right hon. Gentleman for whom I have enormous respect. In this case, he is simply wrong. We are consulting on what is the right thing to do today. He must recognise that there have been significant changes in the way in which the police behave and are accountable, much of which was uncovered during the inquiry on Hillsborough. I want to look at the position today to get the right result for those who have been victims of press intrusion in the past and to make sure that people in the future have the appropriate regulation and the appropriate redress.

Bill Wiggin (North Herefordshire) (Con): I really welcome the comments of my right hon. Friend about effective and robust regulation. It is crystal clear that IPSO does neither of those. Will she do all she can to ensure that low-cost arbitration is on the top of her list?

Karen Bradley: My hon. Friend makes an important point. We do want to see all people, no matter what their background, being able to get appropriate redress and arbitration that is effective and works.

Helen Goodman (Bishop Auckland) (Lab): The Secretary of State says that she wants to come up to date with what is going on now, and not just look back at the tragedies of 10 years ago. Well, she needs only to look at the case of Fatima Manji to see that the same people being complained about were the judges and the jury in the regulator, IPSO. That is the problem.

Karen Bradley: I do not want to comment on individual cases that have been brought to any regulator. What I want to see is robust regulation.

Damian Collins (Folkestone and Hythe) (Con): Does the Secretary of State accept that, regardless of her consultation, the current status quo is not acceptable, because we have yet to see the establishment of a robust industry-funded system of arbitration, which gives access to justice—one of Leveson's key recommendations?

Karen Bradley: My hon. Friend, the Chair of the Select Committee, makes a very good and important point, and one that I want to hear more about during the consultation.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): The Press Recognition Panel set up in the wake of the phone-hacking scandal stated that urgent action is required if the post-Leveson system of independent regulation is to be given a chance to survive. Surely today's procrastination is tantamount to political interference by the Government.

Karen Bradley: I do not accept that point. We have commenced the exemplary damages point. We now have a recognised regulator. Now is the time to take stock and look at what further work needs to be done.

Richard Drax (South Dorset) (Con): As a former journalist of some 17 years, I was shocked when only 14 of us in this House voted against the Royal Charter all those years ago, and I questioned whether democracy was at risk. May I remind Opposition Members and perhaps one or two Government Members that phone hacking is already illegal and a person will go to jail if they commit that offence? Finally, local newspapers, which had nothing to do with the scandal that occurred in a very small majority of the major newspapers, fear that if they have to pay costs despite even winning their case, they will have to close down and they will not be able to challenge those who should be challenged.

Karen Bradley: My hon. Friend makes a very important point. This is why we are consulting and taking stock.

Graham Jones (Hyndburn) (Lab): The Secretary of State says that press regulation is failing, but let us not forget that this Government set up this system, which is now failing. Is it not the case that this Government have been engaging in political gymnastics on this issue since the beginning to arrive at the very point that we are at today where section 40 and part 2 are going to be scrapped? It has always been the Government's intention to pay lip service to this issue and not to consider the victims.

Karen Bradley: This is a full, open consultation on which no decisions have been taken.

Dr Andrew Murrison (South West Wiltshire) (Con): The Secretary of State is absolutely right to stand up for independence, regulation and arbitration, but the consultation she has announced today will of course delay, at best, section 40. Does she not agree, therefore, that it would be reasonable to accept Baroness Hollins's amendments to clause 8 of the Investigatory Powers Bill?

Karen Bradley: I do not agree with that point. The Investigatory Powers Bill is a matter of national security and nothing should get in the way of us passing it to establish an Act of Parliament to ensure that we have the right powers for our law enforcement to keep us all safe.

Andy Slaughter (Hammersmith) (Lab): Section 40 needs to be implemented now—not just because it is in statute and part of Leveson, but because it is necessary to address part 2 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012. The effect of that Act, which was introduced by the previous coalition Government, is that it is not possible for victims easily to sue people, so will they not continue to be vilified and humiliated?

Karen Bradley: I would welcome comments on that particular issue in the consultation.

Sir Gerald Howarth (Aldershot) (Con): Like my right hon. Friend, I believe in a free press, but I also believe in a responsible press. Does she not agree that a great virtue of the Leveson inquiry was that it took this whole contentious issue out of the hands of politicians; that by going for this consultation, which she will respond to, she is in danger of embroiling politicians in the issue again; and that low-cost arbitration has to be part of the solution?

Karen Bradley: The very fact that we are having a debate about section 40—tied up with the matter of national security, which is the Investigatory Powers Bill—means that we need to take stock and work out exactly what is the best thing to do.

Yasmin Qureshi (Bolton South East) (Lab): Academic research has shown conclusively that the false lies printed on a daily basis on most of the front pages of our newspapers against migrants and minority communities have led to the rise of violence and prejudice towards those people. When complaints are made, all we get is a two-line correction at the bottom of the page. Has not IPSO singularly failed to deal with that?

Karen Bradley: Those are the points that I would like to hear in the consultation, so that we can make a decision based on the evidence.

Mr Speaker: Bob Stewart.

Bob Stewart (Beckenham) (Con): Oh! Sorry. Thank you, Mr Speaker.

Mr Speaker: The hon. Gentleman does not have to look quite so surprised. He was standing. Therefore, I did think he wanted to contribute. It is not surprising, if he then rises to his feet, that I call him.

Bob Stewart: I was just surprised that I was called so early. I am normally further down the list.

Mr Speaker: Order. I must say that the capacity of right hon. and hon. Members for misguided self-pity is unlimited.

Bob Stewart: Thank you, Mr Speaker. I will get to it now.

We in the House unanimously agreed to support Leveson part 1. Well, most of us agreed. Is the consultation, therefore, simply a tactic to get the press on board?

Karen Bradley: My hon. Friend is usually at the top of my list. I want to assure him that this is an open, frank consultation where we want to hear all views so we can make a decision based on the situation we find ourselves in today to get the effective, robust regulation that we all want.

Mr Clive Betts (Sheffield South East) (Lab): The Secretary of State deliberately refused to answer the precise questions that my hon. Friend the Member for West Bromwich East (Mr Watson) put to her from the Front Bench. Will she now say, having spoken to Lord Leveson, what are Lord Leveson's views on the statement she has made today and whether she will allow him to speak publicly about his views?

Karen Bradley: I apologise if the hon. Gentleman does not think that I answered the question, but, to be clear, I discussed the matter with the hon. Member for West Bromwich East earlier. The conversation I had with Lord Leveson is private and I am not going to comment on it in public.

Matt Warman (Boston and Skegness) (Con): I should declare that I spent 15 years as a journalist at *The Daily Telegraph*. We all feel profound sympathy for the victims in this situation, but, overall, is not the real prize that a good, free, robust and boisterous press holds the Government to account regionally, locally and nationally? If we get that wrong by allowing it to become either unsustainable or impractically regulated, we will lose far more than we are talking about today.

Karen Bradley: My hon. Friend makes the point very well. We want a robust, free, strong press that holds us to account. We will not like it when the press holds us to account, but it should have the right to do so.

Robert Jenrick (Newark) (Con): My local, family-owned newspaper, the *Newark Advertiser*, knows what it is like to be vexatiously sued by a politician. When Harold Laski sued the newspaper to try to ruin a local family, the Parlboys, he lost. That is now one of the leading cases in this area of law. Of course, had these rules been in place, the family would still have been ruined and my local newspaper would still have been put out of business.

In the consultation, will the Secretary of State pay particular attention to local newspapers and, above all, to independent titles such as the *Newark Advertiser*?

Karen Bradley: I can confirm that we will.

Kevin Foster (Torbay) (Con): I am sure the Secretary of State, like me, will be amazed by the spectacle of a Parliament in which it is the Opposition who are demanding more restrictions on the press. Will she reassure me that we will balance any future system against the needs of the local media, particularly in an era when, sometimes, update lists via email run by Members of the House have a larger circulation?

Karen Bradley: My hon. Friend touches on the point alluded to by my right hon. Friend the Member for Maldon (Mr Whittingdale): we are in a news world entirely different from what we have ever had before. We have digital media, global players and local players who can get to people through social media and the internet in a way that is totally unregulated. We need to ensure that we look at all those matters and get the right regulation.

Mr Philip Hollobone (Kettering) (Con): How many marks out of 10 would my right hon. Friend give IPSO?

Karen Bradley: I have not yet been asked to give IPSO a mark out of 10, so I will restrain myself from doing so at this stage.

Crispin Blunt (Reigate) (Con): Believing that my right hon. Friend's heart is in the right place, I wonder whether the irony in her repeated statement that this is the right thing to do for today was intended or unintended. What assurance can she give me that she will commence section 40 if there is no other way to get to low-cost arbitration?

Karen Bradley: I can assure my hon. Friend that I will look at all the consultation responses and will make a decision based on the evidence.

Mr Watson: On a point of order, Mr Speaker.

Mr Speaker: We will come to the hon. Gentleman in a moment. The wine will mature. Do not worry.

BILL PRESENTED

HEALTH AND SOCIAL CARE (NATIONAL DATA GUARDIAN) BILL

Presentation and First Reading (Standing Order No. 57)

Jo Churchill, supported by Alistair Burt, Maria Caulfield, Jeremy Lefroy, Ben Howlett, Will Quince, Rebecca Pow, George Freeman, Nick Thomas-Symonds, Karin Smyth and Liz McInnes, presented a Bill to make provision relating to the National Data Guardian for Health and Social Care; and for connected purposes.

Bill read the First time; to be read a Second time on Friday 2 December, and to be printed (Bill 84).

Points of Order

2.2 pm

Mr Tom Watson (West Bromwich East) (Lab): On a point of order, Mr Speaker. I misattributed a quote earlier. I was in error about which Prime Minister's promise to the Dowlers is not being kept. It is David Cameron's promise that is not being kept, not the current Prime Minister's. I have put that right as early as I could.

Mr Speaker: Thank you. I am extremely grateful to the hon. Gentleman, as will the House be. The matter is now firmly on the record.

Louise Haigh (Sheffield, Heeley) (Lab): On a point of order, Mr Speaker. Last Thursday, the chief executive of Her Majesty's Revenue and Customs gave evidence to the Treasury Committee in which he said that never again would HMRC outsource to a private contractor anything to do with tax credits. That represents a significant U-turn in Government policy. Do you think it would have been appropriate for a Minister to come to the House to make a statement, not least because that was the day after we had had a full Opposition day debate on Concentrix? Several questions remain outstanding on Concentrix, the contract that is in place and whether compensation will be received for the early release that the Minister said is being negotiated. Will you find a way to encourage the Minister to come back before the House to give a full statement on Concentrix and the outstanding questions that remain, but also on the decision no longer to outsource in relation to tax credits?

Mr Speaker: I do not think it would be right for me to engage in public exhortation, and certainly it is for Ministers to decide when to make an oral statement and when to make a written statement. That said, the hon. Lady has made an interesting observation about what appears to represent a change of heart, and indeed of intended policy. In such circumstances, it is commonplace, and invariably appreciated by the House, if a Minister chooses to come to it formally to announce that and to be open to questioning on the matter.

The hon. Lady has made her point with her usual force and eloquence and it will have been heard by those on the Treasury Bench. At this stage, I say let us await the development of events.

There are no further points of order now, although I have a feeling that one is brewing and we will hear it ere long, at a time the hon. Member in question thinks apposite in relation to upcoming business. Before we get to that, we have a ten-minute rule Bill.

School Admissions (Special Educational Needs)

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

2.10 pm

Martin Vickers (Cleethorpes) (Con): I beg to move,

That leave be given to bring in a Bill to make provision about the access to education, school admissions and support for special educational needs, with particular reference to children diagnosed with autism; and for connected purposes.

The Equality Act 2010 exists to protect people of all ages from discrimination. It should prevent disabled people from being treated unfairly because of their disability, but in some respects, sadly, there is still a long way to go. Like every other Member, I suspect, I have had parents of disabled children visit my surgery. Like all parents, they want the best for their children, but as a result of the barriers that they have to overcome, they are even more driven and determined than most as, too often, the system makes it difficult to ensure that their children get the very best, particularly when it comes to education.

It is an irony that the Equality Act is being used to discriminate against children with autism. The National Autistic Society believes that too many schools do not fully understand their duties towards children and young people with this condition. The law requires them to make reasonable adjustments for their disabled pupils, so that they may achieve their full potential. "Reasonable adjustment" means ensuring that a disabled child can do what their non-disabled peers do.

There appears to be a loophole in the law that does not consider challenging behaviour linked to a child's disability as an impairment. If their disability could result in aggressive behaviour towards others in the school, the law on disability discrimination does not help them, and some governing bodies use "tendency to physical abuse of others" as a reason not to meet the needs of an autistic child and to exclude them. Of course, governors have a duty to others in the school, but it can sometimes be easier to refuse admission than to facilitate a solution.

Let me give a specific example from my constituency. Mr and Mrs Chase of Healing in north-east Lincolnshire took the decision to remove their son from his second maintained mainstream primary school owing to the lack of appropriate provision and a lack of advice and support for the school and themselves with regard to the types of provision that could be put into a mainstream school. Explaining their decision to withdraw their son, Mr and Mrs Chase said in their email to me:

"Our decision was the last straw and a very hard decision to make. However we could no longer sit back and watch our son's lack of education continue. So throughout the summer holidays we pushed the LEA and SEN Assessment Team for an out of area specialist school placement for our son and due to the fact there is nothing else in the area for our son, his placement was agreed and he started at an independent family run school in Brigg that provided a specialist setting for boys on the autistic spectrum."

Although this may be difficult to replicate on a wider scale, it is not impossible.

Mr and Mrs Chase continued:

"The first two weeks went very well, but we experienced some blips as this setting is very different to a mainstream school and our son is still trying to become familiar with the differences in

environment, figuring out where the boundaries are, how to fit in with his peer group and also start to manage a full school day and realise that he must do this five days a week.”

Mr and Mrs Chase went on to say that

“without the right kind of ethos and staff attitude, specialist units can become very institutional and more like mini correctional facilities, which often can do more damage than good to children with these conditions.”

Mr and Mrs Chases’s son was permanently excluded when his primary school became an academy. They challenged the decision through an independent panel review, which concluded that the school had made a premature decision on permanent exclusion and asked it to reconsider, but the independent panel had no power to reinstate their son.

Mr and Mrs Chase said:

“Our main worry as parents of a disabled child with some very challenging behaviours caused by his disabilities is that with regulation 4 (1)”—

of the Equality Act—

“disabled children are being villainised, they are being made out to be the bad guys particularly in disability discrimination cases . . . Our children’s rights to an education and also special educational needs provision due to their disabilities are being washed away by this regulation. Schools are getting away with poor special educational needs provision for disabled children and most probably poor allocation of the additional monies allocated to special needs children. Schools have been given a loophole in law to out difficult disabled children that are their responsibility to educate”, due to regulation 4(1).

I appreciate that this is emotive language, but I ask Members to put themselves in the shoes of parents who find barriers placed in front of them. They want to prevent their children from being discriminated against. That must surely have been the intention of the Equality Act. In fairness I must emphasise that I recognise that some schools and local authorities make far better provision than others. Teaching assistants are often allocated to work with autistic children. Indeed, my own daughter has performed this task at a primary school in my constituency.

In March this year, the House of Lords Select Committee on the Equality Act 2010 and Disability published a report evaluating the impact of the Act on disabled people. Evidence was presented to the Committee by the charity Independent Parental Special Education Advice and also by the Alliance for Inclusive Education. Section 501 of the report states that those organisations “were concerned that the exclusion had resulted in schools moving straight to exclusion of pupils with challenging behaviour, without first considering whether reasonable adjustments could prevent it.”

The report continued by pointing out that challenging behaviour results because reasonable adjustments have not been made.

Recommendation 503 of the report states:

“Schools should be encouraged and supported to make the kinds of adjustments that can help to address the educational inequalities faced by disabled children and young people, including those whose disability gives rise to challenging behaviour. This is undermined by Regulation 4(1) of the Equality Act 2010 (Disability) Regulations 2010, and we recommend that the Regulations are amended so that a tendency to physical abuse of other persons ceases to be treated as not amounting to an impairment for the purposes of the definition of ‘disability’.”

The Government responded as follows:

“Our Special Educational Needs and Disability (SEND) Code of Practice makes it clear that teachers should look beyond disruptive or challenging behaviours to determine whether there are underlying issues or disabilities and put appropriate support in place. . . The department’s exclusion guidance also sets out that early intervention measures should include an assessment of whether appropriate provision is in place to support any SEN or disability that a pupil may have. It makes clear that schools should consider the use of a multi-agency assessment for pupils who display persistent disruptive behaviour, which could include pupils who have unidentified SEN. Schools should arrange such assessments when concerns arise rather than waiting for a specific trigger.

Although there remain strong public policy reasons behind the excluded behaviours, the Government has listened to the issues raised by the Committee and will consider how the exemption around ‘a tendency to physical abuse of other persons’ applies to those under 18 in an education context.”

As we all know, guidance and what actually happens can sometimes be very different. I recognise that much good work takes place, but parents of autistic children can sometimes have an uphill task to ensure that a full and comprehensive education is made available. Society has made great strides in recent years in how we educate and care for the disabled, whether that disability be mental or physical, but there is still some way to go. My Bill seeks to remedy one of the loopholes, and I hope that the Minister, who I know cares deeply about these issues, will work with me and the various charities and support groups to ensure that the difficulties faced by my constituents and thousands of others is minimised and eventually eliminated.

Question put and agreed to.

Ordered,

That Martin Vickers, Mrs Cheryl Gillan, Jim Shannon, Fiona Bruce, Mr Barry Sheerman, Melanie Onn, Kit Malthouse, Mr David Nuttall, Mr David Burrows, Justin Tomlinson and Rehman Chishti present the Bill.

Martin Vickers accordingly presented the Bill.

Bill read the First time; to be read a Second time on Friday 16 December, and to be printed (Bill 85).

INVESTIGATORY POWERS BILL (PROGRAMME) (NO. 3)

Motion made, and Question put forthwith (Standing Order No. 83A(7)),

That the following provisions shall apply to the Investigatory Powers Bill for the purpose of supplementing the Order of 15 March 2016 in the last Session of Parliament (Investigatory Powers Bill (Programme)) and the Order of 6 June 2016 (Investigatory Powers Bill (Programme) (No. 2)):

Consideration of Lords Amendments

(1) Proceedings on consideration of Lords Amendments shall be taken at this day's sitting in the order shown in the first column of the following Table.

(2) The proceedings shall (so far as not previously concluded) be brought to a conclusion at the times specified in the second column of the Table.

Table	
<i>Lords Amendments</i>	<i>Time for conclusion of proceedings</i>
Nos. 11 to 15, 338 and 339	90 minutes after the commencement of proceedings on consideration of Lords Amendments
Nos. 1 to 10, 16 to 337 and 340 to 377	The moment of interruption

Subsequent stages

(3) Any further Message from the Lords may be considered forthwith without any Question being put.

(4) The proceedings on any further Message from the Lords shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement.—(*Andrew Griffiths.*)

Question agreed to.

Investigatory Powers Bill

Consideration of Lords amendments.

Mr Speaker: Before we come to the first group of amendments, may I say that, as the House knows, there are 377 Lords amendments to the Investigatory Powers Bill, which were passed to this House yesterday evening? I must inform the House that none of the Lords amendments is certified—it says here “are certified”, but that is quite wrong; “none” takes the singular—under the EVEL Standing Orders. The Scottish Parliament passed a legislative consent motion on 6 October, copies of which are available with the Bill documents online and in the Vote Office. I must also inform the House that two of the Lords amendments—270 and 271—engage Commons financial privilege. If they are agreed to, I will cause the customary entry waiving Commons financial privilege to be entered in the *Journal*.

Mr Jacob Rees-Mogg (North East Somerset) (Con): On a point of order, Mr Speaker. You have made reference to the Sewel convention and to the legislative consent motion being available in the Vote Office. The legislative consent motion from the Scottish Parliament is dated 6 October. Amendment 15—one of the most important amendments we will consider—was passed on 11 October and deals with a matter referred to by the noble Lord Howe as being outside the ordinary ambit of the Bill and a considerable advance from what was in the rest of the text. I am concerned, therefore, that amendment 15 by their lordships is not approved by the Sewel convention or covered by the legislative consent motion that we have received from the Scottish Parliament. I know that, strictly speaking, this is a matter for the Government, not the House of Commons itself, but I fear that the House would be doing a discourtesy to the Scottish Parliament if we were to proceed to legislate on a devolved matter, which media policy is. It would be helpful to have your guidance, and perhaps ruling, on where we should go with the Sewel convention, and perhaps for the Government to clarify their position.

Mr Speaker: I am very grateful to the hon. Gentleman for advance notice of his point of order. Might I just mention in passing that his exegesis of the legislation, and his courtesy and regard for the principle of courtesy in respect of other Parliaments, are impeccable, as is invariably the case.

As the hon. Gentleman will know—I welcome this opportunity to clarify the position, and it does require clarification—section 2 of the Scotland Act 2016 enshrined in legislation the statement that:

“the Parliament of the United Kingdom will not normally legislate with regard to devolved matters without the consent of the Scottish Parliament.”

That does not prevent the House from considering amendments that the Scottish Parliament has not consented to.

We are just about to come to the first debate on a group of Lords amendments that, as the hon. Gentleman rightly observes, includes Lords amendment 15, and it is, I believe, with that that he is overwhelmingly concerned. The Government have given notice of their intention to disagree with Lords amendment 15, among others. We will have to wait to learn from the debate why the Minister takes that view. I am giving due notice that the

House will certainly expect an explanation on that matter—whether the House as a whole does, I feel absolutely certain that the hon. Member for North East Somerset will.

If the hon. Gentleman's thought about Scottish consent had not already occurred to Ministers, or those advising them, I surmise from the attentive attitudes of right hon. and hon. Members on the Front Bench, including much nodding of heads and expressions of sagacity, that it will have done so now. I hope that will do at least for now. I thank the hon. Member for North East Somerset because he has done the House a service. These conventions matter, and he has reminded us of that point.

Clause 8

CIVIL LIABILITY FOR CERTAIN UNLAWFUL INTERCEPTIONS

2.25 pm

The Minister for Security (Mr Ben Wallace): I beg to move, That this House disagrees with Lords amendment 11.

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

Lords amendment 12, and Government motion to disagree.

Lords amendment 13, and Government motion to disagree.

Lords amendment 14, and Government motion to disagree.

Lords amendment 15, and Government motion to disagree.

Lords amendment 338, and Government motion to disagree.

Lords amendment 339, and Government motion to disagree.

Mr Wallace: The Investigatory Powers Bill will provide a world-leading framework for the use of investigatory powers by law enforcement and the security and intelligence agencies. It will strengthen the safeguards for the use of those powers, including through the introduction of a double lock for the most intrusive powers, and it will create a powerful new body responsible for oversight of them. This is the most important piece of legislation this Government will bring before the House.

I will turn first to the amendments tabled in the other place by Baroness Hollins. As we have just heard from my right hon. Friend the Secretary of State for Culture, Media and Sport, the Government will hold a landmark public consultation relating to the governance of the press and its relationship with the public, police and politicians. This consultation will give everyone with an interest in these matters an opportunity to have their say on this vital issue, which affects each and every one of us in the country. I hope the whole House will welcome the announcement, which shows the Government's commitment to addressing the issues and recommendations set out in the Leveson report in the most appropriate way.

This is an emotive subject for Members, in both this House and the other place, where Earl Howe set out the Government's position in relation to this issue during the debate on Report. I hope the House will indulge me while I set out the key points. As I said at the start of my remarks, the Investigatory Powers Bill is one of the

most important pieces of legislation the Government will bring forward. It will provide a world-leading framework for the use of investigatory powers by law enforcement and security agencies and, in doing so, protect this nation from some of the most serious crimes and threats. We should not forget that the Bill will also strengthen the safeguards for the use of those powers, and it will create a powerful new body responsible for that oversight.

We heard yesterday in the Lords from peers on all sides about the importance of the Bill and the careful cross-party scrutiny that has got it into the very good shape that it comes back to the House in today. The Bill will provide vital tools for our law enforcement, security and intelligence agencies. It is not, and never was, intended to provide for the regulation of the press.

Whatever the merits of the provisions introduced by Baroness Hollins, this is not the place for them. Their inclusion is a distraction from the very important aims of the Bill. Moreover, they threaten to undermine an important provision in the Bill.

Mark Field (Cities of London and Westminster) (Con): While I entirely accept that this is not the place to deal with those matters, I hope the Minister will recognise that there is very strong feeling on these Benches that the issues in relation to Leveson do need to be dealt with as a matter of some urgency. While I agree that we should not, therefore, accept the amendment, I very much hope that he and other Ministers will ensure that these matters are brought to the House at the earliest possible opportunity, so that they can be fully and properly dealt with.

Mr Wallace: I am grateful to my right hon. Friend, and I do, of course, recognise the strength of feeling about press regulation, but I also recognise the strength of feeling about making sure we give our security services and our police forces the tools to tackle the paedophiles, the serious and organised criminals and the terrorists who threaten the state and my constituents.

Chris Bryant (Rhondda) (Lab): I am wholly in favour of most of the other provisions of the Bill, but that is not the point we are debating now; we are debating why the Government are renegeing on their promise, made on 18 March 2013 as part of a package, that we would commence section 40 of the Crime and Courts Act 2013. Does the Minister not realise that if we keep getting statements such as the one we just had from the Secretary of State for Culture, Media and Sport, suggesting that the Government intend to kick this issue down the road yet further, their lordships are simply going to send the proposals back again, and again, and again, with probably even larger majorities?

Mr Wallace: I know that the hon. Gentleman is an impatient individual, but 10 weeks is not a long time to wait in engaging in a consultation. *[Interruption.]* He says, "Three and a half years", but what is 10 weeks on top of that?

2.30 pm

Prior to Baroness Hollins's amendments on Report in the Lords, clause 8 provided a basis for individuals to bring civil claims in relation to the misuse of private telecommunications systems. That might include, for example, an employer misusing a corporate network to

spy on his or her employees. That is an important safeguard, which was argued for forcefully and convincingly by a number of Members of this House, including the hon. and learned Member for Edinburgh South West (Joanna Cherry). It was in large part on the basis of her arguments that the Government amended the Bill to include this provision.

Let me address the point of order raised by my hon. Friend the Member for North East Somerset (Mr Rees-Mogg). One of the Government's contentions on why this amendment should be rejected is that it goes against the grain of legislating over and above the will of the Scottish Parliament. As a former Member of the Scottish Parliament, I recognise the importance of the Sewel motion. I urge SNP Members to join us in voting down the amendment, because they cannot pick and choose when devolution is or is not appropriate. Do they wish us to go through the procedures of the legislative consent motion and give the Scottish Parliament the courtesy it deserves, or are they saying that they accept in principle that there are some occasions when we could legislate without a legislative consent motion in the Scottish Parliament? I look forward to the reply from the hon. and learned Member for Edinburgh South West.

Mr Rees-Mogg: My hon. Friend makes a crucially important point. If SNP Members do not require the Sewel consents to be given, then implicitly, as we have an unwritten constitution and operate by convention, they would be giving media policy back to the United Kingdom Parliament.

Mr Wallace: This is a very important point of principle.

Joanna Cherry (Edinburgh South West) (SNP): The Minister asked me a question. I can only remind him of what Mr Speaker said when he was in the Chair: that legislative consent is not required until the Bill has been amended, as the Minister will know very well. Legislative consent to those aspects of the Bill that require it is not sought from the Scottish Government until the Bill has passed through this House. He is therefore setting a false trap. He will remember a phrase from the Scottish Parliament, "My head does not zip up the back." My head does not zip up the back, and I will not fall into his false trap, but SNP Members will give their support to the Lords amendment on this occasion.

Mr Wallace: I think we can debate Zippy another time.

This is about an important issue of principle. Throughout all the Bills I have ever been involved in, we in this House have gone out of our way to make sure that we seek the up-front approval of the Scottish Parliament in an LCM before we start down the path of picking and choosing what we do or do not support.

Mr Rees-Mogg: What the hon. and learned Member for Edinburgh South West (Joanna Cherry) said may well be true, but this is our last opportunity to approve or reject the amendment. If it goes back to the House of Lords, and all the other amendments that we make are agreed to, there will be no further opportunity to amend the Bill, so legislating now, without consent, would make the law.

Mr Wallace: Not for the first time, my hon. Friend is absolutely right. This is the last opportunity to amend this Bill—there will be no going back. Should the hon. and learned Lady wish to go back, then we shall hear her options.

Joanna Cherry: The Minister is in a slightly unfair position because he did not pilot the Bill through the Bill Committee, but I did serve on the Committee, and he can check what happened with his ministerial colleagues. The Government accepted clause 8, on the back of which this amendment rides, as a result of an SNP amendment to reintroduce the tort—or, to use the Scots word, delict—in the Regulation of Investigatory Powers Act 2000. This further Lords amendment rides on the back of an amendment that arose from the historic event of the Government actually accepting an SNP suggestion. I was absolutely delighted about that and will mention it at every opportunity.

Mr Wallace: In the words of the hon. and learned Lady, my head does not zip up the back either. This is an amendment to an accepted amendment. That does not mean that the amendment is accepted in relation to an LCM—we cannot make that assumption. We should reflect on Mr Speaker's point that this House does not usually legislate on policy that is not agreed to by the Scottish Parliament in advance.

Mr Rees-Mogg: We have developed a fascinating constitutional suggestion that amendments made by SNP Members of this House are senior to legislative consent motions given by the Scottish Parliament. SNP Members seem to be raising their status.

Mr Wallace: I am keen to move on, but merely say that how SNP Members vote today will certainly be a clear sign of whether they are embracing a new principle on how we should choose to legislate on issues in Scotland.

As I said, this clause was never intended to provide a basis for claims against newspapers for voicemail interception—so-called phone hacking. Civil claims can already be brought in respect of such activity. In any case, the Bill makes such activity a criminal offence, as is surely right for such egregious interferences with privacy.

If there is a problem to be addressed, this is not the way to do it, and this is not the Bill in which to do it. This is the wrong amendment in the wrong Bill at the wrong time. Governance of the press is an important issue, and it is right that such an issue is subject to full consultation and dedicated scrutiny and consideration. It should not just be tacked on to one of the most important cross-party Bills that this House has debated. This Bill is about the security of the nation. It is a Bill to keep all our constituents safe. Members should ask themselves whether it is appropriate to jeopardise this Bill for the sake of opportunism in the other place.

Dr Andrew Murrison (South West Wiltshire) (Con): The solution, of course, would be for the Government to accept Baroness Hollins's amendments, and then the Bill would be secured, since all of us in this place are broadly supportive of its stated intentions. Many of us have sat through these debates at great length for a very long time.

Victoria Atkins (Louth and Horncastle) (Con): Hear, hear!

Dr Murrison: My hon. Friend is right to say so.

Does the Minister accept that the only objection to this measure that the Government are putting forward is that it is in the wrong place? That appears to be a fairly slim argument. Can he assure people like me who are perhaps wavering on this matter that the terms of reference of the consultation that the Secretary of State for Culture, Media and Sport announced earlier will be sufficiently robust and give a steer on the Government's good intentions on section 40, because then we might be tempted to be a little more patient in the hope that that consultation will result in an outcome that makes Baroness Hollins's amendments redundant?

Mr Wallace: I hear my hon. Friend's comments, but this is like saying, "Because we're being blackmailed, we should give in to the blackmail." The Bill will give powers to our security services and our police to deal with some horrendous crimes and threats to the security of the nation. That does not mean that because someone has tacked an amendment on to the Bill that is not really anything to do with it, we should just give in. We should say, "Let us have the debate about press regulation in the proper forum." My right hon. Friend the Secretary of State has brought forward a 10-week consultation period. As the House will know, the Government have been put on notice that, at the end of that period, they will need to listen to and engage with everyone's concerns and to come up with a position. That is not necessarily the end of this matter in Parliament—there will be plenty of other times when pieces of legislation that may be more appropriate come through.

Mr Dominic Raab (Esher and Walton) (Con): I thank the Minister for that reassurance. I welcome the Government's approach, particularly in addressing the critical question of the Bill—the balance between security and privacy—and in accepting many of the recommendations on safeguards proposed by the Intelligence and Security Committee, whose Chairman, my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve), is in his place. May I urge the Government not to allow the Bill, which is fundamentally about national security, to be conflated with, or held up by, the very different and much wider question of media regulation, as urged on us by the other place?

Mr Wallace: The whole House will hear my hon. Friend's comments. He is a dedicated campaigner on privacy—in fact, on both parts of the Bill—in terms of what he believes in, and he has been consistent throughout. The House should listen when he says that he wants to make sure that a Bill with good oversight is passed correctly, giving us the freedom then to move on to debate and shape press regulation in, rightly, a different forum.

Bob Stewart (Beckenham) (Con): Will my hon. Friend give way?

Mr Wallace: No, I am sorry.

On that basis, I urge this House to reject the Lords amendments in relation to clauses 8, 9 and 273.

Ms Diane Abbott (Hackney North and Stoke Newington) (Lab): I rise to speak to the group of amendments and to Lords amendment 15 in particular. I pay tribute to the work of my right hon. Friend the Member for Leigh (Andy Burnham) and my hon. and learned Friend the Member for Holborn and St Pancras (Keir Starmer), who did so much work, on a cross-party basis, to bring the Bill to its current position. However, we still need to investigate unfinished business concerning the relationship between various authorities and the media. That is why the Labour party fully supports the Lords amendments, particularly Lords amendment 15.

The Minister has told us about his landmark consultation, but we are baffled as to why it is needed when we already have the Leveson report, which had so much time, effort and expertise poured into it. It seems to me that the Minister's vaunted landmark consultation is merely a stalling exercise.

Simon Hoare (North Dorset) (Con): The hon. Lady is new to her position, as is the Minister. I served on the Bill Committee and she is right to point to the work that the hon. and learned Member for Holborn and St Pancras (Keir Starmer) did to build cross-party consensus on what could have been a difficult Bill to land. If the Lords amendments are ultimately rejected by this place and the other place caves in, will the Opposition continue to support the Bill, or will the hon. Lady use that as a crutch on which to base the withdrawal of their support?

Ms Abbott: We are not in the habit of artifice or crutches. Let us see what Members in the other place do with the Bill, and then we will make our position clear.

The Opposition have consistently called for the Leveson recommendations to be implemented in full. The public have waited long enough. In 2013, following extensive consultation with victims of press intrusion, a new system of independent self-regulation was agreed by what were then the three main political parties. It is therefore disappointing that Members in the other place have had to table an amendment, and that we have to debate it, to get the Government to honour their promises. It is disappointing also that the Minister calls legitimate amendments, which have been passed in good faith in the other place, blackmail. What kind of way is that to talk about our friends in the other place?

Chris Bryant: Is not the point that the amendments almost exactly replicate legislation that was introduced by Conservatives in another Act? It would be bizarre in the extreme for the Government to say that they should not become law. If the Government want their Bill, they can have it today. All they have to do is say, "Yes, we agree to all the amendments."

Ms Abbott: I am grateful to my hon. Friend for making an important intervention. Nobody is trying to hold up or halt the Bill. If the Government wish to have it, all they have to do is agree to the amendments.

Mr Wallace: In that spirit, perhaps the hon. Lady could answer the question asked by my hon. Friend the Member for North Dorset (Simon Hoare): should the Bill not contain Baroness Hollins's amendment, would the hon. Lady support it?

Ms Abbott: I do not deal in supposition. Let us see what Members in the other place do with the Bill, and at that point we will debate it and the House will hear Her Majesty's Opposition's position.

Simon Hoare: I have heard the hon. Lady say in other places what a future Labour Government would deliver. That, surely, is a supposition. She should deal with the supposition in question.

Ms Abbott: When the hon. Gentleman heard me say those things, I was not yet shadow Home Secretary.

There were concerns when section 40 of the Crime and Courts Act 2013 was not commenced in summer 2015. The right hon. Member for Maldon (Mr Whittingdale), the then Secretary of State for Culture, Media and Sport, was asked about it by the Culture, Media and Sport Committee, but he refused to be drawn on it. He said at the Society of Editors conference in October 2015 that he was not minded to commence section 40. We believe that that is a breach of the cross-party agreement and that it breaks the promises made to the House and, perhaps even more importantly, those made to victims.

2.45 pm

Just last week, the Press Recognition Panel produced its first annual report, which stated that the Leveson system has not even been brought into effect. Only after section 40 is commenced will the system be in place. The PRP was highly critical of the Government's failure on section 40 and described its non-commencement as an interference in the freedom of the press, because it allowed the Government to hold section 40 commencement as a sword of Damocles over the press.

Just last Monday, the Secretary of State for Culture, Media and Sport indicated that she had no intention of commencing section 40. The following day, newspapers ran stories saying that the Government had ditched section 40, crediting a Government source. The Minister cannot be surprised, therefore, that we are pressing the issue. It is reprehensible that the Government are resisting implementing what is widely regarded as a key provision of the Leveson inquiry. While the Government refuse to fulfil their commitments, we will not back down from supporting measures to assist victims of press abuses and their families.

Mr Raab: For all the differences between me and the hon. Lady, I totally understand the importance that she attaches to section 40 and the issue of costs. I join her in wanting to scrutinise them very carefully and there will be ample time to do so, but may I gently say to her that it would be wrong and irresponsible to hold up, let alone frustrate, this Bill on account of those legitimate concerns, which can be dealt with separately and discretely?

Ms Abbott: We are not attempting to hold up the Bill; all the Government have to do is accept the amendments.

Section 40 of the Crime and Courts Act remains unimplemented, despite widespread support in principle from Members on both sides of the House, including Front Benchers. The amendment, which the Government want to vote down, was tabled in the Lords by a Cross Bencher, Baroness Hollins, and overwhelmingly passed by 282 votes to 180. That is one of the reasons that I am

shocked that the Minister regards it as blackmail. It would implement, as my colleagues have said, the same provisions as those contained in section 40 of the Crime and Courts Act in relation to claims against media organisations over phone hacking and other unlawful interception.

The amendment goes further. Unlike section 40, it would not require ministerial approval, which we regard as an improvement, so it would automatically implement section 40 in relation to phone hacking claims. That would restate the very clear intention of Parliament, as previously expressed in 2013. I repeat that the amendment would not be necessary if the Government had fulfilled their stated commitment to implementing section 40.

Part 2 of the Leveson inquiry sought to investigate the original police investigation and corrupt payments to police officers and to consider the implications for the relationships between journalists, politicians and the police. We are therefore going to have to undergo further weeks of consultation. Previously, Ministers had said that part 2 would begin after the criminal cases relating to phone hacking had concluded. Then they said that they would make a decision on whether it would begin once all the criminal cases had concluded.

If we look at the provisions affecting journalists and the press in this Bill, we will see that there is no protection of journalistic sources. Law Officers may act on their own cognisance to access data, collect and retain them for 12 months, and share them with other bodies, including overseas agencies. It would be a simple matter to establish the identity of a whistleblower in any public or other body by trawling the journalist's internet history. That would be detrimental to all of society and to fundamental press freedoms. The contradiction here is that there is a free-for-all in ignoring the thinking behind Leveson, and yet there is a failure to implement section 40. Some of the most irresponsible practices of the press go unchecked, and there is no recourse for anyone except the ultra-rich and those who can afford libel lawyers.

To function properly, the press should be able to hold all who are in power to account and unearth important wrongdoing. That is wholly in the public interest. But the Government stand accused of allowing muck-raking, savage attacks on the vulnerable and the defamation of those who cannot afford to defend themselves legally, while proper journalism in the public interest—holding the powerful to account, giving an outlet to whistleblowers and investigating matters in the public interest—is to be fatally undermined. The proposals, in their current shape, run the risk of being seen as a charter against valuable and public interest journalism, but for the worst journalistic excesses.

Mr Rees-Mogg: I want to focus on several aspects of Lords amendment 15. First, I want to focus on what it is designed to do, in which I think it is fundamentally wrong-headed. It provides for an increase in the penalty that will be applied to newspapers where an accusation of phone hacking is made in a case that is brought against them. That is difficult, because in the ordinary course of events, a newspaper will want to protect its sources. A newspaper that tried to protect its source for a story would not be able to prove the negative that phone hacking had not been involved, even when it had not been.

The immediate risk will be that newspapers will be reluctant to print investigative stories because they will be unable to avoid the double penalty of extra costs, even in the event that their story was true. The particular outrage of amendment 15 is that the press could report a story accurately, fairly and honestly but still find that, if they were taken to court by an aggressive litigant, they would have to pay the litigant's costs. That is an absolute charter for the very rich to bully the press into not publishing stories about them. It will not help the poorest in society, who will not be able to afford the initial fees to get a case going, but anybody with any funds will be able to use it as an opportunity to bully the press into not printing anything disagreeable about them.

Richard Drax (South Dorset) (Con): My hon. Friend is making an excellent speech, as always. Does he agree that the regional press, which does not have the necessary resources, will be particularly vulnerable to such claims by the people he has described?

Mr Rees-Mogg: My hon. Friend is absolutely right. The regional press and local newspapers will simply not be able to print stories that are critical of almost anybody. Perhaps MPs do not want any critical stories to be printed about them. We would be able to bully the local papers in our constituencies by saying, "We will bring a court action against you, and, by the way, we think that you might have been hacking our telephone," and they would risk double costs. That is absolutely ruinous to a free press at a local and national level, because such costs run into hundreds of thousands of pounds. Even the biggest newspaper groups find that level of cost very difficult to absorb. The amendment will therefore get rid of the free press. Our press will be afraid to go after the rich and the powerful. It will be afraid to go after leading politicians whose friends can lend them the money to start a case off. It will be a supine press.

Dr Murrison: As ever, I am listening to my hon. Friend's comments with a great deal of interest. I fear, however, that he may be over-egging things a little bit. There are, of course, very large organisations behind the apparently small media outlets that he refers to. He probably received a note this morning, as I did, from News Media Association, pressing the case of smaller newspapers. In truth, it represents a smokescreen for the interests of larger press organisations. Does he not share my concern that we need to disentangle the very small press outlets that we heard about earlier from regional press, which tends to be controlled by larger operations?

Mr Rees-Mogg: That is not what the amendment does. It includes all the press, so the *Midsomer Norton, Radstock and District Journal* will be included, as will the Farrington Gurney parish magazine. Every single publication will be included and will be under this threat.

Matt Warman (Boston and Skegness) (Con): I hesitate to criticise the wisdom of my hon. Friend the Member for South West Wiltshire (Dr Murrison), but, from a journalistic perspective, I humbly submit that nobody in the modern media world feels as though

they are working in an enormous environment with oodles of cash swimming about the place. This will have a chilling effect across national, local and regional media.

Mr Rees-Mogg: My hon. Friend is right. Although some newspapers are part of bigger media groups, those media groups will not be willing to fund indefinitely loss-making newspapers. The journalism that is the core of not only the print media but most of what people get online, which is not covered by the measure anyway, comes from a narrowly profitable print media. If that ceases to have any chance of being profitable, where will all the internet content that people read for nothing come from? Where are the resources to provide us with investigations into wrongdoing? Wrongdoing—not only of politicians, but of institutions—is revealed year in, year out. Great footballing institutions were investigated by *The Sunday Times*. How will the newspaper be able to do that if it gets sued and has to pay double damages on merely the allegation that hacking has taken place? This is a real threat to press freedom.

Press freedom is of the greatest possible value, and it is one of the reasons why the United Kingdom is such a stable polity. The press shines a light on corruption, on criminality and on wrongdoing. It holds people to account. It brings them to book. Why do we give an absolute protection to whatever is said in the House, so that it cannot be contested in any court outside Parliament? We give ourselves that protection because we so value freedom of speech. We should be extending that protection as widely as possible—not holding it narrowly to ourselves, but allowing the country at large to enjoy the same benefit.

The chippy speeches made by those in the other place, and unfortunately in this House too, who have come under the spotlight of the press and had a rude story printed about them that they did not like—about a big scandal, a little scandal, something that caused offence or something that upset their spouse—ought not to be used to take away a fundamental constitutional protection of the greatest importance. That should not be done by the back door, by tacking something on to a completely different Bill in a hissy fit because the Secretary of State has not done it under existing legislation. That is quite a wrong way to proceed.

That brings me on to the second part of what I want to say. The first part is of overwhelming importance: the freedom of the press is an absolute, and it is much, much better to have a free and irresponsible press than it is to have a responsible but Government-controlled press. As my hon. Friend the Member for North Dorset (Simon Hoare) would like me to say, the principle of England free rather than England sober should be at the heart of our understanding of the press.

The constitutional aspects of how we legislate are also important, however. In this House we have very strict rules, which are implemented fairly by the Clerks and the Speaker, about the scope of Bills, and we cannot tack on random things that we feel it would be nice to have. The House of Lords, being a self-governing House, can tack things on. Its Members have lost the self-restraint that they used to have of following constitutional norms in relation to legislation. They showed that in the last Session of Parliament in relation

[Mr Rees-Mogg]

to boundaries, and they are doing so again now. I am concerned that the SNP is not more worried about the Sewel convention.

Joanna Cherry: I hesitate to give the hon. Gentleman a lecture on constitutional procedure, but I can give him full comfort on the points he has raised if he cares to consult the devolution guidance note 10. It states:

“During the passage of legislation, departments should approach the Scottish Executive about Government amendments changing or introducing provisions...or any other such amendments which the Government is minded to accept... No consultation is required for other amendments tabled. Ministers resisting non-Government amendments should not rest solely on the argument that they lack the consent of the Scottish Parliament unless there is advice to that effect from the Scottish Executive.”

The note goes on to explain what happens in such a situation:

“The Scottish Executive can be expected to deal swiftly with issues which arise during the passage of a Bill”.

With great humility, I want to say that on this occasion the hon. Gentleman is mistaken.

Madam Deputy Speaker (Mrs Eleanor Laing): Order. The hon. and learned Lady will very shortly have an opportunity to make her speech in full. I must urge hon. Members to make short interventions as we have only 55 minutes left for this debate.

3 pm

Mr Rees-Mogg: I will cover that point, and then swiftly come to a conclusion. The amendment was passed on 11 October, but there has been no response to it, and this is the very last opportunity to decide whether this provision should pass into law. If it passes into law, the Scottish Parliament will have had no opportunity to give its consent to what, in effect, is the repatriation of a power from the Scottish Parliament to the UK Parliament. It is quite right that the Government have not asked for such consent, because the change has not been made on a Government amendment, but SNP Members might well have wanted to seek the guidance of their friends in the Scottish Government to determine whether this was acceptable and to get their consent.

Joanna Cherry *rose*—

Mr Rees-Mogg: I will leave the hon. and learned Lady to come back to this point in her own speech.

These forms are very important. I would not pretend that I am anything other than a Unionist, but I believe that the Union will do well if we observe the norms and the courtesies between the various Parliaments. This Parliament must be exceptionally careful about overriding things that have been devolved, as media policy clearly has been, and we should therefore tread on such areas lightly.

The SNP should be cautious about using this in a politically opportunistic way, however convenient that may be. There will come a time when it is politically convenient for those on the Treasury Bench not to use the Sewel convention, but to get a Back Bencher to table an amendment that will go through without needing the Government to ask for consent at a very late stage in the

proceedings, perhaps even as an amendment to a Lords amendment, and such an amendment will go through, with the Sewel convention brushed aside. If SNP Members say that that is perfectly all right and that that is the way to do it, that will leave such conventions in disrepute and will lead to rows between the constituent Parliaments. Basically, disrespect will be shown by one Parliament of another, which will become very serious constitutionally. For a one-day win, they may be risking a constitutional imbroglio.

Joanna Cherry: I rise to give the Scottish National party’s support to this group of Lords amendments.

Much was promised of the Lords when the Bill left this House—many Members had deep concerns about the Bill’s intrusion on civil liberties and about the security of data—but I regret, although I am not surprised, to say that the Lords amendments as a whole have not lived up to the expectations that some of us had. Although there have undoubtedly been some improvements in the safeguards afforded by the Bill, which we intend to support later—they are the result of Government amendments in the Lords that largely arose from suggestions made by the opposition and the Intelligence and Security Committee—we do not think those Lords amendment go far enough, and I will give specific examples of that later.

At the moment, we are dealing with the group of Lords amendments that some people, for convenience, have called the Leveson amendments. I want to knock firmly on the head any suggestion that Scottish National party Members or the Scottish Government are making any concessions in relation to the Sewel convention. Hon. Members would no doubt be very surprised if we did, but we are not doing so. Unlike the Minister, we are following the proper procedure, as laid down in devolution guidance note 10 on “Post-Devolution Primary Legislation affecting Scotland”. As I have already said, the note specifically comments on such amendments. In paragraphs 18 and 19, which I will read in full because this is very important, the note states:

“During the passage of legislation, departments should approach the Scottish Executive”—

or the Scottish Government, as they now are—

“about Government amendments changing or introducing provisions requiring consent, or any other such amendments which the Government is minded to accept.”

Clearly, Lords amendment 15 is not a Government amendment, and the Government are not minded to accept it. In such a situation, paragraph 18 says:

“It will be for the Scottish Executive to indicate the view of the Scottish Parliament.”

Very importantly, it goes on:

“No consultation is required for other amendments tabled.”

It is not therefore incumbent on the UK Government to consult the Scottish Government about opposition amendments. It goes on:

“Ministers resisting non-Government amendments should not rest solely on the argument that they lack the consent of the Scottish Parliament unless there is advice to that effect from the Scottish Executive.”

I know as a matter of fact that there is no advice to that effect from the Scottish Government, because I spoke to the Minister concerned about that at the weekend. Paragraph 19 says:

“The Scottish Executive can be expected to deal swiftly with issues which arise during the passage of a Bill, and to recognise the exigencies of legislative timetables (eg when forced to consider accepting amendments at short notice). Nevertheless since the last opportunity for amendment is at Third Reading in the Lords or Report Stage in the Commons the absence of consent should not be a bar to proceeding with the Bill in the interim.”

That is what the guidance note states, so the point made by the hon. Member for North East Somerset (Mr Rees-Mogg) is fallacious. This is not a Government amendment or an amendment that the Government are minded to accept; it is an opposition amendment. It is perfectly open to SNP Members to support the Lords amendment at this stage without making any concession. Only in the event that the amendment is passed by this House will it be incumbent on the Government to go to the Scottish Government and the Scottish Parliament to get a legislative consent motion. This point is a complete red herring.

Mr Rees-Mogg: In the event that such a legislative consent motion were refused, would the hon. and learned Lady expect the Queen to refuse to give Royal Assent to the Bill, because that would be the only way to stop the Bill becoming law?

Joanna Cherry: I assure the hon. Gentleman that it would not come to that, because if the amendment is passed by the House, the Scottish Government will grant a legislative consent motion. The SNP, which is in opposition in Westminster and the Government in Scotland, has discussed this issue in detail over the weekend—I discussed it with the Scottish Government Minister—and we have a position on Lords amendment 15. I will now set out our position, but I am very conscious of the time, so I will be as brief as possible.

As I said earlier, Lords amendment 15 rides on the back of clause 8, and I am very proud to say that it arose from an SNP suggestion in Committee for such an amendment. We have heard about the effect of the Lords amendment. In my respectful submission, the effect will be good: no newspaper should be involved in telephone hacking, and if one is, it should face the consequences. I want to make the SNP position clear.

Section 40 of the Crime and Courts Act, about which we have heard much today, was passed in March 2013. It was part of implementing the Leveson inquiry recommendation that any new regulator set up by the press should be accredited as independent and effective. The purpose of section 40 is to provide costs protection for claimants and Leveson-regulated newspaper publishers. It was passed in this House with cross-party agreement, including the support of SNP MPs. There were rather fewer SNP MPs then than there are now, but my colleagues supported the then Bill. As has already been said, the UK Government have reneged on implementing section 40 on many occasions. Today’s announcement of a consultation kicks its implementation further into the long grass.

As has correctly been said, section 40 extends to England and Wales only, because the regulation of print media is devolved to the Scottish Parliament. The Scottish Parliament has provided cross-party support for the UK Government’s actions to implement the royal charter. The Scottish Government will continue to monitor the current press regulations and work with

other parties in Scotland and at Westminster to ensure effective regulation of the media on a non-political basis.

The majority of the press, and in particular the regional press in Scotland, were not involved in the sort of malpractice that prompted the Leveson recommendations. It is therefore the view of the Scottish Government and the Scottish National party that any policy in this area in Scotland must be proportionate and must balance the freedom of the press with the public desire for high standards, accuracy and transparency.

That said, the protection afforded by section 40 when brought into force would be available to Scottish litigants who chose to sue newspapers based in England and Wales. Regrettably, a number of major newspapers based in England were involved in the sort of malpractice that prompted Leveson, and it is therefore right that such protection should be afforded. The limited amendments that we are discussing will not affect small or regional newspapers adversely at all, because they have not been involved in phone hacking, and, I assume, do not have any plans to become involved in it.

Scottish National party MPs are going to support the Lords amendments to provide costs protection across the UK for claimants and Leveson-regulated news publishers in claims for unlawful interception of communications, including phone hacking. I hope that as a result of the amendments some good, at least, will come of this Bill’s passage through Parliament, in the event that this House is minded to support them. I will be crystal clear that nothing I have said involves any concession whatever about the primacy and importance of the Sewel convention, which is now enshrined in legislation. If anyone is in any doubt on that, they should go away and read carefully the guidance note from which I have quoted at some length this afternoon.

Mr Wallace: On memorandum 10, to which the hon. and learned Lady refers, is she saying that she is happy to accept the principle that in future when amendments come forward that are not Government amendments nor amendments that the Government are minded to accept, whether from a friendly Back Bencher or an unfriendly one, we do not have to consult the Scottish Government for a legislative consent motion?

Joanna Cherry: The hon. Gentleman is no doubt aware of what I did for a career before I came here. I have no intention of making any concession that goes beyond the four walls of what I have already said.

Mr Edward Vaizey (Wantage) (Con): I will be as brief as possible. First, let me say how much I have enjoyed this afternoon’s debate. For the past six years, as a Minister, having been locked up—

Chris Bryant: You should be.

Mr Vaizey: Yes, I should be. But being locked up as a Minister, I did not have the benefit of hearing the wise constitutional pronouncements of my now prone hon. Friend the Member for North East Somerset (Mr Rees-Mogg)—very few hon. Friends will be able to see him as he is sunbathing at the moment. I have found myself in an “Alice in Wonderland” world, where the hon. Member for Hackney North and Stoke Newington (Ms Abbott)

[Mr Vaizey]

was praising the House of Lords from the Labour Front Bench, and my hon. Friend was attacking it. I really did not know where to turn. That is the first thing that has interested me in the debate.

The second is the extraordinarily complex constitutional argument going on about the various powers of the Westminster Parliament and the Scottish Parliament. I think we have come to the clear conclusion and have constitutional clarity that this House can now amend legislation that then goes into force in Scotland without waiting for a legislative consent motion from the Scottish Parliament. That is a welcome, if interesting, concession from the Scottish National party.

Joanna Cherry: The right hon. Gentleman should try very hard not to misrepresent what I have said. I have not made any concessions. I have quoted from the established procedures that are already laid down.

Mr Vaizey: As my hon. Friend the Member for North East Somerset pointed out, the Scottish Parliament has had plenty of time to let this House know its views on the amendment, but has not done so, and the hon. and learned Lady is now going to support it. She cannot answer the question put by the Minister, namely what would be the constitutional position if, having passed this amendment, the Scottish Parliament then refused the legislative consent motion. That question was also put by my hon. Friend the Member for North East Somerset; it was at that point I knew I was on to something, because I was going to ask her exactly the same question.

Joanna Cherry *rose*—

Mr Vaizey: The hon. and learned Lady did not answer either of them, so she would not answer me and I will not take her intervention.

3.15 pm

The third interesting thing about the debate is that we have spent the entirety of it talking about the regulation of the press, when we are debating a Bill that is called the Investigatory Powers Bill and is about regulating the work of the security services. That work is very important. The Bill needs to be passed, as I understand it, by the end of the year.

I will not support Lords amendment 15. I will support the Government, for four clear reasons. First, as the Minister put it—I could not put it any better—it is the wrong amendment, to the wrong Bill, at the wrong time. This is not a Bill on press regulation. [*Interruption.*] I do not know where the hon. Member for Hackney North and Stoke Newington is getting her instructions from, but clearly having taken the phone call for which she has left the Chamber she will come back and no doubt elucidate the complex issue of Scottish and Westminster relations for us.

Dr Murrison: Does my right hon. Friend agree that there is some help for us in this extremely big Bill at clause 232, on review of the operation of the Act? Although we cannot tell what the consultation on Leveson will come up with—there are four options in the document I have just read—we can come back in five years' time and, if we are concerned about the implementation of

section 40 of the 2013 Act, in our review of the Act this Bill will become we might be able to revisit a Baroness Hollins-type amendment from the other place.

Mr Vaizey: No. I have read the Bill, and in particular spent some time pondering whether clause 232 could help us in these circumstances, and came to the conclusion that it could not. A five-year review of an amendment, passed in the other place, that has nothing to do with the Bill did not strike me as something the Bill's drafters had in mind—I am sure the Minister will clarify that for us—when they put in place the five-year review. They want that review to be of the very important measures in the Bill that govern the operation of the security services and how they are able to carry out their investigations.

Regardless of one's views on the implementation of section 40, this amendment is absolutely the wrong way to do it. It is, to coin a phrase, opening up a back door to implement section 40 when it should be for the Government to have a debate in this House on whether that is appropriate.

That brings me to my next point, which is of course about the statement made earlier in the house by my right hon. Friend the Secretary of State for Culture, Media and Sport, who made it clear that there will be a consultation on the implementation of section 40. Now, to quote a former editor of *The Guardian* once in the Chamber is bad enough; to quote him twice may be a misfortune. But I remind the House that he wrote on Sunday in *The Observer* that he would like to see section 40 “mothballed”. As I said earlier, that may perhaps go too far, but the tone of his very thoughtful article was that the position we have come to on potential regulation of the press has been circumspect and perhaps tactical rather than strategic. Going forward, this House has an opportunity to talk about a regime that actually works. As my right hon. Friend the Member for Maldon (Mr Whittingdale) said during the statement earlier, the current system of press regulation itself does not take into account wholly unregulated arenas such as Facebook and so on, where so many people go to get their news.

That brings me to my third point, which is a more general one on press regulation, as that is what we are debating because of this Lords amendment. We should give IPSO time to settle down. It is introducing a system of arbitration. It has something like 2,500 members. It could take into account the issue of how so much of the information we now get is available in the unregulated sphere that is the internet.

My fourth point echoes the excellent points made by my hon. Friend the Member for North East Somerset on the impact on newspapers. I said many times as a Minister that our newspapers, and our local and regional newspapers in particular, faced a perfect storm, with both their readership and the classified advertisements that were their revenue migrating on to the internet.

I take issue here with the hon. and learned Member for Edinburgh South West (Joanna Cherry). She is quite right that regional newspapers were not affected by the phone hacking scandal, as they did not participate in phone hacking. But it is also right to say that they are the ones that have been contacting Members to point out how section 40 could have an impact on them. That is why my right hon. Friend the Secretary of State's consultation on section 40 is so welcome.

Dr Murrison: Will my right hon. Friend explain how small press outlets will be impacted by the Hollins amendments? As the hon. and learned Member for Edinburgh South West (Joanna Cherry) rightly pointed out, small papers do not hack.

Mr Vaizey: That is precisely the point. I was intrigued by what the hon. and learned Lady said. She said that they had not hacked and would therefore not be affected. This is not some retrospective legislation that will impose costs on newspapers that have hacked; it is legislation that will impose costs on newspapers in the future. Again, I hate to sound utterly feeble in holding on to the coat tails of my hon. Friend the Member for North East Somerset, but I could not put the argument better than he did. The key point about the clause—I would probably oppose it even if it was in the right Bill—is that it gives anyone who wants to “try it on”, to use a phrase that is perhaps slightly casual for this Chamber, the opportunity to do so with a newspaper that wants to protect its source. The claimant can allege that information has come to the newspaper by means of phone hacking or interception of email. It is then, as my hon. Friend said, up to the newspaper to prove a negative. Common sense dictates that the only way it can do that is to, effectively, give up its source.

In answer to my hon. Friend the Member for South West Wiltshire (Dr Murrison), it is precisely the regional newspapers which could be hit by this measure. A small claim, one in the tens of thousands of pounds rather than in the hundreds of thousands, can still cause them immense financial damage. As MPs, we all know that our regional papers have been through a torrid time. Ten years ago when I started as the MP for Wantage, every one of the four major towns in my constituency had their own dedicated reporter. I have seen the decimation of journalism in my constituency, although I praise my local newspapers for holding on as much as they can to their journalists.

I will not be supporting the amendment. I will support the Government in the Lobby.

Chris Bryant (Rhondda) (Lab): I was struck by the Minister—well, not physically—I was struck by the Minister’s accusation that I was an impatient man. That felt just a little bit patronising. It reminded me of the time I was in the theatre and the couple in front of me, as the curtain was about to rise, were having a terrible row. The woman said, “The worst of it is that you are so blasted *paytronising*.” The man kissed her on the forehead and said, “It’s *‘pahtronising*’, dear.” [*Laughter.*] I don’t know how *Hansard* will write that up.

The Minister’s only argument was that this is the wrong Bill—that was his only argument. Interestingly, the Minister in the House of Lords, when these Lords amendments were carried, said that a clear message had been sent by the debate, which would not be lost on her right hon. Friend the Secretary of State for Culture, Media and Sport as she considered these matters. Well, that was then. Today, we have seen that the Secretary of State for Culture, Media and Sport has no interest whatever in what their lordships have to say on this matter, even though this was a Cross-Bench Lords amendment carried by a majority of very nearly 100. She has decided today to effectively try to unwind the whole of the Leveson provisions. That is the problem we face.

Let me take the House back to 18 March 2013. It was an extraordinary day. Lord Justice Leveson had produced his report on 29 November 2012. For the first time in our history, the Prime Minister came to the House to seek a Standing Order No. 24 motion, so that we could urgently debate the regulation of the press and the royal charter that had been agreed over the weekend in 48 hours of negotiations in the Leader of the Opposition’s office. The royal charter, which can be amended only by a two-thirds majority in this House and a two-thirds majority in the House of Lords—it is here to stay, I would suggest—would set up a press recognition panel. Accompanying that was to be an amendment to the then Crime and Courts Bill. Why do those who argue that the Investigatory Powers Bill is the wrong Bill because it does not relate to press regulation think it was right to amend the Crime and Courts Bill on the matter of press regulation, something the right hon. Member for Wantage (Mr Vaizey) advocated?

Simon Hoare: Is the hon. Gentleman not—I dare say inadvertently—making the point that underscores, rather than undermines, the Minister’s position? He is drawing attention to the fact that when this place acts in haste in response to an event, as heinous as it might be, it very often gets it wrong. That is why the announcement made by my right hon. Friend the Secretary of State for Culture, Media and Sport today, now that a passage of time has elapsed since all the brouhaha about it and we will have the 10-week consultation, is the proper way to deal with what is a serious issue to which the hon. Gentleman has drawn the attention of the House—not to tack something on to the end of a Bill.

Chris Bryant: Will the hon. Gentleman give way?

Madam Deputy Speaker (Mrs Eleanor Laing): Order. The hon. Member for North Dorset (Simon Hoare) cannot give way and the hon. Member for Rhondda (Chris Bryant) does not have to tell him to give way. I recognise the sarcasm. What he meant was that the intervention was too long. The hon. Member for North Dorset will have the opportunity to make a really long speech if he would like to, but please we must have short interventions.

Simon Hoare: I am grateful, Madam Deputy Speaker.

Chris Bryant: Well, I do not think the hon. Gentleman will be allowed to make a very long speech, as we do not have much more time. He is completely and utterly wrong. He has dragged himself into a hermeneutic circle and he will never get out of it.

When the amendment—which was carried by 530 votes to 13 to become section 40 of the Crime and Courts Act 2013—was tabled, the then Secretary of State for Culture, Media and Sport, the right hon. Member for Basingstoke (Mrs Miller) said:

“Today marks a turning point. We can move on from simply talking about Lord Justice Leveson’s report to start acting on it, with a new package...The package includes a new royal charter, as announced by the Prime Minister earlier; a new costs and damages package that seeks to maximise incentives for relevant publishers to be part of the new press self-regulator; and one short clause reinforcing the point that politicians cannot tamper with the new press royal charter, which is the subject of debate in the other place.”—[*Official Report*, 18 March 2013; Vol. 560, c. 698.]

[Chris Bryant]

Why was there an all-party deal? Because the Leveson inquiry exposed real failings both in the press and in the regulatory system. Many of us felt that we, the elected politicians of this country, had failed. Whether out of partisan ambition, deference, cowardice or a genuine determination to do everything in our power to protect the freedom of the press, we had nonetheless failed. We had developed relationships with the press and the media that were so cosy that the people no longer trusted us to make the best decisions on these issues in the national interest. We were on trial as much as the press itself. That is why we all agreed that we had to find a better way forward.

Above all, we knew there had to be a genuinely independent system of redress. I do not often agree with the hon. Member for North Thanet (Sir Roger Gale), but he said that it could not just be

“an updated version of the Press Complaints Commission. God forbid that it is”—[*Official Report*, 18 March 2013; Vol. 560, c. 662.]—

because that would be doomed to failure. But without the commencement of section 40, that is precisely what we have got. IPSO is the Press Complaints Commission in all but name. It is not independent in terms of its finances, the membership of its board or the decisions it makes. It is entirely compromised, as recent decisions have shown. The press marks its own homework and, surprise, surprise, it always gives itself gold stars. Five hundred and thirty Members wanted it to be independent of government and independent of the press, too.

Mr Rees-Mogg: If the hon. Gentleman does not like IPSO, how can he think that IMPRESS is any better? It is approved by the state, and it is funded by one irritated celebrity.

Chris Bryant: It is not my business to decide which of the two is better. The whole point is that we set up—through a royal charter that can be changed only by a two thirds majority here and a two thirds majority in the other place—a body that would take the decision at arm’s length from us. My anxiety about today’s decision by the Secretary of State for Culture, Media and Media and Sport is that she is bringing this matter right back into her inbox, which I think is wholly mistaken. The press would be best advised not to encourage that.

Since that day in 2013, Conservative Ministers have repeated their commitment to the package time and again: the right hon. Member for Basingstoke on 18 March 2013; David Cameron and Viscount Younger of Leckie on that same day; the right hon. Member for Wantage (Mr Vaizey) on 10 April 2013; the right hon. Member for Basingstoke again, six times, on 16 April 2013; the right hon. Member for West Dorset (Sir Oliver Letwin) on 16 April 2013; the right hon. and learned Member for Kenilworth and Southam (Jeremy Wright), now the Attorney General, on 25 April 2013; Lord Gardiner of Kimble on 3 July 2013; the right hon. Member for Wantage—again—on 4 December 2013; David Cameron in *The Spectator* on Boxing day 2013—a nice little Christmas present; Lord Gardiner again on 2 April 2014; the right hon. Member for Bromsgrove (Sajid Javid), then Secretary of State for Culture, Media and Sport, now the Secretary of State for Communities and

Local Government, on 20 January 2015; and indeed, the Government did so as late as 26 June 2015. All these people constantly reaffirmed that they were in favour of the commencement of section 40 of the Crime and Courts Act 2013. No wonder, then, that some Members in this House are impatient; no wonder there are Members in the House of Lords who are impatient and want the Government to get on with it. That is precisely why the amendments were tabled.

3.30 pm

To be honest, this is a question of keeping faith. Promises were made to the victims of phone hacking and press intrusion: people such as the family of the murdered schoolgirl, Millie Dowler, whose voicemail messages were hacked by the *News of the World*, giving her family the desperate false hope that their daughter was still alive; people such as the family of Madeleine McCann, whose mother Kate said she felt mentally raped by her treatment at the hands of the press.

All that means that we must have Leveson 2. It was never meant to be that there would be a decision on whether Leveson 2 would happen once the legal cases were complete; it was meant to be that Leveson 2 would happen once those cases were out of the way. Commencement of section 40 was also intended. There is no earthly reason why it could not have been commenced already. What everybody wants is redress—true redress—because when it comes to privacy and correction, it is phenomenally difficult to get “no win, no fee” agreements with lawyers. The awards that might come at the end are relatively minor, and lawyers simply do not want to take the risk.

There is a real danger now, even more than there was five years ago, that those intruded upon—ordinary members of the public and the victims of crime—will become the victims of intrusion all the more, without ever having had any opportunity for redress. People have said to me many times, “You can always go to the courts, if you have been libelled,” but the victims of Hillsborough—both those who died and the groups that were treated to calumny by the press—had no opportunity to go to the courts to seek redress. That is why we needed change.

I want a robust, naughty, scabrous and vibrant press. I even expect it to break the law on occasion when it is chasing down corruption and wrongdoing—as long as it really is in the interests of the public. I also want ordinary members of the public to get a real right of redress, provided impartially, independently and at minimal cost to them. The only incentive we have to persuade IPSO to become a better and more independent body that actually provides that right of redress is section 40 of the Crime and Courts Act 2013. The Government have shown themselves repeatedly determined not to commence it, so of course the House of Lords is tweaking the Government’s nose and saying, “Come on, get on with it”. Conservatives promised it—

Madam Deputy Speaker (Mrs Eleanor Laing): Order. I am sure that in addition to the things that the hon. Gentleman says that he wants, he will also want a full debate this afternoon and he will not want to stop other Members from speaking. I am sure that he is going to conclude very soon.

Chris Bryant: I would have finished already if you had not interrupted me, Madam Deputy Speaker.

Madam Deputy Speaker (Mrs Eleanor Laing): I do not think that the hon. Gentleman meant that quite the way it sounded to the Chair.

Chris Bryant: I had one sentence left to say: the Conservatives promised it; the two Houses voted for it; it is time the Government commenced it.

Madam Deputy Speaker (Mrs Eleanor Laing): We now need brevity from everyone.

Tom Tugendhat (Tonbridge and Malling) (Con): I am grateful to be called to speak in this important debate. The changes that the Lords have brought before this House are significant because they adulterate what is fundamentally an essential Bill. The Investigatory Powers Bill, which has been brought here after the careful, bipartisan—in fact, multi-partisan—work of my right hon. Friend the Prime Minister when she was in her former post, is one of the most important Bills that we have brought forward. It has been brought forward with very little trouble or argument because of the efforts put in beforehand. To find ourselves in the House of Commons today debating an amendment that does not even belong in the Bill because Members of the House of Lords have misunderstood its purpose is deeply unhelpful.

Moreover, as was pointed out by my hon. Friend the Member for North East Somerset (Mr Rees-Mogg), the ability to shoehorn amendments into Bills starts to take us into the pork-barrel politics of the United States. I think that that would be a great error not only for our country but for the conduct of government, because it would lead to our seeking to add the bridge, the road or the school to the back of a Finance Bill—or, indeed, an Investigatory Powers Bill.

The Bill matters fundamentally, particularly today. I do not like to bring up the subject of *The Guardian* too often—after all, the only reason we had it in the officers' mess was to dust it for prints—but now that it has been mentioned a few times, I think it wise for us to read what appears on the front page today. The head of MI5 himself has given an interview to *The Guardian*, presumably—well, I will stop there, but his warning is very clear: Russian activity in this country has now grown to a level which is simply unacceptable, which is genuinely a threat to our nation and with which his organisation must now deal. I am delighted that the Bill is back in the House of Commons, because we now have an opportunity to cut the barnacles off the boat and get rid of this amendment.

The Leveson legislation was introduced in the last Parliament, when I was not here and nor were many of my colleagues. I hope you will forgive me, Mr Deputy Speaker, if I express some dissatisfaction about the speed with which the last Parliament debated the legislation. I also hope you will accept that some of us who are new to this place are deeply uncomfortable with state authority over a free press. My hon. Friend the Member for North East Somerset and my right hon. Friend the Member for Wantage (Mr Vaizey) have already spoken eloquently, so I will not go over the same ground, but I feel very uncomfortable when I am asked to set up a

regulator to govern who governs me, and I feel deeply uncomfortable when I am asked to say who is the judge who can hold me to account.

Joanna Cherry: Will the hon. Gentleman give way?

Tom Tugendhat: I hope the hon. and learned Lady will forgive me if I do not, for reasons of time.

Having been brought up at the foot of a judge who did indeed hold me to account—very actively—I now realise that the judiciary works better when it is appointed without the control of the House and the Government. I will therefore not encourage the Government to invoke section 40 of the Crime and Courts Act 2013, and I will speak against it during the investigation that is to be conducted by my right hon. Friend the Secretary of State for Culture, Media and Sport over the next 10 weeks.

Members have asked how on earth this measure could possibly bully the regional press. We all know that a free press is the lifeblood of democracy, but the troubles experienced in borough and county councils across our land are partly due to the fact that our regional presses are being silenced. Too many are closing, and too few now have regular reporters in the county council rooms, the borough council rooms or the district council rooms to follow what elected members are saying. I think that what we are doing here will increase the pressure still further. Forcing organisations to join IMPRESS, for example, imposes a cost that many cannot bear.

Other Members have mentioned the unlikelihood of any regional paper or regional organisation hacking a telephone, and it is indeed deeply unlikely. Of course, we all thought it was deeply unlikely that a national paper would do that, and then we found that one had; but that does not matter, because clause 8 does not tell us whether it is likely or unlikely. It merely sets out the penalty, and in doing so, effectively holds all those organisations to ransom. It forces them into organisations like IMPRESS, to which they must pay an extra tax.

Given the parlous economic situation of so many regional media outlets—in my own wonderful county of Kent, many papers have lost their correspondents from various towns—I cannot possibly support the amendment. It would be bad for the regional press and for a free press, and it would therefore be bad for our democracy and for us. Furthermore, it would act as a brake on an essential piece of legislation—a piece of legislation that we need to keep us safe, and to ensure that the safety of all those whom we are here to represent is also guaranteed.

Mr Alistair Carmichael (Orkney and Shetland) (LD): I always listen very carefully to the hon. Member for Tonbridge and Malling (Tom Tugendhat), and I noted that he said he was not a Member of the House when these measures became law. I was; I was in fact deputy Chief Whip of the coalition Government when the Leveson committee was set up, when it then reported and when these measures were put through Parliament. I saw rather more of the machinations surrounding this than was perhaps healthy for anyone, but it is disappointing and more than a little depressing that we are back here again debating it today.

I remember the Thursday afternoon when these amendments were tabled. It was the point when collective responsibility had broken down. There was no agreement between my party and the Conservatives and in fact I

[Mr Alistair Carmichael]

was up in the Public Bill Office ready with the amendments to be tabled subject to agreement with other parties, and to get that agreement more time was necessary. Spurious points of order were raised, there was a somewhat spurious Division on the House sitting in private, and I think the hon. Member for West Ham (Lyn Brown), who was then in the Opposition Whips Office, went to extraordinary lengths to ensure the Lobbies were not cleared; I will be no more specific than that.

I remember that over the course of the following weekend there was a change of heart by the then Prime Minister, and I remember then the way in which matters proceeded on the basis of an all-party deal. I thought that would be the end of the matter, and I am afraid to say that I see the fact that it is not the end of the matter and we are back here today as something of a breach of good faith on the part of the Conservative party.

But more than all the parliamentary and intra-Government shenanigans at the time, the thing I remember most clearly, and will never forget, is meeting the parents of Milly Dowler at the time when we set up the Leveson inquiry and giving them the solemn pledge that whatever Leveson said was necessary, we as a Parliament would do. We set up Leveson for a reason, and we implemented it for a reason. The reason was, as the hon. Member for Rhondda (Chris Bryant) has said, that it was necessary to take this place out of press regulation, and that is what pains me more than anything else about what we have heard from the Treasury Bench today, both from the Minister and earlier from the Secretary of State for Culture, Media and Sport. The time for action is long overdue; there can be no more delay and no more obfuscation.

If we do continue and if we do revisit this, as the hon. Member for Tonbridge and Malling suggested, we will not just be breaching faith between ourselves as political parties; we will be breaching the acts of good faith and the commitments we made to the parents of Milly Dowler, and I am never going to be part of that.

Damian Collins (Folkestone and Hythe) (Con): There will be Members who feel that section 40 should be implemented immediately and others who feel that it should never be implemented, and certainly persistent questions have been asked—including by the Culture, Media and Sport Committee, which I chair, last week when the Secretary of State gave evidence to us—about when this will happen and when a decision will be made. The Secretary of State has now set out a clear timetable that says there will be a consultation, at the end of which a decision will be made.

The one clear question that must be answered from that consultation is, if the Government are minded, in response to the responses they receive to the consultation, not to implement section 40, what will be done instead. As I said when the Secretary of State made her statement earlier today, the current status quo is not acceptable; we do not yet have a robust system of arbitration and redress for the press.

That is the spirit of section 40. People may debate its wording and its consequences, but at its heart was one simple idea: that innocent victims—people who have never courted the media and never wanted to be personalities who have, through no fault of their own,

got caught up in a major press story and had their lives trashed by it—should have some mechanism for redress that does not involve the expense of going through the courts, which is beyond the means of ordinary people. That is the spirit of section 40.

IPSO could go further in its pilot and reduce the cost of access to arbitration. It could also do as Sir Joseph Pilling suggested in his review of IPSO, by establishing proper guidelines for newspapers on the redress available when they have been ruled against or found against. No such guidelines currently exist. The industry could do a lot to make IPSO better. The outcome of the consultation and the review cannot be to maintain the status quo. We have to make a decision, and we have to ensure that however it is delivered, fair redress and arbitration are available for victims of the press.

3.45 pm

Richard Drax (South Dorset) (Con): I am honoured to be called to speak in the debate, and I rise to talk about Lords amendment 15. I understand that I have two and half minutes to speak, to allow my other colleague time to speak. As my right hon. Friend the Member for Wantage (Mr Vaizey) has pointed out, it is extraordinary that we are talking about the press when the Bill is actually about the security of our country. Lords amendment 15 is clearly in the wrong Bill. In the six years that I have had the privilege of representing South Dorset, I have noticed that the decisions made in this place are often knee-jerk decisions made to satisfy a public reaction that has nowadays often been fed by Facebook or Twitter, to which too many of us react too quickly.

I suspect that, over a period of time, many sensible people in this place—the majority of people here are sensible—have come to think that we cannot use the state to interfere with the freedom of the press in this country. It is mainly Opposition Members who are making this point, and I remind them again that phone hacking is already illegal. It is a criminal offence and people who commit that offence go to jail. I worked in the press for 17 years, including at national level, in radio and for local newspapers. Never once in that time was I influenced by a producer or asked to concoct a story in any way other than honestly and accurately. That includes my nine years working with the BBC. My point is that the offences that so many Members are almost ranting about are being committed by a tiny minority of the press, and that punishing everyone—as the House is thinking of doing—would be totally and utterly wrong.

Matt Warman: This short, impassioned debate about the freedom of the press has surely proved that a 90-minute debate on a Lords amendment shoehorned into a Bill about national security cannot be the right place to make a decision as important as this one. This Bill is supposed to regulate hacking, yet the Lords are seeking to hack the Bill by putting in something completely irrelevant to the vital matters of national security that it covers. As the previous Prime Minister and the present one have said, this is one of the most important—if not the most important—pieces of legislation in this Parliament. Were I to dare criticise either of them, I would contend that the freedom of the press is even more important than some aspects of the Bill. It is absurd for anyone seriously to suggest that we can deal with this matter in 90 minutes.

I have a great deal of sympathy with the view of my hon. Friend the Member for North East Somerset (Mr Rees-Mogg) that the chilling effect of the proposals in section 40 would have a hugely negative impact across not only the national media but the regional and local media. Over hundreds of years, we have seen the good that a vibrant, boisterous and scabrous press can do, as other Members have said, and we need to preserve that. We do not need to damn it in a 90-minute debate. I hope that Members of all parties can see that this is not the right place to take such a momentous decision.

Mr Wallace: Every morning I go into my office and I open a number of documents. They are not nice reading. They usually focus on those people that want to kill us, want to rob us, want to corrupt our country or want to spy on us. This is not a subject to take lightly. This is not a subject to which to politically attach something to settle a score elsewhere. The Bill is about giving our brave men and women in the security services and the police forces up and down the country the powers to do their job, to make sure that we put away those people that pose a threat to this country.

Those men and women are watching this debate today. Instead of seeing this House debate the hundreds of amendments that this Parliament has collectively produced to reach a consensus to make the Bill something to go forward with, they see political opportunism being played out on another subject: press regulation. They do not see us discussing how we are going to protect them and society. We should not forget that.

What is important is that this Bill is not like any other Bill. This Bill is here because we have to bring it forward to replace the Data Retention and Investigatory Powers Act 2014. DRIPA has a sunset clause and will expire on 31 December. The irony of that is that if DRIPA expires, we lose the requirement that we can place on internet companies and CSPs to retain data—data that we need to catch phone hackers, to catch child killers, to put away paedophiles. That is the risk that hon. Members are taking, with amendment 15. That is what they are making us decide on. We should reject the choice that they are putting before us and focus on the good things in the Bill and what it has done to strengthen and protect our security forces to ensure that we put away the right people. We should not play politics in this House or the other place.

Lords amendment 11 disagreed to.

Lords amendments 12 to 14 disagreed to.

After Clause 8

Motion made, and Question put, That this House disagrees with Lords amendment 15.—(Mr Ben Wallace.)

The House divided: Ayes 298, Noes 261.

Division No. 74]

[3.52 pm

AYES

Adams, Nigel	Bacon, Mr Richard
Afriyie, Adam	Baker, Mr Steve
Aldous, Peter	Baldwin, Harriett
Allan, Lucy	Barclay, Stephen
Andrew, Stuart	Barwell, Gavin
Ansell, Caroline	Bebb, Guto
Argar, Edward	Bellingham, Sir Henry
Atkins, Victoria	Benyon, Richard

Beresford, Sir Paul	Field, rh Mark
Berry, Jake	Foster, Kevin
Berry, James	Francois, rh Mr Mark
Bingham, Andrew	Frazer, Lucy
Blackman, Bob	Freeman, George
Blackwood, Nicola	Freer, Mike
Bone, Mr Peter	Fuller, Richard
Borwick, Victoria	Fysh, Marcus
Bottomley, Sir Peter	Gale, Sir Roger
Bradley, rh Karen	Garnier, rh Sir Edward
Brady, Mr Graham	Garnier, Mark
Brazier, Mr Julian	Gauke, rh Mr David
Bridgen, Andrew	Ghani, Nusrat
Brokenshire, rh James	Gibb, Mr Nick
Bruce, Fiona	Gillan, rh Mrs Cheryl
Buckland, Robert	Glen, John
Burns, Conor	Goodwill, Mr Robert
Burns, rh Sir Simon	Gove, rh Michael
Burrowes, Mr David	Graham, Richard
Burt, rh Alistair	Gray, Mr James
Cairns, rh Alun	Grayling, rh Chris
Campbell, Mr Gregory	Green, Chris
Carmichael, Neil	Green, rh Damian
Cartlidge, James	Greening, rh Justine
Caulfield, Maria	Grieve, rh Mr Dominic
Chalk, Alex	Griffiths, Andrew
Chishti, Rehman	Gyimah, Mr Sam
Churchill, Jo	Halfon, rh Robert
Clark, rh Greg	Hall, Luke
Cleverly, James	Hammond, Stephen
Clifton-Brown, Geoffrey	Hancock, rh Matt
Coffey, Dr Thérèse	Hands, rh Greg
Collins, Damian	Harper, rh Mr Mark
Colvile, Oliver	Harrington, Richard
Costa, Alberto	Harris, Rebecca
Courts, Robert	Hart, Simon
Cox, Mr Geoffrey	Haselhurst, rh Sir Alan
Crabb, rh Stephen	Hayes, rh Mr John
Crouch, Tracey	Heald, rh Sir Oliver
Davies, Byron	Heapey, James
Davies, Chris	Heaton-Harris, Chris
Davies, David T. C.	Heaton-Jones, Peter
Davies, Glyn	Henderson, Gordon
Davies, Dr James	Herbert, rh Nick
Davies, Mims	Hinds, Damian
Davies, Philip	Hoare, Simon
Davis, rh Mr David	Hollingbery, George
Dinenage, Caroline	Hollinrake, Kevin
Djanogly, Mr Jonathan	Hollobone, Mr Philip
Dodds, rh Mr Nigel	Hopkins, Kris
Donelan, Michelle	Howell, John
Double, Steve	Huddleston, Nigel
Dowden, Oliver	Hunt, rh Mr Jeremy
Doyle-Price, Jackie	Hurd, Mr Nick
Drax, Richard	Jackson, Mr Stewart
Drummond, Mrs Flick	James, Margot
Duddridge, James	Javid, rh Sajid
Duncan, rh Sir Alan	Jayawardena, Mr Ranil
Duncan Smith, rh Mr Iain	Jenkin, Mr Bernard
Dunne, Mr Philip	Jenrick, Robert
Elliott, Tom	Johnson, rh Boris
Ellis, Michael	Johnson, Gareth
Ellison, Jane	Johnson, Joseph
Ellwood, Mr Tobias	Jones, Andrew
Elphicke, Charlie	Jones, rh Mr David
Eustice, George	Jones, Mr Marcus
Evans, Graham	Kawczynski, Daniel
Evans, Mr Nigel	Kennedy, Seema
Evennett, rh David	Kinahan, Danny
Fabricant, Michael	Kirby, Simon
Fallon, rh Sir Michael	Knight, rh Sir Greg
Fernandes, Suella	Kwarteng, Kwasi

Lancaster, Mark
 Latham, Pauline
 Leadsom, rh Andrea
 Lee, Dr Phillip
 Lefroy, Jeremy
 Leigh, Sir Edward
 Leslie, Charlotte
 Letwin, rh Sir Oliver
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Lidington, rh Mr David
 Lilley, rh Mr Peter
 Lord, Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Mackintosh, David
 Main, Mrs Anne
 Mak, Mr Alan
 Malthouse, Kit
 Mann, Scott
 Mathias, Dr Tania
 Maynard, Paul
 McCartney, Jason
 McCartney, Karl
 McLoughlin, rh Sir Patrick
 Menzies, Mark
 Merriman, Huw
 Metcalfe, Stephen
 Miller, rh Mrs Maria
 Milling, Amanda
 Mills, Nigel
 Milton, rh Anne
 Mitchell, rh Mr Andrew
 Mordaunt, Penny
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morton, Wendy
 Mowat, David
 Mundell, rh David
 Murray, Mrs Sheryll
 Neill, Robert
 Newton, Sarah
 Nokes, Caroline
 Norman, Jesse
 Nuttall, Mr David
 Offord, Dr Matthew
 Opperman, Guy
 Osborne, rh Mr George
 Patel, rh Priti
 Pawsey, Mark
 Penning, rh Mike
 Penrose, John
 Percy, Andrew
 Perry, Claire
 Philp, Chris
 Pickles, rh Sir Eric
 Pincher, Christopher
 Poulter, Dr Daniel
 Pow, Rebecca
 Prentis, Victoria
 Prisk, Mr Mark
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Raab, Mr Dominic
 Redwood, rh John
 Rees-Mogg, Mr Jacob
 Robertson, Mr Laurence
 Robinson, Gavin
 Robinson, Mary

Rosindell, Andrew
 Rudd, rh Amber
 Rutley, David
 Sandbach, Antoinette
 Scully, Paul
 Selous, Andrew
 Shannon, Jim
 Shapps, rh Grant
 Sharma, Alok
 Shelbrooke, Alec
 Simpson, David
 Simpson, rh Mr Keith
 Skidmore, Chris
 Smith, Henry
 Smith, Julian
 Smith, Royston
 Soames, rh Sir Nicholas
 Solloway, Amanda
 Soubry, rh Anna
 Spelman, rh Dame Caroline
 Stephenson, Andrew
 Stevenson, John
 Stewart, Bob
 Stewart, Iain
 Streeter, Mr Gary
 Stride, Mel
 Stuart, Graham
 Sturdy, Julian
 Sunak, Rishi
 Swayne, rh Sir Desmond
 Swire, rh Sir Hugo
 Syms, Mr Robert
 Thomas, Derek
 Throup, Maggie
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Tredinnick, David
 Trevelyan, Mrs Anne-Marie
 Truss, rh Elizabeth
 Tugendhat, Tom
 Turner, Mr Andrew
 Tyrie, rh Mr Andrew
 Vaizey, rh Mr Edward
 Vara, Mr Shailesh
 Vickers, Martin
 Villiers, rh Mrs Theresa
 Walker, Mr Robin
 Wallace, Mr Ben
 Warburton, David
 Warman, Matt
 Wharton, James
 Whately, Helen
 Wheeler, Heather
 White, Chris
 Whittaker, Craig
 Whittingdale, rh Mr John
 Williams, Craig
 Williamson, rh Gavin
 Wilson, Mr Rob
 Wilson, Sammy
 Wollaston, Dr Sarah
 Wood, Mike
 Wragg, William
 Wright, rh Jeremy
 Zahawi, Nadhim

Tellers for the Ayes:
Steve Brine and
Mark Spencer

NOES

Abbott, Ms Diane
 Abrahams, Debbie
 Ahmed-Sheikh, Ms Tasmina
 Alexander, Heidi
 Ali, Rushanara
 Allin-Khan, Dr Rosena
 Anderson, Mr David
 Arkless, Richard
 Ashworth, Jonathan
 Bailey, Mr Adrian
 Bardell, Hannah
 Barron, rh Kevin
 Beckett, rh Margaret
 Benn, rh Hilary
 Berger, Luciana
 Betts, Mr Clive
 Black, Mhairi
 Blackford, Ian
 Blackman, Kirsty
 Blackman-Woods, Dr Roberta
 Blenkinsop, Tom
 Blomfield, Paul
 Blunt, Crispin
 Boswell, Philip
 Brabin, Tracy
 Bradshaw, rh Mr Ben
 Brake, rh Tom
 Brennan, Kevin
 Brock, Deidre
 Brown, Alan
 Brown, Lyn
 Brown, rh Mr Nicholas
 Bryant, Chris
 Buck, Ms Karen
 Burden, Richard
 Burgon, Richard
 Butler, Dawn
 Byrne, rh Liam
 Cadbury, Ruth
 Cameron, Dr Lisa
 Campbell, rh Mr Alan
 Carmichael, rh Mr Alistair
 Champion, Sarah
 Chapman, Douglas
 Chapman, Jenny
 Cherry, Joanna
 Coaker, Vernon
 Coffey, Ann
 Cooper, Julie
 Cooper, rh Yvette
 Corbyn, rh Jeremy
 Cowan, Ronnie
 Coyle, Neil
 Crawley, Angela
 Creasy, Stella
 Cruddas, Jon
 Cryer, John
 Cunningham, Alex
 Cunningham, Mr Jim
 Danczuk, Simon
 David, Wayne
 Day, Martyn
 De Piero, Gloria
 Debbonaire, Thangam
 Docherty-Hughes, Martin
 Donaldson, Stuart Blair
 Doughty, Stephen
 Dowd, Jim
 Dowd, Peter
 Dromey, Jack
 Durkan, Mark
 Eagle, Ms Angela
 Eagle, Maria
 Edwards, Jonathan
 Efford, Clive
 Elliott, Julie
 Ellman, Mrs Louise
 Elmore, Chris
 Esterson, Bill
 Evans, Chris
 Farrelly, Paul
 Fellows, Marion
 Ferrier, Margaret
 Field, rh Frank
 Fitzpatrick, Jim
 Ffello, Robert
 Flint, rh Caroline
 Flynn, Paul
 Fovargue, Yvonne
 Foxcroft, Vicky
 Furniss, Gill
 Gapes, Mike
 Gardiner, Barry
 Gethins, Stephen
 Gibson, Patricia
 Glass, Pat
 Godsiff, Mr Roger
 Goodman, Helen
 Grady, Patrick
 Grant, Peter
 Gray, Neil
 Green, Kate
 Greenwood, Lilian
 Greenwood, Margaret
 Griffith, Nia
 Gwynne, Andrew
 Haigh, Louise
 Hamilton, Fabian
 Hanson, rh Mr David
 Harman, rh Ms Harriet
 Harris, Carolyn
 Hayes, Helen
 Healey, rh John
 Hendry, Drew
 Hepburn, Mr Stephen
 Hermon, Lady
 Hillier, Meg
 Hodge, rh Dame Margaret
 Hodgson, Mrs Sharon
 Hollern, Kate
 Hopkins, Kelvin
 Hosie, Stewart
 Huq, Dr Rupa
 Hussain, Imran
 Jarvis, Dan
 Johnson, rh Alan
 Jones, Gerald
 Jones, Graham
 Jones, Helen
 Jones, Mr Kevan
 Jones, Susan Elan
 Kane, Mike
 Keeley, Barbara
 Kendall, Liz
 Kerevan, George
 Kerr, Calum
 Kinnock, Stephen
 Kyle, Peter
 Lavery, Ian
 Law, Chris
 Leslie, Chris
 Lewell-Buck, Mrs Emma

Lewis, Clive
 Lewis, Mr Ivan
 Long Bailey, Rebecca
 Lucas, Caroline
 Lucas, Ian C.
 Lynch, Holly
 MacNeil, Mr Angus Brendan
 Mactaggart, rh Fiona
 Madders, Justin
 Mahmood, Shabana
 Malhotra, Seema
 Mann, John
 Marsden, Gordon
 Maskell, Rachael
 Matheson, Christian
 Mc Nally, John
 McCabe, Steve
 McCaig, Callum
 McCarthy, Kerry
 McDonald, Andy
 McDonald, Stewart Malcolm
 McDonald, Stuart C.
 McGovern, Alison
 McInnes, Liz
 McKinnell, Catherine
 McLaughlin, Anne
 McMahan, Jim
 Meale, Sir Alan
 Mearns, Ian
 Miliband, rh Edward
 Monaghan, Carol
 Monaghan, Dr Paul
 Moon, Mrs Madeleine
 Morden, Jessica
 Mulholland, Greg
 Mullin, Roger
 Murray, Ian
 Nandy, Lisa
 Newlands, Gavin
 Nicolson, John
 O'Hara, Brendan
 Onn, Melanie
 Onwurah, Chi
 Oswald, Kirsten
 Paterson, Steven
 Pearce, Teresa
 Pennycook, Matthew
 Phillips, Jess
 Phillipson, Bridget
 Pound, Stephen
 Powell, Lucy
 Pugh, John
 Qureshi, Yasmin
 Rayner, Angela
 Reed, Mr Jamie
 Reed, Mr Steve
 Rees, Christina
 Reeves, Rachel
 Reynolds, Emma
 Reynolds, Jonathan
 Ritchie, Ms Margaret
 Robertson, rh Angus

Robinson, Mr Geoffrey
 Rotheram, Steve
 Ryan, rh Joan
 Saville Roberts, Liz
 Shah, Naz
 Sharma, Mr Virendra
 Sheerman, Mr Barry
 Sheppard, Tommy
 Sherriff, Paula
 Shuker, Mr Gavin
 Siddiq, Tulip
 Skinner, Mr Dennis
 Slaughter, Andy
 Smeeth, Ruth
 Smith, rh Mr Andrew
 Smith, Angela
 Smith, Cat
 Smith, Jeff
 Smith, Nick
 Smith, Owen
 Smyth, Karin
 Spellar, rh Mr John
 Starmer, Keir
 Stephens, Chris
 Stevens, Jo
 Streeting, Wes
 Stuart, rh Ms Gisela
 Tami, Mark
 Thewliss, Alison
 Thomas, Mr Gareth
 Thomas-Symonds, Nick
 Thompson, Owen
 Thomson, Michelle
 Thornberry, Emily
 Timms, rh Stephen
 Trickett, Jon
 Turley, Anna
 Turner, Karl
 Twigg, Derek
 Twigg, Stephen
 Umunna, Mr Chuka
 Vaz, Valerie
 Watson, Mr Tom
 Weir, Mike
 West, Catherine
 Whiteford, Dr Eilidh
 Whitehead, Dr Alan
 Whitford, Dr Philippa
 Williams, Hywel
 Williams, Mr Mark
 Wilson, Corri
 Wilson, Phil
 Winnick, Mr David
 Winterton, rh Dame Rosie
 Wishart, Pete
 Wright, Mr Iain
 Zeichner, Daniel

Tellers for the Noes:
Judith Cummins and
Nic Dakin

Question accordingly agreed to.

Lords amendment 15 disagreed to.

Lords amendments 338 and 339 disagreed to.

Clause 1

OVERVIEW OF ACT

Mr Wallace: I beg to move, That this House agrees with Lords amendment 1.

Mr Deputy Speaker (Mr Lindsay Hoyle): With this we may take Lords amendments 2 to 10, 16 to 337 and 340 to 377.

Mr Wallace: The Investigatory Powers Bill will ensure that the police and the security and intelligence agencies have the vital powers they need at a time of changing threats and rapidly evolving technology. It will place those powers on a clear statutory footing and achieve world-leading oversight. It will leave no doubt about how seriously we value privacy and individual rights in this country.

Let us not forget why those powers are so important. Every day, our law enforcement and security and intelligence agencies use those powers to investigate serious crime and collect evidence to convict offenders. They are particularly crucial in combating human trafficking and child exploitation. For example, in January 2009, Operation Retriever, an organised crime investigation in Derby, uncovered one of the most serious cases of child sexual abuse in recent times, involving multiple offenders and multiple victims.

During the investigation, officers uncovered an elaborate and hideous campaign of sexual exploitation directed against teenage girls who were groomed by people they thought they could trust and were driven around the midlands to houses, hotels and bed-and-breakfasts, where they were raped, often violently. One of the officers involved in the investigation described it as “a campaign of rape against children”.

The investigation team used a combination of covert policing and communications data, such as mobile phone records, to link group members and their victims to each other, to phone handsets and to downloaded images and videos of sexual abuse taking place. In that investigation alone, 27 female victims aged between 12 and 18 were identified. Communications data evidence helped to secure the convictions of nine defendants. One of the offenders is serving at least 11 years for rape, sexual assault, sexual activity with a child, perverting the course of justice, aiding and abetting rape, false imprisonment and making child pornography. Another is serving at least eight years for rape, sexual assault and other sexual activity. Yet another is serving three years for the supply of cocaine.

Those men could still be on our streets, exploiting innocent children, without the police having access to the important intelligence that communications data provide. It is essential that we give the police the tools they need to investigate and prevent awful crimes such as these. That is what this Bill will do.

I am pleased that the Bill has commanded cross-party support, and I am grateful to all those who helped, in the spirit of consensus, to produce the Bill that we have before us. On Report, the former shadow Home Secretary, the right hon. Member for Leigh (Andy Burnham), set out his party's position:

“We have supported the principle of a modern legal framework governing the use of investigatory powers, recognising that as

[Mr Wallace]

communications have migrated online, the police and security services have lost capability”. —[*Official Report*, 6 June 2016; Vol. 611, c. 952.]

On Third Reading, the right hon. Gentleman went on to say:

“The police and security services do incredibly difficult work on our behalf and we thank them for it. Their job has got harder as both the level of the threat has risen and the nature of communication has changed in the modern world. To fail to respond to that would be a dereliction of our duties to them; it would also fail our constituents. The Bill is ultimately about their safety, the safety of their families and their privacy. I think we can look ourselves in the mirror tomorrow and say we have done our level best to maximise both.”—[*Official Report*, 7 June 2016; Vol. 611, c. 1148.]

The right hon. Gentleman was right. This has been a truly collaborative effort, of which both we and the Opposition can be proud. I note that the Government’s approach has attracted support from some of the Liberal Democrats in the Lords, although Liberal Democrat Members are not present here.

We have before us today a substantial number of changes agreed in the other place—evidence of constructive engagement from all sides to further improve this landmark legislation. Let me list the main changes. Responding to concerns raised by the former shadow Home Secretary, we have replicated changes agreed in this House throughout other parts of the Bill, including protections for trade union activity and amendments to the test applied by judicial commissioners when reviewing warrants, notices and authorisations under the Bill.

We commissioned an independent review by the independent reviewer of terrorism legislation, David Anderson QC, that comprehensively endorsed the necessity of the bulk powers. As a consequence of that review, we have included provision for a technical advisory panel to advise the Investigatory Powers Commissioner and the Secretary of State on the impact of changes in technology. We have added a sentencing threshold for access to internet connection records, so that they could not be used to investigate minor crimes. We have added extra protections and safeguards for journalists, lawyers and parliamentarians.

We have addressed issues raised by the Intelligence and Security Committee by giving the Committee the right to refer matters to the Investigatory Powers Commissioner to investigate on behalf of this House; adding a requirement for the commissioner to report on thematic warrants and operational purposes; introducing a criminal offence for the misuse of bulk powers; bolstering safeguards surrounding the modification and renewal of warrants; and clarifying provisions relating to class BPD warrants, improving safeguards, and prohibiting the retention of medical records in bulk personal datasets held under class warrants.

Mr Dominic Grieve (Beaconsfield) (Con): May I put on record my appreciation for the way that the Minister listened to the representations made by the Intelligence and Security Committee in this matter? It has proved to be a most constructive dialogue and I am extremely grateful to him for having taken on board and acted on the vast bulk of the recommendations that we put forward. May I raise one matter? On the issue of thematic warrants, I know that the Government, for very

understandable reasons, were unable to move on some of the safeguards that the Committee wanted. Will the Minister give an undertaking that he will keep that under review as we see how the measure operates in practice?

Mr Wallace: I am grateful to my right hon. and learned Friend for his comments. Although it would be nice to take the credit, that belongs to my hon. and learned Friend the Solicitor General, who steered the Bill through Committee, and the present Prime Minister, who helped shape and deliver the Bill. I have merely come in at the end, but will take some of the credit nevertheless.

Of course we will keep the matter under review, as my right hon. and learned Friend the Chair of the Intelligence and Security Committee asked. I do understand the concerns about thematic warrants. I know that he will keep the matter under review and the Government will do so as well.

We have made a number of minor and technical changes to improve the clarity and consistency of the legislation. Finally, in the absence of legislative consent from the Northern Ireland Assembly, we have removed measures that would have brought oversight of devolved investigatory powers in Northern Ireland within the remit of the Investigatory Powers Commissioner.

Many amendments have been accepted and we have worked together to produce the Bill that is before us today. I hope it will command the support of the whole House.

In closing, I remind the House that one of the aims of this legislation is to update investigatory powers for the digital age. It is worth contemplating briefly the consequences that would have come from failing to achieve that aim. Police forces across the country are increasingly struggling to pursue investigations because they cannot uncover crucial information as criminals’ activity moves online. Alan Wardle of the National Society for the Prevention of Cruelty to Children told the Public Bill Committee that

“the police’s ability to investigate and prosecute some of the high-profile crimes we have seen in recent years—online grooming of children and the number of people who are viewing illegal images of children online, which has grown exponentially—is increasingly dependent on communications data. I think it is vital that this Bill ensures that the police have the powers and capabilities to continue to do that.”—[*Official Report, Investigatory Powers Public Bill Committee*, 24 March 2016; c. 34.]

4.15 pm

Let me give an example. In 2012, a Cambridgeshire constabulary investigation into sexual exploitation of a number of vulnerable children in Peterborough relied heavily on communications data. The operation resulted in sentences for 10 men, for a total of 114 years and nine months, covering the offences of rape, sexual activity with a child, inciting child prostitution and making indecent images of children. Call data were used to identify victims and offenders, and allowed investigators to establish links between them. The police were able to demonstrate call patterns linking the offenders with each other and with their victims. Subscriber data were obtained to attribute devices to offenders, and location data were used to demonstrate the movements of the offenders.

If those communications had been made using internet-based telephone services, rather than traditional phone calls, it is likely that police would not have been able to successfully disrupt this awful activity. The Bill goes a long way towards plugging this capability gap. In doing so, it safeguards the most vulnerable in our society, and it gives victims of crime a greater chance of achieving justice. That is why the Bill is so important.

Ms Abbott: Like the Minister, I came to the Bill towards the end, but I am happy to claim credit just like him. Let me say right at the beginning that the Bill has enjoyed, and continues to enjoy, cross-party support, but the House will forgive me if I put on record some of the reservations still raised by important stakeholders.

The first thing I would like to remind the House of is that there is a case before the European Court of Justice that involves the Home Secretary. It is brought by, among other distinguished persons, the deputy leader of the Labour party, my hon. Friend the Member for West Bromwich East (Mr Watson). It relates to the predecessor legislation to the Bill—the Data Retention and Investigatory Powers Act 2014. It seems clear from the interim judgment delivered by the advocate-general on 19 July this year that key sections of DRIPA will be struck down. It is clear that the Bill has even more widely drawn powers and has fewer safeguards and mechanisms for judicial oversight. The logical conclusion—we cannot say at this point what will happen—is that the powers in the Bill may well be among the shortest-lived in parliamentary history, as they may be struck down at the European Court of Justice, and that court proceedings would almost immediately follow Royal Assent.

Among the issues that have been raised with us during the passage of the Bill by stakeholders are access to internet records and the nature of the judicial safeguards; the protection of data, and the rights of journalists to protect their sources; the lack of powers to refer issues to the Investigatory Powers Tribunal; and insufficient checks on the sharing of data between agencies. There is no right of disclosure to the target and not necessarily a duty to provide information to the service provider. There is also the concern—it may be a theoretical concern, but it is a real one for many stakeholders—about the potential abuse of these investigatory powers by state agencies.

A wide number of interest groups and stakeholders have told Opposition Members that the powers in the Bill are perhaps a little disproportionate in relation to the objectives. The Society of Editors, the National Union of Journalists, with the backing of the TUC, and many others concerned with the freedom of the press have raised valid and important objections to the Bill, which, despite the best efforts of Members on both sides of the House—particularly my hon. and learned Friend the Member for Holborn and St Pancras (Keir Starmer)—have not been fully addressed in the parliamentary process. Among the issues that have been raised with me is the ability of journalists to protect their sources.

Another concern, which should also be a concern for Members, is the protection of whistleblowers, who have played an important role in public life, whether at Addenbrooke's or at other hospitals. The concern is that public bodies, by being able to identify internet records—without, as we know, examining the content—may

be able to identify the whistleblowers. There is a measure of judicial oversight. However, many stakeholders have said to us that judicial oversight of data access, gathering and retention is not as strong as they would like. The absence of review proceedings has been raised with us as another troubling aspect of the Bill.

Steve McCabe (Birmingham, Selly Oak) (Lab): Does my hon. Friend agree that despite these reservations, the almost 300 amendments that the Government were forced to table on Report give us much greater safeguards in the exercise of these powers and a much greater capacity to scrutinise whether they are being used properly, with clear avenues for challenge where people are tempted to misuse them, all of which was absent before these changes?

Ms Abbott: I am grateful to my hon. Friend for his, as usual, very wise observation. There is no question but that the amendments that the Government have been forced to table, and the work of Members on both sides of the House, have made this a much better Bill than the one that was originally presented to this House.

Dr Murrison: It is not a question of being forced. The hon. Lady may recall that this measure was subject to a Joint Committee on the draft Bill. There can be no Bill in recent memory that has had more scrutiny than this one. Will she also note clause 232, which establishes a review of this measure after five years—a most unusual mechanism for a Bill of this sort—and give the Government credit for doing everything in their power to reconcile the need to protect our liberties with the need to protect the press?

Ms Abbott: Right at the beginning of this debate, I made a point of acknowledging the very hard work of hon. Members on both sides of the Chamber, including hon. Friends of mine, but perhaps the hon. Gentleman was not here at that stage. The first thing I did was to acknowledge the diehard work of Members on both sides of Chamber. There is no question but that this is a better Bill than the one that was originally presented to us. We are very grateful, and, more importantly, the stakeholders are very grateful, for the possibilities for a review, but I would not be performing my role as a member of Her Majesty's Opposition if I did not put on the record the reservations that still exist among some of our stakeholders.

A number of stakeholders, campaigning groups and other bodies have expressed their continuing dissatisfaction with elements of the Bill. They include Amnesty International, Article 19, Big Brother Watch, the Centre for Investigative Journalism, Don't Spy On Us, English PEN, Index on Censorship, Labour Campaign for Human Rights, Liberty, the National Union of Journalists, OpenMedia, Open Rights Group, PEN International, Privacy International, Scottish PEN, the Society of Editors and the World Wide Web Foundation. In addition, I have held meetings with the TUC and a number of other trade unions that still have concerns about this Bill. I would be grateful if the Minister explained why, despite all the efforts that have been made to improve the Bill, there continue to be concerns among such a wide array of stakeholders.

Mr Wallace: Perhaps I could pick up on some of the concerns of Liberty. We will all have had in our inboxes this morning a letter from Liberty. The concerns expressed in it are, I am afraid, simply wrong. In the third paragraph, Liberty's policy officer says:

"Bulk powers allow for...surveillance...The much vaunted 'double lock' system of authorisation in fact allows the Secretary of State rather than judges to authorise warrants."

That is incorrect; in fact, the Secretary of State and a judge will authorise a warrant. Perhaps Liberty is incorrect in some of its assertions about why it is unhappy and should look at the Bill, as amended, that has been before this House.

Ms Abbott: I have no doubt that stakeholders will look at the amended Bill, and if it returns to us from the Lords, there will no doubt be another opportunity to tease out some of these issues.

This Bill has all-party support and that is significant, because getting the balance right between updating legislation to deal with an internet and high-tech age and defending the civil liberties of subjects is very important, and this House is best placed to do that. We have been grateful to Ministers for being willing to listen to Members in all parts of the House in seeking to improve the Bill.

Lucy Frazer (South East Cambridgeshire) (Con): Privacy is an essential right in a democratic society. It is a basic civil right, protected by statute, so it must follow that any incursion into that right should be limited and carefully considered. I want to make three short points to show that, through the passage of the Bill through this House, that necessity for considered judgment has been respected.

First, a significant amount of information

"was given when the Bill was first tabled...including more information about the security services than we have ever seen in parliamentary papers."—[*Official Report, House of Lords*, 11 October 2016; Vol. 774, c. 1797.]

Those are not my words, but the words of the Liberal Democrat peer Lord Carlile during last month's debate in the other place.

Secondly, as the Bill has passed through the House and through Committee, the Government have listened. Again, that is not my view, but that of Lord Janvrin, the Cross-Bench peer who opened the debate in the other place by stating that the

"changes have introduced significant improvements in the protection afforded to privacy."—[*Official Report, House of Lords*, 11 October 2016; Vol. 774, c. 1797.]

Thirdly, this is a Bill that

"stands not only for transparency but for the introduction of significant new safeguards",

which is a view expressed by David Anderson in paragraph 1.20 of his most recent report on bulk powers.

It is right that we think carefully when we look to limit the right to privacy, and this Government have done so. Importantly, we must also remember why we are passing this Bill. We are doing so to protect and ensure the safety of our citizens from illegal acts, including serious crime, and to fight international terrorism; and we are doing this in a fast-moving environment where we have to keep pace with technology.

Andrew Parker, the head of MI5, told *The Guardian* this morning that the number of terror plots thwarted in the past three years stands at 12. He said that

"the tempo of terrorist plots and attempts is concerning and it's enduring. Attacks in this country are higher"

than he has experienced in the rest of his 33-year career at MI5. The Bill's provisions are designed to ensure that our security services have the tools that they need to protect our citizens from those attacks.

David Anderson wrote in his report, which was published in August:

"The bulk powers play an important part in identifying, understanding and averting threats in Great Britain, Northern Ireland and further afield. Where alternative methods exist, they are often less effective, more dangerous, more resource-intensive, more intrusive or slower".

The Bill strikes a balance between privacy and security, and it does so because the Government need the tools to fight external threats to the nation. Those tools ensure our safety and our freedom.

Joanna Cherry: Unlike the Minister and the shadow Home Secretary, but like the hon. and learned Member for South East Cambridgeshire (Lucy Frazer), I have been with this Bill since the beginning and it has been an interesting journey. As I said earlier, much was promised from the Lords when the Bill left this House, and, as the shadow Home Secretary has said, people had considerable concerns at that time about its intrusion into civil liberties and the security of data.

It is a matter of regret that the Lords amendments as a whole have not lived up to expectations. However, some improvements have undoubtedly been made in the safeguards afforded by the Bill, as a result of Government amendments in the Lords. Although the SNP does not believe that they go far enough, we will support them because they improve the safeguards. The Minister has listed some of them. I am particularly happy with the taking up of the recommendation for a technical advisory panel; the imposition of some restrictions on access to bulk personal data sets; and the inclusion of the threshold for internet connection records. I also particularly welcome the Government amendments to clause 233, to ensure that the Scottish Government will be provided with the means to engage with the work of the judicial commissioners relating to the devolved powers in Scotland.

4.30 pm

Suella Fernandes (Fareham) (Con): I am pleased to note that the hon. and learned Member for Edinburgh South West (Joanna Cherry) and I have made similar sartorial choices today. Although we disagree on many other things, it seems we agree on the important things. Does she agree that the legislation is essential, because without it the expiration of existing legislation will create a legal vacuum?

Joanna Cherry: I agree that the legislation is essential. The SNP believes that it is important to give the security services and, indeed, law enforcement necessary and proportionate powers. I welcome, as I have said repeatedly in this House, the attempt in the Bill to codify the law and to provide an enhanced oversight regime. However, I will not demur from the position that I have held throughout, which is that in some respects the Bill does not provide sufficient safeguards.

The SNP and many other stakeholders mentioned by the shadow Home Secretary remain very concerned about allowing significantly unfettered collection of, and access to, communications data including internet connection records. We also oppose far-reaching bulk powers to acquire the personal and private data of our constituents when a proper case for the necessity and proportionality of those powers has yet to be made.

I consider it a matter of deep regret that the review of bulk powers by David Anderson, QC reported not to this House, but to the House of Lords. This House—the democratically elected and accountable Chamber—has not had an opportunity to debate that review. It is an excellent review as far as it goes, and I would not dare to undermine much of what it says. It is what is missing from the review that is important. It makes out a case that bulk powers can be of use to the state, but it does not address the necessity and proportionality of those powers. Those matters are yet to be addressed, and we will not get to debate them here. As the shadow Home Secretary said, they are very likely to be the subject of litigation in the future, and they are likely to be addressed by courts in the United Kingdom and in Europe—for as long as we have the sense to remain part of those European systems.

Dr Murrison: On the question of proportionality, does the hon. and learned Lady agree that the proposals must be put into some sort of context? As Lord Rooker pointed out yesterday, the problem is that we have a commercial sector with a large number of commercial providers who are busy harvesting data all the time in order to advertise things to us. Since the powers that the state is taking to itself are similar in some respects, it is important to bear that in mind when trying to ensure that we have some level of proportionality.

Joanna Cherry: I agree with the hon. Gentleman that at some point the House needs to look at the mass harvesting of data by private companies, but there is a big difference between a private company harvesting personal data and the state doing so. A private company does not have the coercive power of the state, and that is the crucial reason why the Bill must be scrutinised so carefully.

It is a matter of the deepest regret that the review on bulk powers did not report to this House and has not been scrutinised in this House. I would not wish the SNP's position on the Bill to be portrayed as irresponsible, because it is not. It is an attempt to make sure that the Bill fulfils its purpose while remaining lawful and proportionate. As has been alluded to during this debate, the Scottish Parliament has given legislative consent to the consolidating and enhanced safeguard provisions in the Bill, so far as those matters fall within its legislative competence. If Members care to read the terms of the legislative consent motion, which I do not believe was opposed by anyone in the Scottish Parliament, they will see that concern was reiterated about the potential impingement on civil liberties by internet connection record collection and bulk data collection.

I want to correct something that the Minister said about Liberty. Liberty has scrutinised the Bill in detail and provided detailed briefings—one might not agree with them all—on every aspect of the Bill. It is unfair to say that Liberty is mistaken about anything. Liberty is quite correct to say that, in reality, all that the double-lock

system means is that a judge will check that the correct procedures have been followed; the Minister will still make the initial decision.

In previous debates, I have said that I would not use the phrase “mass surveillance”, because it is a bit too broad, and I have instead talked about suspicionless surveillance. That is the problem with the Bill: SNP Members and many others with concerns about the Bill believe that surveillance should be targeted and based on suspicion. There is a deal too much suspicionless surveillance in the Bill, even as amended.

The Solicitor General (Robert Buckland): I listened very carefully to what the hon. and learned Lady said about the double lock. Surely the point is that where the judge has the final say, authorisation will not be granted. Will not that fundamental change create the balance that both she and I want?

Joanna Cherry: I do not accept that the Government have gone as far as some of us would have liked them to go on the double lock, which is by having full-blown judicial warrant with the power to look at the merits as well as at the process. However, I accept that this is an improvement on what was originally in the Bill, and its inclusion is a great tribute to the hard work that was done by me and my hon. Friend the Member for Paisley and Renfrewshire North (Gavin Newlands), as well as by Labour members of the Committee. If there had not been such root-and-branch opposition, many of the Government amendments that have finally been passed in the Lords would not be with us today.

The Solicitor General: We are all keen to claim the credit, but let us not forget that the Government's position from the outset was to have a double lock. This important change is very much the result of Government initiative, as well as of the good intentions of Opposition Members.

Joanna Cherry: Indeed, but the fine detail on the double lock—that is what enables the Solicitor General to get up and say that it goes as far as it does—was inserted by way of amendment during the Bill's passage.

Suella Fernandes: Will the hon. and learned Lady give way?

Joanna Cherry: I will make a little progress, and then give way again, because I do not want to take up too much time.

During the Bill's passage, SNP Members were pleased to offer our support to the Labour party on its amendment to protect trade unionists going about their lawful activities, but what about protections for other activists and campaigners going about their lawful activities and what about non-governmental organisations and whistleblowers? We should not have unjustified spying on trade unionists, and we should not have unjustified spying on other activists either. Whistleblowers can sometimes be very inconvenient to the Government and to the private sector, but they fulfil an important function and the Bill contains insufficient protection for them.

On the protection of journalists, it is true that significant amendments have been made in the Lords, but it is important to put on the record today that journalists

[*Joanna Cherry*]

have continued concerns about the provisions in the Bill. They feel that safeguards for journalistic sources should apply across the various powers in the Bill, rather than in their current limited form.

In parallel, although great progress has been made in the Lords on the question of legal professional privilege, some in the legal profession still have concerns about the way in which the Bill approaches it. The way the Bill is drafted may have undermined the central premise on which legal professional privilege is based. However, credit where credit is due: significant progress has been made. I spoke this morning to the Law Society of Scotland, which recognises that the Government have come a long way but is still concerned about these somewhat controversial measures and is very anxious to have post-legislative scrutiny of how legal professional privilege will work in practice.

The Solicitor General: The hon. and learned Lady will agree, first, that legal professional privilege has for the first time been averred in legislation, which is very important, and secondly, that further amendments made in the Lords—they were approved by Members such as Lord Pannick—now deal with situations in which legal professional privilege material has been obtained inadvertently. We are now covering even more areas in a circumscribed way, and creating the sort of safeguards that I know she wants.

Joanna Cherry: I read with interest the debates in the Lords about legal professional privilege. I noted carefully the approval granted to the measures by Lord Pannick, but I also noted that Lord Paddick made the point that the Bar Council of England and Wales is still not entirely happy about the provisions. That is a matter for the Bar Council, but we should adhere to the Law Society of Scotland's suggestion of careful post-legislative scrutiny of how legal professional privilege will work in practice.

The two huge concerns I still have about the Bill relate to internet connection records and bulk powers. I have already spoken about the limitations in how we have dealt with the bulk powers review and the fact that, in my opinion and that of many others, it does not deal with the issues of necessity and proportionality.

On internet connection records, I welcome the limited safeguards introduced by the Lords, in particular, the threshold increase on serious crime, judicial approval for data retention notices and prohibition of the retention of third-party data, which we were quite agitated about in Committee. But it is a matter of regret that the Bill still includes provisions dealing with the collection of internet connection records that go beyond anything that any other western democracy has on its statute book and that, as the shadow Home Secretary said, may be of dubious legality.

The fight for our civil liberties concerns about the Bill has been lost in this House, but, as the shadow Home Secretary suggested, it is likely to continue in the courts. Liberty is representing the hon. Member for West Bromwich East (Mr Watson) in a legal challenge to existing surveillance laws. As the shadow Home Secretary said, the Government have ignored the opinion of the advocate-general in the Court of Justice of the European Union on these issues,

which was that current provisions lacked vital safeguards. To my mind, that means that when this Bill becomes law it will be open to immediate challenge.

The Bill is certainly the better for its passage through the Lords, although it pains me slightly to say that, as someone who does not approve of the House of Lords—not because I do not approve of a second Chamber but because I think that it should be democratically accountable in some way. However, I do not believe that what was promised of the Lords, and expected by some on the Opposition Benches, on the protection of civil liberties has come to fruition.

It is a matter of the greatest regret that peers supported the internet connection record powers just hours after the Investigatory Powers Tribunal had ruled that the security agencies had been unlawfully scooping up personal confidential information on a massive scale for more than a decade. I was repeatedly told regarding my objections to the Bill that our security agencies are the best in the world and never break the law. I suspect that it is close to the truth that the British security agencies are, if not the best, among the best in the world; but they do sometimes break the law. No one is infallible. We must have safeguards that are real. It is noteworthy, and an indication of the inadequacy of the scrutiny of the Bill that, only hours after the Investigatory Powers Tribunal ruled that unlawful action had taken place, the Lords supported the provisions on internet connection records in their totality.

It seems that the battle has been lost in this House. But given the very real concerns I and others have about the lawfulness of aspects of the Bill, I suspect the battle may be won elsewhere.

Suella Fernandes: This landmark legislation enables our security, intelligence and law enforcement services to continue the intelligence gathering, analysis and code-breaking that are essential for the security of our country in a digital age. I was pleased to support the Government on Second Reading, and am even happier to do so today.

The Investigatory Powers Bill has been subject to intensive scrutiny. Along with many Members in the Chamber—including my hon. Friends the Members for North Dorset (Simon Hoare) and for South West Wiltshire (Dr Murrison), my hon. and learned Friend the Member for South East Cambridgeshire (Lucy Frazer) and the Solicitor General—I was privileged to sit on the Committees for that scrutiny. I was a member of the Joint Committee responsible for pre-legislative scrutiny of the draft Bill. We considered 1,500 pages of evidence, interviewed numerous experts and campaigners, and made 86 recommendations to the Government.

Following that, there was a refreshingly collaborative cross-party approach during the Bill's passage through Parliament. The Bill has benefited from the expertise and constructive criticism of many hon. Members, including the then Labour party spokesman on the issue, the hon. and learned Member for Holborn and St Pancras (Keir Starmer), a former Director of Public Prosecutions.

Throughout that process it has emerged that our intelligence and security agencies depend upon the acquisition of bulk data—that is, information acquired in large volumes and used, subject to special restrictions, to acquire vital and unique intelligence that they cannot

obtain by other means. They need the power to intercept messages and will not be able to do their job without contextual intelligence, provided in the form of internet connection records.

4.45 pm

The threats we face are rapidly changing and multidimensional. At home, overseas and online, modern terrorist groups are mercurial and elusive, deploying instant messaging, WhatsApp, email and text to avoid detection, so that the prospect of attacks such as those in Paris and Brussels happening here in the UK is a strong possibility. Our intelligence services are regularly working to thwart plots against the UK—there were seven in 2015—directed by terrorists in Syria and inspired online by Daesh’s intricate use of social media. Meanwhile, paedophile rings use secret Facebook groups to share indecent photos. The police are constantly trying to trace vulnerable missing people. Privacy settings and encryption, while empowering, enabling and essential for the law-abiding citizen, are abused by serious fraudsters and others to create a cloak of invisibility for the worst misdemeanours. These networks are bewildering and often sourced by companies based overseas, placing them increasingly beyond the reach of the police and security services. As that threat evolves, so must our capabilities.

I support the Bill because it includes provisions that oblige internet and phone companies to store internet connection records of websites visited for 12 months. It enables the security services and police to intercept and track electronic communications and mount IT attacks, known as equipment interference, under a warrant authorised by the Home Secretary and an independent judge. It empowers our services to access and analyse bulk data, a tool that has become more important than ever before.

Critics argue that the Bill is disproportionate. They say it goes too far and that the powers avowed are unnecessary. In doing so, they misunderstand the nature of modern security and law enforcement. Without access to communications data, the National Crime Agency would not have had the evidence to prosecute paedophiles who had been visiting websites with indecent images of children. Without interception intelligence, MI6 could not have detected and disrupted numerous plots to attack the UK being planned by individuals based abroad. Without access to bulk data, GCHQ would not be able to uncover cyber-attacks against the UK.

I can see why, in the post-Snowden era, conspiracy theories abound. However, they are unsustainable in this context. For these powers, while wide-ranging, are transparent and subject to robust safeguards. First, multiple independent reviews, by David Anderson, QC, the independent reviewer of terrorism legislation, the Royal United Services Institute and the Intelligence and Security Committee, have concluded that our intelligence agencies are categorically not engaged in mass surveillance. The tools are used scrupulously and are subject to strict checks and rigorous oversight.

Secondly, the Bill creates a completely new system of warranting. A double lock on ministerial authorisation of warrants means that both judges and Ministers will consider the evidence and merits of granting permission for such powers to be used. Only where it is necessary and proportionate will a warrant be issued. It has been

some time since I hung up my wig and gown, but any lawyer will say that the level of scrutiny imported in the wording of the Act is critical. We are not looking at *Wednesbury* unreasonableness, but a higher level of scrutiny—an anxious level of scrutiny involving proportionality.

The test for proportionality under the ECHR is set out in a four-stage test. First, the judge will ask themselves whether the objective of the means is sufficient to justify a limitation of the right. Secondly, are the means rationally connected to the objective? Thirdly, could a less intrusive measure be used to achieve the same objective? Fourthly, the decision maker will balance the effect on rights against the importance of the objective. That is trite law, but it is very significant because it means that a considerable level of scrutiny will be employed to analyse whether the warrant is justified.

In our evidence sessions, Professor Christopher Forsyth, professor of public law at the University of Cambridge, said that this test was appropriate and that the Secretary of State and the judicial commissioner are assessing important aspects of the warranting process. Importantly, there will be different considerations to take into account. For example, in a diplomatic setting, it is not appropriate for the judge to have all the decision-making power, for there might be extraneous issues that are not within the mind of the judge that need to be taken into account.

Transparency runs through the Bill. All the powers are already legitimised by Acts of Parliament, while article 8 of the Human Rights Act acts as a limit on the level of intrusion into someone’s private life. Warranting is scrutinised and reviewed. The Intelligence and Security Committee, independent reviewers and the judiciary through the independent commissioner and the Investigatory Powers Tribunal all provide challenge and supervision. Trust is the golden thread running through the viability of the new legislation. Some things necessarily need to remain secret, but notwithstanding that need for secrecy, the public’s trust, a sound legal basis and opportunity for impartial challenge are important for ensuring long-term robustness.

Finally, I would like to share some of my thoughts on privacy. As threats and capabilities evolve to meet the pace of technological change, so must our notions of privacy. The more we live our lives online, the more we routinely give up our privacy. As the hon. and learned Member for Edinburgh South West (Joanna Cherry) said, supermarkets, search engines and mapping devices all track our shopping choices, our interests and our movements, and use the data for commercial purposes. Every time we click “agree” to the small print on these ubiquitous services, we make a concession, and we allow our data to be gathered by private companies.

Critics of the Bill argue that the intelligence and security agencies’ acquisition and use of such data is a disproportionate violation of human rights, despite its national security purpose. Yet every day, in myriad contexts, we all willingly sacrifice our privacy. The more interconnected we choose to be, the less we can pray in aid of absolute privacy. These days, the terrorists, the paedophiles and the serious fraudsters scheme online. Technology that empowers us also empowers them. Yes, we want world-class encryption, but we also want world-class security.

I am proud to support this Bill as a symbol of my trust—my trust in the skill and restraint of the unsung heroes who live their lives in the shadows: the code

breakers, the agents, the investigators and the detectives who work day and night to protect us. Subject to weighty checks, these powers epitomise the duty incumbent on all of us as elected Members—the duty to protect the safety of those who put us here and to prevent the threats that we can instead of turning the other cheek and hoping for the best.

Huw Merriman (Bexhill and Battle) (Con): I am pleased to follow my hon. Friend the Member for Fareham (Suella Fernandes) and to speak in support of the Bill.

In March 2016, David Anderson, QC suggested that this Bill

“charts a bold route forward—and gets the most important things right”.

He went on to say that it

“restores the rule of law and sets an international benchmark for candour.”

He suggested at that time that some matters remained to be resolved, but as the Government’s support for these Lords amendments demonstrates, there has been cross-party co-operation and support both in this House and in the other place. The Bill is all the better for it.

This relative consensus is well demonstrated by the remaining amendments, just rejected, relating to press regulation. There were, of course, concerns prior to my election to this place, that a Bill of this type could be construed as a snoopers’ charter. The fact that we have just had a debate on Leveson speaks well of the progress made on this Bill. The fact that we have got to this positive position is, in my view, in no small part due to the Government’s acceptance of suggestions made across the political divide and their taking of the three independent reviews as a starting-point for this legislation.

It is worth considering that the first report, the Anderson report, called for a new law that would be both comprehensive and comprehensible. The second report, from the Intelligence and Security Committee of Parliament, said that the

“legal framework has developed piecemeal, and is unnecessarily complicated.”

That, it said, had resulted in a

“lack of transparency, which is not in the public interest.”

The third report, produced by the Royal United Services Institute, called for a

“radical reshaping of the way that intrusive investigative techniques using the internet and digital data are authorised”,

and said that it should be

“subject to judicial scrutiny”.

The Bill delivers on all those fronts. It gives our law enforcement and intelligence agencies the power that they need to keep us safe. It brings together all the powers that are already available to those agencies before they are due to expire following the judicial review of the Data Retention and Investigatory Powers Act 2014, and gives them additional powers to catch up with new technology and the web. It introduces a double lock for the most intrusive warrants, providing judicial oversight and creating an investigatory powers commissioner. It not only delivers comprehensive legislation with safeguards, but gives the security agencies the power to keep up with technology that is being used by those who seek to do harm to our constituents.

That takes me back to the words of David Anderson, QC. Last month, in Strasbourg, he spoke to the Committee on Legal Affairs and Human Rights, a Committee of the Parliamentary Assembly of the Council of Europe—of which I am a member—about these powers and about the threat posed by terrorists across Europe. During the same session, the threat was brought home most powerfully by another speaker. This lady, a Parisian, had lost her daughter to the terrorists who were responsible for the Bataclan massacre in Paris. Her words, and her pain, were incredibly moving for all who listened. She demonstrated to us how difficult her life had become, and also the terror that her daughter had experienced in her final hours. That brought home to me the need for us in this place to do everything we can to ensure that we never have to hear testimonies like that from our constituents across this nation, and it is on that basis that I shall be very pleased to see the Bill become law.

Mr Wallace: I wish to place on record our gratitude to the Labour party, the Liberal Democrats, the Scottish National party, and the Opposition Front Benchers—the right hon. Member for Leigh (Andy Burnham) and the hon. and learned Member for Holborn and St Pancras (Keir Starmer) and, in the other place, Lord Murphy of Torfaen and Lord Rooker—for their contribution to making the Bill what it is today. We must ensure that it proceeds in a spirit of consensus, and I therefore approve of the provision in clause 232 for a review of the Bill in five years’ time. Obviously I must also express my gratitude to the Prime Minister, who helped to shape the Bill and to introduce the important powers that it gives our security services and police to help them to do their job.

I thank my hon. and learned Friend the Solicitor General, my right hon. Friend the Member for South Holland and The Deepings (Mr Hayes)—the former Security Minister—and the Chairman of the Intelligence and Security Committee, my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve). They, too, have made a considerable contribution. I also thank the SNP, including the hon. and learned Member for Edinburgh South West (Joanna Cherry), although she seemed rather cynical about the Bill in her more recent contributions. I recognise that the support of the SNP goes a long way towards the application of the Bill in the United Kingdom; it is important that we all embrace its aims.

A long time ago, in a different life, I did some of this stuff when there was no regulation, before the introduction of the Regulation of Investigatory Powers Act 2000. We are now in a much healthier place: a place with scrutiny, oversight and an understanding by all of matters that, in the old days, we did not even avow had happened. We should not underestimate the distance that we have come since days gone by. We have come a very long way since then, and I am proud of what the Bill gives us, and gives the men and women who need in to keep us safe.

Having had conversations with colleagues overseas, I know that people are envious of this Bill. We should not forget that, at this moment, there are people in Germany and France who face a much greater threat to life and liberty. There are forces of law and order that are struggling to come to terms with the modern threat, sometimes with legislation that is out of date. I think that by introducing this Bill we have brought ourselves

up to date, and that we are now in a position to tackle the threat. I am grateful to the whole House, and to members of all its political parties, for supporting the Bill.

Lords amendment 1 agreed to.

Lords amendments 2 to 10, 16 to 337 and 340 to 377 agreed to.

Ordered, That a Committee be appointed to draw up Reasons to be assigned to the Lords for disagreeing to their amendments 11 to 15, 338 and 339;

That Ms Diane Abbott, Victoria Atkins, Robert Buckland, Joanna Cherry, Nic Dakin, Andrew Griffiths and Mr Ben Wallace be members of the Committee;

That Mr Ben Wallace be Chair of the Committee;

That three be the quorum of the Committee;

That the Committee do withdraw immediately.—
(*Christopher Pincher.*)

Committee to withdraw immediately; reasons to be reported and communicated to the Lords.

Business Without Debate

DELEGATED LEGISLATION

Mr Deputy Speaker (Mr Lindsay Hoyle): With the leave of the House, we shall take the motions together.

Motion made, and Question put forthwith (Standing Order No. 118(6) and Order of 24 October),

ELECTORAL COMMISSION

That an humble Address be presented to Her Majesty, praying that Her Majesty will appoint Sir John Holmes as the Chair of the Electoral Commission with effect from 1 January 2017 for the period ending on 31 December 2020.

ELECTORAL COMMISSION

That an humble Address be presented to Her Majesty, praying that Her Majesty will appoint Dame Susan Bruce as an Electoral Commissioner with effect from 1 January 2017 for the period ending on 31 December 2020.—(*Christopher Pincher.*)

Question agreed to.

EUROPEAN UNION DOCUMENTS

Motion made, and Question put forthwith (Standing Order No. 119(11)),

DRAFT BUDGET 2017

That the House takes note of the European Union Documents No.10763/16, a Proposed Decision on the mobilisation of the European Union Solidarity Fund to provide for the payment of advances in the general budget of the Union for 2017; No. 10764/16, a Proposed Decision on the mobilisation of the Flexibility Instrument to finance immediate budgetary measures to address the on-going migration, refugee and security crisis; No. 10765/16, a Proposed Decision on the mobilisation of the Contingency Margin in 2017; unnumbered European Document, Statement of estimates of the European Commission for the financial year 2017; supports the Government's efforts to limit the size of the EU Budget in order to get the best deal for UK taxpayers; welcomes the fact that the 2017 Draft Budget respects the Multi-Annual Financial Framework agreement; further welcomes the reduction in payments in the 2017 Draft Budget compared to the 2016 Budget; and notes that the 2017 Draft Budget achieves a greater margin in payments than in 2016.

AVIATION SECURITY (REASONED OPINION)

That this House takes note of European Union Document No. 12090/16 and Addenda 1, 2 and 3, a proposal for a Regulation of the European Parliament and of the Council establishing a Union certification system for aviation security screening equipment; considers that the proposal does not comply with the principle of subsidiarity for the reasons set out in Chapter 1 of the Sixteenth Report of the European Scrutiny Committee (HC 71-xiv) and, in accordance with Article 6 of Protocol No. 2 annexed to EU Treaties on the application of the principles of subsidiarity and proportionality, instructs the Clerk of the House to forward this reasoned opinion to the Presidents of the European Institutions.—
(*Christopher Pincher.*)

Question agreed to.

PETITION

The Royal Marines

5.1 pm

Oliver Colvile (Plymouth, Sutton and Devonport) (Con): This petition is on behalf of the people of Plymouth following the Government decision to announce that the Royal Marines 3 Commando Brigade is leaving Stonehouse barracks.

The petition states:

The petition of residents of the UK,

Declares that RM Stonehouse, which is home to 3 Commando Brigade, will be disposed of through the Ministry of Defence's estate optimisation strategy.

The petitioners therefore urge the House of Commons to urge the Government to ensure that 3 Commando Brigade is retained in Plymouth and not moved out of the local area.

And the petitioners remain, etc.

[P001970]

Chase Railway Line

Motion made, and Question proposed, That this House do now adjourn.—(Christopher Pincher.)

5.2 pm

Amanda Milling (Cannock Chase) (Con): The clocks turned back last weekend and the upside was an extra hour in bed. However, not only does this mean the days are getting shorter and winter is on the horizon, but I am afraid, for passengers of the Chase line, it marks more misery. What is at the best of times a railway line where passengers have to endure cancelled and delayed trains is at this time of year a line where they also face severe overcrowding.

I should start by giving some background. The Chase line is the railway line that connects Cannock Chase with Walsall and Birmingham. It runs from Rugeley Trent Valley, a station which is actually in the constituency of my hon. Friend the Member for Lichfield (Michael Fabricant), and stops in my constituency at Rugeley Town, Hednesford and Cannock.

The good news is that the misery for the passengers will be addressed by the electrification of the line. Indeed, the previous Secretary of State for Transport, my right hon. Friend the Member for Derbyshire Dales (Sir Patrick McLoughlin), was incredibly supportive of this electrification project, understanding the line well and the needs of residents as a former Cannock resident and councillor.

The electrification of the line will mean faster and more frequent trains, increasing the capacity on the line. But I am afraid there are several issues that I would like to outline in this debate relating to the service passengers will experience in the next couple of years. I want to cover the issues that passengers are currently facing, the issue of rolling stock when the line is electrified and the need to upgrade the facilities at the stations throughout my constituency, particularly Rugeley, Hednesford and Cannock.

Amazon has one of its fulfilment centres in Rugeley. Every autumn, it recruits seasonal staff to support demand and it recently announced 4,500 seasonal jobs. This is clearly excellent news for the creation of jobs. However, with a claimant rate of just over 750 across Cannock Chase, people will need to travel to fill those positions. Last autumn, Amazon recruited around half of its additional seasonal staff, and my inbox was full of complaints from passengers who were using the Chase line. Their complaints included overcrowded trains, passengers not buying tickets, and trains being delayed and cancelled. I am afraid that this autumn has been much the same for Chase line passengers, and the situation is likely to get worse.

The overcrowding of some services, particularly the commuter trains, is a constant and consistent complaint. All too often, it is reported to me that there are only two carriages on these services. Bearing in mind the level of use, that is simply unacceptable. Only this morning, I received a tweet from a passenger saying that the 7.04 service from Rugeley was made up of only two carriages. The passenger went on to say that they were standing in a packed carriage and asking London Midland to turn down the heating. On a different occasion, a passenger reported seeing a schoolboy faint, having had to stand. I have called for the level of service to be improved, and

I have specifically asked the franchisee, London Midland, to review the number of carriages, particularly at peak hours. I am therefore particularly disappointed that the problem has recurred this autumn. Chase line passengers deserve better. I would therefore like to ask the Minister to put pressure on London Midland to provide the appropriate number of carriages on peak-time services on the Chase line.

The issue of overcrowding is exacerbated by the fact that not all passengers are paying for their tickets. As I understand it, the issue of Amazon staff not paying for their tickets is being addressed, and they are having their tickets paid for at source out of their salaries. However, there are still concerns about the lack of ticket inspectors resulting in passengers still not paying for their tickets. Some are able to dodge the inspectors at the various stations. Honest fee-paying passengers are hugely frustrated by this, and they want London Midland to ensure that tickets on these services are inspected, where possible as passengers board the trains.

The misery does not stop there. Another issue facing those long-suffering passengers is delayed and cancelled trains. It is not uncommon for passengers using the service to and from Rugeley to complain that the service has been stopped and re-directed from stations further up the line. This is an hourly service, so these problems result in people not being able to get to work on time and having to explain why they are late, day in and day out. They result in parents being unable to get back from work to pick up their children, and parents picking up children who are using the service not knowing when their train is going to arrive because it is stuck at Hednesford or Cannock station. London Midland's explanation is that delayed trains are redirected part-way up the line to ensure that subsequent services are not also delayed, but that is little comfort for someone who is trying to use the service from the Rugeley stations. Frankly, residents in Rugeley are poorly served by this service, and that needs to be addressed.

As I have said, the electrification of the line will help to alleviate many of the issues I have outlined. For one thing, we will have a faster and more frequent service, with a train every half hour rather than every hour. That said, that will happen only when electric trains are running on the line.

I am glad to say that the electrification works are on track—sorry for the expression—for completion on time by the end of 2017. It was a real pleasure to meet the various stakeholders to look at the progress of the engineering works along the line, including meeting the hon. Member for Walsall South (Valerie Vaz) to review the now-completed major engineering work to tunnel under the shops in Walsall town centre, which included managing to keep the shops open throughout. I believe that McDonald's did a very good trade during that time.

While the engineering works will be completed on time by the end of next year, which is fantastic news, I have uncovered an issue that I never really thought was possible. Despite plenty of warning—this project has been under way for some time—it appears that London Midland does not have access to rolling stock to run on the line, saying that it may be December 2018 before it has the electric trains. I started to get a sense that there was an issue with rolling stock when I wrote to London Midland asking when we would get electric trains on

the line and have a faster, more frequent service. The initial reason I was given for a potential delay to the new service was timetabling, which made me somewhat suspicious.

The Hendy review stated that electric services would start by May 2018. However, it has now become apparent that London Midland will not be able to run electric trains until much later in 2018—nearly a year after the completion of the engineering works. Quite rightly, the passengers who use the service will see the project being completed at the end of 2017 and expect the new service to be running soon after. While we accept the need to test the line and train the drivers, which might delay things a little, the lack of rolling stock is unbelievable and unacceptable. There is a danger that Chase line passengers will have to suffer yet another autumn of pain.

I have several points to raise with the Minister. What are the Government doing to take a strategic view of the status of electrification projects and the availability of electric trains to ensure that rolling stock is being utilised in the most effective way? What measures are the Government taking to make sure that those bidding for new franchises are ensuring that the rolling stock requirements are being met?

Tom Purslove (Corby) (Con): One of the challenges in my part of the country is that the rapid housing growth that is coming on stream will put only more pressure on our existing rail services. Is that a problem in my hon. Friend's area? Residents in Corby want more trains both northbound and southbound.

Amanda Milling: My hon. Friend must have been reading what is coming up later in my speech. His point also affects my constituency. Following the closure of Rugeley B power station, which I have discussed in this place several times, there will be new development, including new homes and businesses, meaning more passengers on the line and the need for more capacity. The problem is only going to increase and we need to solve it as quickly as possible.

The franchise for the Chase line is currently under review and, with the appointment due next year, I want to make a few points. What measures will the bidders take to ensure that the short-term issues of overcrowding, delays and cancellations are built into their plans for 2017? When will electric trains be running on the line? The contract says that that should be by the end of 2018, which is movement from what was stated in the Hendy review and some 12 months after the electrification work will be completed. I would like to know from the bidders what they are going to do to get trains on these lines as quickly as possible, at least by May 2018, as outlined in the Hendy review earlier this year. I know from some of the points made by passengers that there is a desire for later trains to and from Birmingham, so I am pleased that part of the specification will include those. I call on the bidders to do everything they can to make sure we get those later trains, because people are having to leave concerts and events in Birmingham early because otherwise they are not able to get home.

Finally, let me deal with the facilities available at each of these stations which serve Cannock Chase residents. In 2010, the national stations improvement programme led to welcome upgrades, including CCTV at platform level, new shelters and customer information systems.

However, the facilities are still incredibly basic in terms of offering a welcoming environment—a welcome to Cannock Chase. There will soon be a designer outlet village in Cannock, similar to that in Bicester, which is in the constituency of my hon. Friend the Member for Banbury (Victoria Prentis), who is in her place, and Cheshire Oaks. It is expected to attract about 4 million visitors a year and will be situated close to Cannock train station. The developer anticipates that about 2% of visitors will be coming in by rail, although it is felt there is scope for that number to be much greater. As such, Cannock station will be the gateway to Cannock Chase and the Mill Green designer outlet village. The station currently does not have the facilities suited to that level of traffic and hardly provides a warm welcome to Cannock. The section 106 agreement provides £90,000 for station improvements, but it is accepted that much wider external funding will be required to make the necessary upgrades to the station's facilities. I therefore ask the Minister to look at what Government investment could be provided to improve the facilities at Cannock station. The next station up the line is Hednesford, where I commend the work being undertaken by the Heart of Hednesford Group to adopt the station as a community platform to ensure the station provides a warm welcome to Hednesford. This is an excellent example of how a community group can work to improve the facilities at a station.

The station upgrades were not included as part of the electrification project. I have mentioned two stations that need improvement, but in all honesty I can say that they all do. Just some of the improvements required include having public toilets, parking and improved disabled access—that is a short list, drawn from the very long list I have in this folder. I therefore ask the Minister to consider what additional support can be provided by the Government to upgrade the facilities. I also call on the bidders, Network Rail and the two local enterprise partnerships to look at ways in which they can provide the investment to make these necessary improvements.

I could talk about many issues on the Chase line, after 18 months of social media contact, emails and letters on the subject. I hope that I have covered at least some of the issues raised by passengers. I wish to take the opportunity to thank the passengers and residents who have contacted me over the past few days, in the run-up to this debate, with specific examples, pulling together the key themes. In summary, Chase line passengers are getting a poor deal and deserve a better service, this autumn, next autumn and beyond. I hope the electrification project will address many of the issues outlined, but it will do so only if there are electric trains running on the line. With the Mill Green development and significant redevelopment in Rugeley, following the closure of Rugeley B power station and the subsequent addition of new homes and new businesses, the need for the railway line and the station facilities to be suitable for increased passenger use is as important as ever. I am incredibly grateful to the Minister for his time this evening, and I look forward to his response and to his support for the various issues I have outlined.

5.19 pm

The Parliamentary Under-Secretary of State for Transport (Paul Maynard): It is a pleasure to be here today. I congratulate my hon. Friend the Member for Cannock

[Paul Maynard]

Chase (Amanda Milling) on securing this debate and on demonstrating once again why she is a doughty champion for her constituency and for the needs of the Chase line. This is not the first time that she has raised these issues with me. We have met in the past as well, and I know that she has also met officials from London Midland to discuss her concerns. I wholly understand her frustrations and the frustrations of her constituents.

Overcrowding is not unique to the Chase line. It is an issue across the network that we are continuing to address through continual investment in new rolling stock. We have more and more passengers using our railways, with a 115% increase in the number of people using the railways since privatisation. The Chase line is no different. Our own rail investment strategy recognises that there has been significant passenger growth in this corridor between Birmingham and other towns along the line. Growing at approximately 14% per annum, the Chase line is in fact the west midlands franchise's fastest growing route. It has seen significant investment in rail electrification to improve capacity and journey times.

As my hon. Friend pointed out, the already crowded line has seen the addition of some 4,000 seasonal workers whom Amazon employs at its Rugeley fulfilment centre. We welcome the boost that that will have for the local economy, but it does place short-term additional pressures on local rail services.

At present, London Midland does not have any additional trains to bring into service to alleviate the problems that my hon. Friend highlighted. Nor are there any suitable diesel trains nationally that it could lease, which would match the needs of the Chase line. Therefore, in the short term, London Midland is limited to its current fleet of diesel trains.

Performance on the Chase line is regularly over 90% in terms of punctuality performance measurements. Over recent weeks, cancellations have been slightly higher than normal, partly due, I gather, to the volume of train crews who are in training and also to the fact that the class 170s, which form the majority of services on the Chase line, are not necessarily behaving as they should, because of their defective door control units. I understand that London Midland has commissioned an investigation into how to improve the reliability of those door control units, which I hope will start to address some of the issues that my hon. Friend raises, particularly the existence of two-carriage trains on some of the Rugeley services that are being diverted or that are non-stopping. I look forward to hearing what London Midland has to say when it has conducted its review.

The Chase line is an important rail connection between Birmingham New Street and Rugeley Trent Valley via Walsall and Cannock. It currently has one train per hour in each direction with some additional services in the peak. The electric services only operate between Birmingham and Walsall, where the overhead line equipment ends, and that is what we are seeking to change. As my hon. Friend pointed out, the electrification of the Chase line will give the new rail franchise holder considerably more capacity to carry additional passengers.

Work has already started on this project and is due to be completed in December 2017. The project will bridge the gap in the electrification between Walsall and Rugeley Trent Valley. It will also create a diversionary route for

west coast main line traffic if other lines are closed for engineering works. It will be gauge cleared for larger freight train traffic.

A parallel project will deliver enhancements to line speed alongside electrification through track remodelling and the closure of a level crossing in Bloxwich. Switching services to run with electric rolling stock with enhanced performance characteristics will reduce journey times to such an extent that a regular, all-day, two-trains-per-hour service can be operated with no additional rolling stock. Furthermore, the electrification will release diesels for use across the west midlands.

Doubling the off-peak frequency of services will enhance connectivity for all towns along the Chase line. In particular, it will improve connectivity to the west coast main line services. As I have said, work has already started. The entry-into-service date is due to be December 2017, and, as my hon. Friend rightly points out, the full timetable is likely to be delivered by December 2018. However, during that period, as she also rightly pointed out, time will need to be taken to train up drivers in the new route and ensure that the trains are serviceable for the route, are reliable and can operate fully, although the timetable will be introduced gradually from May 2018, ramping up as the service reliability improves also.

We anticipate that those services will start in May 2018, with a full service by December 2018, but bidders have the opportunity to propose alternative procurement strategies for rolling stock that may allow that to be brought forward if the rolling stock is there. As a Department, we specify the output that we want on behalf of passengers, but it is primarily for train operating companies to work with rolling stock companies to find the rolling stock that best suits the needs to fit the output that we have specified and ensure that they can deliver on commitments that they make in their bids and in the eventual successful franchise.

That is an important part of the franchise process, because the more that bidders can impress the Department that they are exceeding the specification in the invitation to tender, the more chance they have to obtain quality points in terms of the bid and the way the Department will judge it. It is in the interest of bidders always to seek to exceed the minimum identified in our specification.

Even with our invitation-to-tender specification, there will be numerous passenger improvements by December 2018. The number of trains per hour between Birmingham and Rugeley during the morning off-peak will be doubled. There will be increased evening frequency, Monday to Friday between Birmingham and Walsall, at three trains per hour, and new direct services between Walsall and London at peak times.

As part of the competition for the new franchise, bidders are required to present solutions that meet forecast passenger demand in affordable stages through to 2026. A base minimum requirement is set to enable bidders to present competitive, innovative, value-for-money solutions that best meet that demand and overall passenger needs. That solution could be presented in a number of different ways, dependent on fare income, infrastructure constraints and availability of rolling stock. It is therefore the Department's policy to set that as an output-based specification to give bidders the maximum flexibility to deliver the best solution as they find it on the ground.

On the Chase line, the demand requirements have been derived from a number of measures, including a recent independent ticketless travel survey, conducted as a precursor to the issuing of the invitation to tender. In addition, bidders will have to take into account local views from the public consultation in which there are representations from the Cannock area by Cannock Chase District Council, Brereton and Ravenhill Parish Council and the active Cannock Chase Rail Promotion Group.

I also note the concern my hon. Friend expressed regarding the Rugeley trains that are being diverted. I am sure she will want to take note of the fact that financial penalties accrue to train operating companies should they miss stations out or cancel services, even if the end goal is to restore services for the rest of the day in a logical format.

My hon. Friend may also wish to reaffirm to her constituents that the new franchise will include delay repay 15, which will see passengers eligible for at least 25% compensation if a train is more than 15 minutes late, and more if it is cancelled.

I join my hon. Friend in paying tribute to the many community groups that make Hednesford, Cannock and Rugeley stations the very best that they can be to support their local communities. She referred to the new station improvement scheme. There is also a minor works scheme that each train operating company has access to. She also mentioned section 106 investment. If any commercial development—she referred to one that is forecast in the area, Mill Green—drives extra demand to the extent that the existing infrastructure cannot cope, it has the option of choosing to invest, as Bicester Village did, in the local station for its own commercial benefit. I urge her to have that particular discussion.

Let me address the issue of antisocial behaviour that my hon. Friend raised. As she knows, this has been attributed mainly to the 4,000 seasonal workers at Amazon. My Department has spoken to London Midland, whose view is that the antisocial behaviour is predominantly due to fare evasion. I hope my hon. Friend will welcome the fact that to address the problem, London Midland has taken on five new revenue protection and security managers. Among their other duties, they will carry out increased patrols and ticket checks on the Chase line between Rugeley and Birmingham New Street, providing an increased presence during the morning peak to coincide with Amazon's shift change-over.

London Midland met Amazon in mid-September to discuss further solutions. As my hon. Friend mentioned, they have come to an agreement whereby Amazon will soon start selling passes directly to staff in the form of scratch-off tickets. It is hoped that this will eliminate much of the antisocial behaviour, but London Midland will continue to work closely with the British Transport police to address all antisocial behaviour throughout the network.

As I mentioned, we recently issued the invitation to tender for the west midlands franchise to the shortlisted bidders. We are asking them to deliver ambitious improvements for passengers across the west midlands network as a whole, not least some 20,000 additional passenger places on trains between London and Birmingham in the morning peak. Bidders will be asked to provide new ticket options that provide better value for customers who may travel fewer than five days a week, as well as new peak time services between Walsall and London.

As I said earlier, these are minimum requirements. We expect bidders to go above and beyond what we are asking for. I urge my hon. Friend to contact the bidders directly and let them know the benefits that she wants to see on behalf of her constituents. I am sure the bidders are paying close attention to her words today and are listening carefully to them, but nothing beats meeting those companies to tell them face to face.

I recognise and pay tribute to my hon. Friend's dedicated pursuit of an improved service on the Chase line. We are committed to tackling overcrowding wherever it occurs to provide better, more comfortable journeys for passengers. We are in the midst of the largest rail investment programme since the Victorian era, which will increase capacity and improve the rail network. It does not happen overnight. It takes time for new rolling stock to come on stream and for passengers to see the benefits, but with continued pressure from the Department and from local MPs, I am sure that in the west midlands the bidders will be taking close note of who is shouting, what they want to see and what they want on behalf of their constituents. I welcome my hon. Friend's contribution today.

Question put and agreed to.

5.32 pm

House adjourned.

Westminster Hall

Tuesday 1 November 2016

[MR GARY STREETER *in the Chair*]

Apprenticeships Funding

9.30 am

Mr David Lammy (Tottenham) (Lab): I beg to move, That this House has considered apprenticeships funding.

I am pleased to bring this important debate to the House and I thank the 55 Members from six parties who helped to secure it. I speak, of course, as a former Universities and Skills Minister, and I am well aware of how important apprenticeships are across the country. There is a further education college in every constituency, so cuts in funding will directly affect thousands of young people all over the UK. It is therefore disappointing that the Government published initial details of those cuts in August without any parliamentary debate or scrutiny.

I do not want to be churlish, so I thank the Minister for the letter that I received from him at 26 minutes past 6 last night. I am grateful for that. That was 56 days after I first wrote to him about those cuts, 45 days after the Prime Minister said during Prime Minister's questions that she does not recognise the cuts, 21 days after the Minister batted away questions on the cuts during Education questions, and a timely 15 hours before I opened this debate. Unfortunately, the letter says nothing that I did not already know.

It is important to acknowledge that the Government have listened to concerns raised by the further education sector and opposition from Labour Members of Parliament in particular. The written statement that the Government made last Tuesday goes some way to mitigating the worst effects of the cuts, particularly for 16 to 18-year-olds and disadvantaged areas, but that U-turn is a very different line from the one taken by the Department on 9 September in its response to my letter to the Minister, when it made no mention of a consultation or change of heart and stated that the cuts of up to 50%

“will help to ensure every young person, regardless of background or ability, has the chance to take their first step into work”.

As is always the case with funding announcements, the devil is in the detail. Despite the Government's U-turn, areas such as my constituency of Tottenham will face huge cuts. Tottenham is rapidly regenerating, and with the Government apparently committed to building the homes needed to tackle the housing crisis, there should be opportunities for my young constituents to get skilled jobs in the construction sector, yet the Government are cutting funding for 16 to 18-year-old construction apprentices in Tottenham by a staggering 37%. According to the College of Haringey, Enfield and North East London, funding will be cut by 28% for 16 to 18-year-olds in Tottenham in customer service, 38% for those wanting to go into business administration, 43% for engineering apprentices, and 45% for hairdressing apprentices.

I ask the Minister why. Why does he think that my constituents, who live in one of the country's most deprived constituencies, should not be able to participate in the construction that is happening across the capital? Why should they not be afforded the opportunity to

become engineers? Why do his Government prioritise the academic stream with their new scheme to expand grammar schools while cutting funding for those with vocational backgrounds who want to be construction or engineering apprentices? It is a simple question: why?

Richard Burden (Birmingham, Northfield) (Lab): I congratulate my right hon. Friend on securing this debate. The Institute of the Motor Industry described the original cuts as a “car crash”. I suppose a U-turn is not a bad idea when faced with a car crash, but that organisation is still warning that a lot of employers in the motor industry simply will not be able to cope with the existing shortfall in funding and the complexity of the existing frameworks. The Minister really needs to do more work on that if he is to answer the criticisms that have been levelled by both employers and potential apprentices.

Mr Gary Streeter (in the Chair): Order. Let me give an early reminder that interventions should be brief.

Mr Lammy: Absolutely. Nissan might have decided to stay, but it may look again at the decision if apprentices do not come forward and participate in the industry. That is very important.

Jack Dromey (Birmingham, Erdington) (Lab): I praise my right hon. Friend for his outstanding leadership on this vital issue. Apprenticeships transform lives. Warren Shepherd, an apprentice in Erdington, moved into the house of his dreams as a consequence of gaining an apprenticeship and becoming a time-served engineer in the Jaguar factory. Erdington is rich in talent, but it is one of the poorest constituencies in the country. Does my right hon. Friend agree that if the ladder of opportunity is kicked away for people like Warren, the Government can talk until the cows come home about social mobility and building a strong economy in the midlands, but they will not be willing the means to deliver that?

Mr Lammy: My hon. Friend is absolutely right. I say to the Government, “Put your money where your mouth is for the great young people of cities such as Birmingham.” That is what this debate is about.

Mr Jim Cunningham (Coventry South) (Lab): I congratulate my right hon. Friend on securing this debate. He has been pursuing this subject for a long time. Our hon. Friend the Member for Birmingham, Erdington (Jack Dromey) raised a real question about the Government's boasts and commitments to west midlands manufacturing. They have made great play of manufacturing, but in Coventry, for example, further education funding has been cut by 24%. That raises serious questions.

Mr Lammy: My hon. Friend is absolutely right. Services now account for 80% of this country's economy. If we are to build manufacturing and have young people who are able to construct wonderful buildings such as Coventry cathedral, which was levelled during the war, we need apprentices.

Rebecca Pow (Taunton Deane) (Con): In my constituency, apprenticeships are booming. At the new Bridgwater and Taunton College, which is soon to

[Rebecca Pow]

become a university, the first nuclear apprenticeships have started to fuel training of young people in that booming new industry. For Taunton Deane, everything that the Government are doing is positive—particularly the levy that will come in next year and fuel many more apprenticeships.

Mr Lammy: I encourage the hon. Lady to get into the detail, because that may not be the picture after the cuts that are coming. She may also have seen that the axe is, sadly, falling heavily on disadvantaged areas. I do not know whether there are pockets of deprivation in her constituency, but that is an underlying theme in this debate.

Helen Whately (Faversham and Mid Kent) (Con): Will the right hon. Gentleman give way?

Mr Lammy: I will not. I ought to make some progress, because I am conscious that many Members wish to speak.

The national picture is also worrying. Analysis by *FE Week* of the new funding rates found that children's care, learning and development apprenticeships now face cuts of between 27% and 42%, compared with between 36% and 56% in August. Hospitality and catering funding will now be cut by between 34% and 45%, compared with between 41% and 60% in August. As the principal of the College of Haringey, Enfield and North East London told me, those cuts will only make it harder to get young people into apprenticeships.

Even after the Government's U-turn, nine out of the 10 most popular apprenticeships still face cuts ranging from 14% to 51%. The best case scenario is average cuts of 27%; the worst case scenario is average cuts of 43%. The Department for Education was presented with that analysis last Thursday morning, less than 48 hours after it published details of the cuts on the gov.uk website, yet no response has been forthcoming. I look forward to hearing what the Minister has to say about the detail of the range of those cuts—after all, he has had plenty of time to prepare.

Helen Whately: Will the right hon. Gentleman give way?

Mr Lammy: I will not at this stage.

I now turn to the disadvantage uplift—the additional funding to support disadvantaged areas that I referred to earlier. That was quietly scrapped completely in the proposals published in August. Last week's statement promised a

“simplified version of the current system of support for people from disadvantaged areas”,

yet the Minister has told *FE Week* that that is guaranteed only for one year, while the Department undertakes a review to work out how best to support disadvantaged young people to undertake apprenticeships. One year? Why does it take so long to work out what needs to be done for disadvantaged young people? It is clear: give them an opportunity! It is quite straightforward, and that requires resources.

What does this mean? Will Parliament be told what is going on or will Members of Parliament have to find out through the media? It sounds to me like more cuts

will come in a year's time. Will the Minister confirm today what will happen to support for disadvantaged areas in 12 months' time? Will the support be maintained or cut? If it is to be cut, may I reassure him that I will be back here, along with many other Members of Parliament, to oppose that once again?

On Tuesday, the Secretary of State told Parliament:

“Apprenticeships transform lives and are vital in making this a country that works for everyone.”

Apparently, the changes made since August

“will ensure apprenticeships are high quality...and provide opportunities for millions more people.”—[*Official Report*, 25 October 2016; Vol. 616, c. 6WS.]

If the Government are serious about social mobility, will the Minister explain today why the Government are pushing ahead with cuts of anything between 27% and 45% for nine of the 10 most popular apprenticeships? Does he have a response for Paul Warner of the Association of Employment and Learning Providers, who warned:

“It is completely self-defeating to cut funding, because that is just preventing disadvantaged young people from getting on”?

The apprenticeship levy will raise £3 billion from large employers and will replace all current Treasury funding of apprenticeships. If the Government are making a saving by passing the cost of funding apprenticeships to the private sector through the levy, why cannot the Treasury give some of that money back to reverse the funding rate cuts and provide support for disadvantaged areas? I hope the Minister will be able to explain.

It is also important to look at the context in which the cuts are happening. The Brexit vote was underpinned by people living in our post-industrial towns in the north and the midlands and in our seaside towns, who are feeling left behind and left out of economic growth. Youth unemployment stands at 13.7%, with 624,000 people aged between 16 and 24 unemployed; more than 100,000 of them have been unemployed for at least a year. The unemployment rate for 16 and 17-year-olds is a staggering 27.7%. It is interesting to look at other countries. Relative to population size, we are doing worse than Slovakia, worse than Hungary, worse than Ireland, Poland, Portugal, the United States, Canada, Australia, Estonia and New Zealand. We are doing four times worse than Germany, three times worse than the Czech Republic and twice as badly as Japan, Denmark and Sweden in terms of the proportion of our young people who are not in education, employment or training.

Last year, the Treasury found that

“the UK's skills weaknesses...are of such long standing, and such intractability, that only the most radical action can address them.”

I ask the Minister: is this the radical action that his Treasury was talking about?

Michael Tomlinson (Mid Dorset and North Poole) (Con): In fact, the national picture is that the youth unemployment statistics are down to 13.7%, which is down on last year, down from the height, and close to the lowest they have ever been, which was 11.1%.

Mr Lammy: Unless the hon. Gentleman is suggesting that the figures I just quoted are wrong, we should not be happy with the picture of youth unemployment in our country. Many Members in the Chamber are well aware of the young people walking our streets literally because there is not enough to do. I might just remind

him that I have seen two riots in a generation, so I know something about idle hands making very dangerous work indeed. We need to put these young people to work. We need apprenticeships for them. We need more than rhetoric from the Government, and we certainly do not need cuts in this part of the economy.

The Royal Institution of Chartered Surveyors has warned that

“we are in the grip of our worst construction skills crisis in almost 20 years.”

That skills crisis will hold back big infrastructure and house building projects. Post-16 education was cut by 14% between 2010 and 2015 and last year the Public Accounts Committee warned of a “financial meltdown” in further education.

Further education is just about on its knees. Most of the Members in this House grew up in a period when they could go into an FE college that was open well into the evening, not just for young people but for adults—adults could also get into FE and skill up. I ask hon. Members to find me an FE college open past 8 o’clock in the evening where an adult can skill up and I will give them a beer. It is not happening! We should not be having a debate in Britain about grammar schools; we should be having a debate about night schools. Bring back night schools! Instead, we see cuts in funding for young people and no mention of the importance of adult education in an economy that will be more reliant on talent on its own shores in the coming years.

Helen Whately: I agree with the right hon. Gentleman that vocational education is incredibly important for young people and the economy, but will he bring a little more balance into his argument and recognise that since 2010-11 vocational education has improved? The UK has made progress in international rankings such as PwC’s recently published young workers index and in 2020 we will spend double what was spent on apprenticeships in 2010.

Mr Lammy: I would rather not rely on PwC reports, if the hon. Lady will forgive me. I would rather rely on what I see happening in the country. We have a lot more to do. I gently remind the hon. Lady, who is a new Member, that having been Minister for Skills in the previous Labour Government I am well aware of how Labour lifted apprenticeships from their dismantling under the Tories. We were down to 5,000 apprenticeships across this country, and completion and success rates were on the floor. It was the Labour Government who lifted up apprenticeships, put all the effort in and grew them to a figure by the time we left office. Now, unsurprisingly, this Government are about to dismantle them.

The National Audit Office found that the Department for Education must do more to ensure that all apprenticeships meet basic quality requirements and that the Department had not even set out how an increase in apprenticeship numbers will deliver improvements in productivity. There are real concerns that some employers are hiring staff as apprentices to undercut the minimum wage of £5.55 an hour for 18 to 20-year-olds and pay them the apprentice minimum wage of £3.40 an hour. One in five apprentices reported that they had not received any formal training at all and Ofsted reports found that 49% of apprenticeship

programmes require improvement or are inadequate. The Government’s own “Post-16 Skills Plan”, published in July, states that

“Reforming the skills system is one of the most important challenges we face as a country. Getting it right is crucial to our future prosperity, and to the life chances of millions of people.”

Why is further education and skills training more generally always the poor relation of higher education? Why did it take a huge campaign by the sector and Labour Members even to bring this debate to the House?

Announcements on higher education are pre-briefed to the Sunday papers, together with opinion pieces from the Prime Minister and TV interviews, while apprenticeships funding cuts are snuck out of the back door on a Friday afternoon in the middle of the summer recess in the hope that no one will see them. In a written statement placed before Parliament last Thursday, the Secretary of State committed the Government to a

“fundamental mission of social reform to deliver our vision of an education system that works for everyone”

as part of delivering on

“the Government’s vision for an economy that works for all”.—*[Official Report, 27 October 2016; Vol. 616, c. 16-17WS.]*

I therefore ask the Minister a simple question: can he explain today how cuts in apprenticeships funding of 30%, 40% or even 50% fit into that mission to deliver an education system and an economy that works for all and not just for the privileged few?

Several hon. Members rose—

Mr Gary Streeter (in the Chair): Colleagues, Front-Bench speeches will begin at 10.30 am, which gives us 40 minutes for the eight people who have caught my eye, so there are five minutes per speaker.

9.49 am

Justin Tomlinson (North Swindon) (Con): It is a pleasure to serve under your chairmanship, Mr Streeter, and also a real pleasure to follow the right hon. Member for Tottenham (Mr Lammy), whose first-hand experience and wealth of knowledge were apparent. He delivered his speech with passion—good luck to the shadow Minister following that. My hon. Friends and I can probably be grateful that the right hon. Gentleman is not on the Front Bench; it was an impressive performance.

For me, the importance of apprenticeships is summed up in the fact that 90% of those who complete one will go on either to work or to further training. That compares fantastically with the figures of 80%, which is the percentage of the working age population in work, and 48%, which is the percentage of people with a disability who are employed—up 4% but still considerably less than 90%. I will focus on people with learning disabilities, who in this country have a 6% chance of having a meaningful, sustainable career.

I know that the Minister is incredibly passionate about this subject. When I was the Minister for Disabled People, he was lobbying me to do something about it. My view was transformed after a tricky television interview in which I was told that Governments of all political persuasions have tried, tweaked and made changes, and made almost no difference, with the figure bobbing between 5% and 6%. I went on a visit to Foxes Hotel in Bridgwater—a working hotel, which took on young

[Justin Tomlinson]

adults with learning disabilities who were taught independent living combined with practical working skills in the hotel and restaurant. That was done in conjunction with local restaurants, hotels and care homes. Of the young adults who completed the three-year course, 80% ended up with one of those employers, and half of them—about 46.6%—were paid, in contrast to that figure of 6%.

I was so impressed that I asked representatives to meet me at Westminster, and I asked them, “Why can’t we just have one of those in every town?” It would not necessarily be a hotel; the key is to identify the skills relevant to each town. In Bridgwater, tourism, care homes and restaurants are where the jobs are; in other towns it could be manufacturing or engineering. Our constituencies each have their own skills gaps. The reply I received was that the frustration lay in the work placement training. There was sufficient funding to take on almost as many students as they could fit into the hotel for the first two years, but the one year in a work placement was the bit that cost the money. I said, “But surely that is an apprenticeship?” They patiently train someone who will typically take a little longer to get the skills, but the advantage for employers is that, with that support and patience, they get someone who will probably continue in their role for the next 25 years—and will probably be the happiest person in the workforce. It is a win-win situation, but there was a problem, as I have explained.

I met the Skills Minister and we formed a taskforce chaired by the present Under-Secretary of State for Transport, my hon. Friend the Member for Blackpool North and Cleveleys (Paul Maynard). Knowing that a reshuffle was coming up and that potentially the two of us might no longer be troubling the Front Bench, we set a three-and-a-half-week time limit. I am delighted that the taskforce concluded, and we signed off to say that more would be done to make apprenticeships available for those with learning disabilities—in particular, exempting them from the grade C in GCSE maths and English requirement, which for too many of those young adults was a hurdle too great. In effect, it would give them a slightly different version of apprenticeships, but fundamentally provide the funding for which the Government will put in £2.5 billion per year by 2020, and give those young adults something real and tangible. My request of the Minister, who was so desperate for that to happen, is that he will personally champion it and push it as quickly as possible. I hope he will make sure that providers understand about the opportunity.

I have two other requests. There are still too many employers—particularly small employers—who do not know the advantages of apprenticeships. I was a small employer before I became an MP. That was in the years when there were only 5,000 apprenticeships a year. I do not recognise that because I took on apprentices. Too many small employers do not know about apprenticeships. We send out a business rate mail-out every year. Please can a leaflet be included in that, saying “This is how you recruit an apprentice and this is how you benefit”?

Finally, when the Minister meets Education Ministers, please will he lobby them about university technical colleges? It is ridiculous that we allow children to enter them only halfway through their secondary schooling,

rather than at the beginning. Too many talented future engineers and mechanics who could go on later to apprenticeships stay at their existing school, because of the friends they have made. It is a silly age at which to bring them in. The Minister is passionate and focused, and I look forward to his response.

9.54 am

Steve Rotheram (Liverpool, Walton) (Lab): It is a pleasure to serve under your chairmanship again, Mr Streeter. I congratulate my right hon. Friend the Member for Tottenham (Mr Lammy) on securing this important debate.

I am proud to be one of the few MPs currently in the House who completed an indentured apprenticeship. I remember being offered a place as an apprentice bricklayer as a teenager and nearly dancing with joy. Back then, an apprenticeship was very much something to aspire to. It was a path that people chose because they, and especially their parents, understood the brand. In many families, young people were told, “If you get an apprenticeship, you’ll always have a trade to fall back on.” However, successive Tory Governments devalued their reputation. It was the last Labour Government who breathed new life into apprenticeships, with capital support for new buildings and substantial increases to vocational funding models. The Government claim that they want to create 3 million apprenticeships by 2020. That is a laudable aim, but in this House I have repeatedly said that rather than having arbitrary targets on numbers, we need to assure quality. I do not want the House to get me wrong; if all the projected 3 million apprenticeships are at level 3 with a decent wage rate, I am in.

Faced with increased university tuition fee debt, young people are now choosing vocational routes into the workplace instead of academia, but the Tories have overseen one of the worst skills shortages in living memory. Research from the Liverpool city region apprenticeship hub suggests that the number of apprenticeship starts in Merseyside and Halton has fallen by almost 25% over the past five years. The Minister will know that construction sector output is vital to his Government’s macroeconomic policy; but the Union of Construction, Allied Trades and Technicians has warned that urgent action is needed to tackle the growing skills shortage, and the Construction Industry Training Board has forecast that the industry requires nearly 50,000 new entrants a year up to 2020. That far exceeds of the number of construction apprentices currently undergoing training, which is roughly half the figure given.

Amanda Solloway (Derby North) (Con): As a member of the Business, Energy and Industrial Strategy Committee, I realise how important apprenticeships are. About three weeks ago in Derby we opened the National Construction Academy, which offers valuable, meaningful apprenticeships for that vital industry. Does the hon. Gentleman agree that the plans to extend that around the country are a good thing, and to be commended?

Steve Rotheram: I said earlier that it is question of whether the apprenticeships are proper level 3 ones—high skill, high quality, and in high-demand areas. I would of course welcome any initiative to increase people’s opportunity to get a proper job at the end of an

apprenticeship programme. However, the Minister is presiding over an exacerbation of the problem and not tackling the fundamental issue.

In the Liverpool city region, the number of national vocational qualification level 3 apprenticeship starts last year was a fraction of the total needed simply to backfill the numbers retiring or leaving the industry. That simply cannot be allowed to continue. The Tories have a track record of failing young people from disadvantaged backgrounds. They scrapped the education maintenance allowance, trebled tuition fees and took away maintenance grants for university students and replaced them with loans, saddling the poorest with ever more debt. That tells us all we need to know about Tory ideology; they want the best only for the privileged few, not for the many.

Our devolution deal, with an area-based review for our city region, at least provides us with the opportunity to shape training better, on the basis of local need—if the Government grasp the nettle. At this point I should declare an interest. Devolving the skills agenda further would allow the incoming metro mayor to implement a skills strategy that would train the next generation of tradesmen and women, equipping them for the high-skill, high-paid, high-aspiration jobs that we need to build and sustain our future economic growth. However, central Government have not devolved apprenticeship funding and delivery and they have full control over the new apprenticeship levy that employers are obliged to pay if their wage bill tops £3 million a year. Will the Minister agree to meet me to discuss how the metro mayor of the Liverpool city region will be able, as it states on page 8 of the devolution deal, to

“collaborate to maximise the opportunities presented by the introduction of the apprenticeship reforms (including the levy) and work together on promoting the benefits of apprenticeships to employers”?

What exactly does he believe that collaboration between the Government and the metro mayor will entail? How does he envisage us maximising those opportunities? Does he agree that it is imperative that, following the upcoming spending and apprenticeship reforms, metro mayors have local control over and are directly responsible for apprenticeship funding and influence over the employer levy? If not, will he explain how he believes it is possible for a metro mayor to achieve improvements and address skills shortages locally without those powers? Apprenticeships must be at the heart of that strategy.

If we are to do that, we must also provide our young people with the proper advice and guidance to make informed decisions. It was an act of civic vandalism by the Government to dismantle the Connexions service when they came to power, which has left us with a system in which vested interests give partial advice to young people about their career options. If elected as the metro mayor for the Liverpool city region in May 2017, I intend to develop an independent careers and advice service that serves the best interests of all of the young people in our area.

Devolution provides us with the opportunity to make funding allocations based on the knowledge of local leaders across the city region, which is better than guesstimates from Whitehall mandarins. Will the Minister specifically address the points I have raised, unlike his colleague, the Minister for School Standards, the hon. Member for Bognor Regis and Littlehampton (Mr Gibb), who shimmied and sidestepped last week like Philippe Coutinho?

Mr Gary Streeter (in the Chair): The hon. Gentleman quite correctly anticipated that we are one speaker down, so each Member now has six minutes to speak, not five. Well done to him.

10.1 am

Chris Green (Bolton West) (Con): It is a pleasure to serve under your chairmanship, Mr Streeter. I also congratulate the right hon. Member for Tottenham (Mr Lammy) on securing this important debate.

Apprenticeships provide a fantastic opportunity for young people to get on in life, while at the same time raising the productivity of the businesses that they join. On visits to schools around Bolton West, I hear concerns raised about getting that first job and having the required experience. That is obviously a great concern upon leaving school or university, but it is less so if someone chooses an apprenticeship because practical experience is built into the course. Businesses often raise the same concerns about people’s preparation for the world of work. Apprenticeships are key to solving that problem, because the potential employee not only will have the practical skills but will have been trained with a specific job role in mind, and will therefore be job or industry-ready.

It is really important that apprentices go into an improving and increasingly successful economy. The continuing economic recovery in Britain over the past six years is a fantastic achievement by the coalition Government and the present Government, and means that anyone doing an apprenticeship or any other course will have a job to go into afterwards.

Mrs Flick Drummond (Portsmouth South) (Con): Is it not also true that there is a significant return for the taxpayer—especially when compared with universities, where the return is much less—of £26 to £28 for every £1 that the Government put into apprenticeships? Promoting apprenticeships is a good thing for the taxpayer.

Chris Green: I agree entirely. Apprenticeships are a fantastic investment in the economy but also a great investment in the individual.

There is still a problem with the perception of apprenticeships; I sympathise with the hon. Member for Liverpool, Walton (Steve Rotherham) in that regard. We need quality apprenticeships. It seems that companies often find resistance within the school system when trying to recruit people for apprenticeships. That could be to some extent due to the recognition of apprenticeships—their reputation has become tarnished over a period of time—or to the fact that schools need to achieve academic targets to be recognised as successful, rather than targets on the number of people going into an apprenticeship.

Training providers and employers in my constituency, such as Alliance Learning in in Horwich and MBDA in Lostock, are working to change those negative perceptions with the delivery of superb apprenticeship programmes. MBDA delivers fantastic apprenticeships, but people are often unaware of the level to which they can be taken. For example, someone can be paid to study and gain a full bachelor’s or master’s degree in subjects such as advanced systems engineering.

I am delighted that the Government are continuing to support young people in moving into work by allocating £1 billion to the youth contract and ensuring that apprenticeships for under-25s incur no national insurance costs for employers.

Karin Smyth (Bristol South) (Lab): I agree with much of what the hon. Gentleman has said. Does he agree with my suggestion in the Public Accounts Committee that a UCAS-style system for young people would help them to navigate their way through the system? It could also help employers to receive young people, rather than young people having to send hundreds of applications themselves.

Chris Green: I am sympathetic to that idea. If someone goes down the academic route, they have the path laid out and guidance. Apprenticeships do not have that, and perhaps it would help if we had that system in place, but there is a huge range of different kinds of companies and organisations providing apprenticeships, so I can see there being significant problems with that that are perhaps not there with the more academic route.

Since 2010, my constituency of Bolton West has seen an increase of more than 4,000 apprenticeships. Hon. Members will be pleased to know that I have an apprentice in my office in Westhoughton. However, employers have raised concerns with me about the introduction of the apprenticeship levy in 2017. The additional tax is being levied for the best of reasons, but it may disrupt existing training programmes as employers that currently provide excellent training will have to reconfigure what they do in order to recoup some or all of the levy.

We must also be cautious not to force companies to rebrand existing training programmes to hit the Government's target of 3 million apprenticeships in this Parliament. What assurances will the Minister give to companies with existing training programmes that are anxious about the introduction of the levy, and that feel as though they have to contrive their courses in such a way as to recoup some of the money they will be losing?

I want apprenticeships to become an increasingly normal route for ambitious young people, as well as for employers that are dedicated to growing their own talent and increasing the skills base of the nation.

10.6 am

Carol Monaghan (Glasgow North West) (SNP): It is a pleasure to serve under your chairmanship, Mr Streeter. I congratulate the right hon. Member for Tottenham (Mr Lammy) on securing this important debate.

Apprenticeships are an important part of the labour market and should always be about employment and employability. Many young people are offered a precious route into the workplace that would be barred without the support offered by employers and the Skills Funding Agency in England and Skills Development Scotland. However, that route into employment must take into consideration the life experiences of the young person entering the workplace. Many of the young people are coming from supportive backgrounds, with parents who can help them into employment by doing simple tasks; any parent of a teenager will know that the toughest task in the day is getting them out of bed. If there is not a supportive parent there to do that, or to wash their clothes or make sure that there is food in the fridge, those barriers become much greater.

Years ago, I taught a young boy called Sean. His mother was not on the scene and his father had addiction issues, so Sean, as well as getting himself to school in

the morning, took his five-year-old sister to school, and as a result was often late. Sean needed an understanding employer to enable him to move successfully into the world of work. For the first couple of years, he was much more time-intensive than other new starts, but through the perseverance and tenacity of that employer he is now one of their most valued and loyal members of staff.

It is well understood that employers would be unable to invest so heavily in intensive training without Government support, particularly for young people from disadvantaged backgrounds. Would the employer have taken on the extra risks associated with young Sean if that support were cut?

I also have particular concerns that there is not a strategic view of the skills being developed through the apprenticeship programme. According to a recent National Audit Office report, the Department for Education has not set out how it will use the increase in apprenticeship numbers to deliver improvements in productivity, or how employers will be supported to deliver the apprenticeships that offer the most value to the economy. We have a situation where an unscrupulous employer can take on an apprentice in an already saturated area of the labour market, so that when the young person moves on, there is no real prospect of employment. Meanwhile, areas such as science, technology, engineering, maths and digital continue to struggle with shortages. This levy does not seem to be taking that into account or delivering on it.

BAE Systems is a large employer in my constituency and it is committed to its apprenticeship programme. At the moment, it has 2,036 apprentices in full-time training, and 67 started in September this year. BAE is also using over-training as part of its strategic plan, so if it perceives it will need to fill 30 positions, it trains up 40 young people to ensure that the skills shortage in supply lines can be met. It is disappointing that the UK Government have been unable to have the same strategic foresight as many responsible employers.

The concerns raised by many Scottish employers are different from those discussed this morning. Although apprenticeship policy is devolved, the levy is UK-wide. Many employers in Scotland will be paying into the levy pot, but it is not yet clear whether all the revenue generated will find its way back to Scotland. Essentially, this employment tax has been introduced across the UK to deliver on the UK Government's ambitions in England. The levy undermines the Scottish approach to modern apprenticeships, which, unlike what we are hearing about this morning, is not just about vocational jobs or vocational training; it is also about degree-level apprenticeships. Employers throughout the UK need Government support to train apprentices, but employers in Scotland need assurances that the levy paid in Scotland will come back to Scotland, to support our apprentices.

10.11 am

Derek Thomas (St Ives) (Con): I thank the right hon. Member for Tottenham (Mr Lammy) for securing this debate. When we consider the skills gap in pretty much every vocation going, a debate on apprenticeships and on ensuring people have the skills they need is timely indeed.

With your permission, Mr Streeter, I would like to briefly talk about my own experience. I left school at 15 and served a traditional apprenticeship as a Cornish mason in the construction industry under a Conservative Government. That skill has enabled me to feed my family and build my home, and it has supported me during a very long journey to become an MP. The apprenticeship also enabled me to stay in west Cornwall, where I grew up. That can be a significant advantage of serving an apprenticeship.

During the previous Parliament, I had a small construction business and took on an apprentice site carpenter. While I enabled him to get a trade, I also saw how the modern apprenticeship programme works in practice. More recently, I have taken on an apprentice in my constituency office and, even in those few years, I have noticed an improvement in the advice and support available to employers.

As Members can tell, I am a big fan of the apprenticeship programme. It is an important part of our young people's journey to skilled employment. In spring this year, I hosted an event with the Cornwall Apprenticeship Agency. Local employers could come along to my constituency office and quiz a representative of the agency to find out about the pros and cons of offering that form of on-the-job training. I was very pleased to hear the speech from my hon. Friend the Member for North Swindon (Justin Tomlinson). During his time as Minister for Disabled People, he encouraged me a great deal to look at how we can support people with learning disabilities, and I ran one of his reverse job fairs just two weeks ago, so I thank him for that.

In a rural part of the country such as west Cornwall, a modern apprenticeship really is an important part of a local young person's career path. For so long, Cornwall and the Isles of Scilly have suffered because our young people have found they must leave the county to find the skills and jobs they need. That has left us in a situation where we have a chronic shortage in many sectors, especially construction, farming and engineering. Quite often, these potentially well-paid jobs have disappeared because we have not had the people to fill the vacancies.

Rebecca Pow: My hon. Friend is making a passionate case. I come from Somerset, which is not unlike Cornwall in terms of its skills shortages and gaps. We are below national productivity levels. It is important that businesses design these apprenticeships, and that is what the Government's new scheme is all about. We do not want bland apprenticeships in any skill; we want them tailored to business, which is what my local businesses are all coming to me and saying. I, too, am going to run a course, because people want the knowledge to go forward.

Derek Thomas: That is a fantastic point. When I stood in the election and finally won, I met and worked with local businesses, and they kept telling me that they need courses provided by the college to provide the workers they need and the training their young people need. It is important that businesses lead the way in ensuring that they have the skills they need to move forward.

We have massive vacancies in Cornwall, and clearly we cannot continue like this. The modern apprenticeship programme, if communicated properly and successfully

delivered, gives young people the opportunity to train locally, work locally, live locally, shop locally—in my part of the world, it is important that we look after our local retailers—and go on to raise a family locally. Rather than just welcome the Government's ambitious target regarding the number of apprenticeships, it is essential that we meet it, simply because we do not have the people to do the jobs whom we need at the moment.

I heard the points that the right hon. Member for Tottenham made about funding. However, the great challenge we face is to engage more small businesses to take on apprentices. It makes sense that the Government are focusing on and prioritising funding, meaning that 90% of all funding for small businesses will be met by the Government. It makes sense that small businesses do not pay anything towards training people under 18 years of age. The real challenge is not so much the amount of money but how it is spent, as well as improving links between our schools and employers, so that young people and their families are aware of the opportunities available to them in the areas where they live. That would have a significant impact on the skills gap in west Cornwall and across the country. I welcome this debate, but I argue that we should concentrate on how we equip and enable young people to do apprenticeships, rather than fall out about the money available.

Mr Gary Streeter (in the Chair): I call the one and only Jim Shannon.

10.16 am

Jim Shannon (Strangford) (DUP): It is a pleasure to speak in this debate, Mr Streeter. May I first thank the right hon. Member for Tottenham (Mr Lammy) for presenting an excellent case? We are all here because we feel passionately about this issue. I have spoken about apprenticeships many times in this House—unsurprisingly, Mr Streeter—and when I was a Member of the Legislative Assembly in a previous life. There is a reason for that: apprenticeships are a vital part of our country's future. It is essential that we do not leave ourselves with skills gaps and that we have knowledge, ability and opportunities at every age group and level.

I want to give a Northern Ireland perspective to the apprenticeships scheme and speak about something that is close to my heart—the Prince's Trust. I often have pointed to the great apprenticeship schemes at Bombardier and other major employers throughout Northern Ireland. I welcome the fact that the importance of this training has been recognised in Northern Ireland. In my constituency, there is an opportunity for everyone in pharmaceuticals, food processing, light engineering and agri-food, which is a growth industry.

Ms Margaret Ritchie (South Down) (SDLP): I congratulate the right hon. Member for Tottenham (Mr Lammy) on securing this debate. Does the hon. Gentleman agree that we need an investment of time and effort by Government and those in the hospitality industry to bring forward apprenticeships in catering to underpin that industry?

Jim Shannon: I thank the hon. Lady for that important comment. The tourism sector can, should and must grow. One way of doing that is through the apprenticeship scheme; she is absolutely right. I fully support that, as I am sure all of us here would.

[Jim Shannon]

Businesses and companies must step up to the bar and be prepared to take people on. That is why when the scheme was announced I openly welcomed the initiative to create provision for 3 million places—how tremendous to have help in ensuring that work schemes are available to young men and women alike. However, I was not so excited when I realised what exactly was happening with the scheme. That is why I congratulate the right hon. Member for Tottenham on bringing this issue to the Chamber for consideration. What seemed to promise more help in fact seems to have the opposite effect, with the number of apprenticeships for perhaps the most vulnerable group—16 to 18-year-olds—being cut. I know that the changes impact all ages of apprentices, but time demands that I focus on only one strand, and that is young people.

I will never forget reading the dire statistics from research by the Prince's Trust two years ago, which laid bare a direct link between joblessness and suicidal thoughts, as well as self-harming, alcohol and drug abuse. The figures do not make good reading but they are the reality for many people.

About one in three—35%—of youngsters in Northern Ireland experienced mental health issues, compared with the UK national average of 19%, which is almost one in five. The research also revealed that long-term unemployed 16 to 25-year-olds are twice as likely as their peers to have been prescribed anti-depressants and to believe they have nothing to live for. Over one in three—34%—young people said that they always, or often feel down or depressed, compared with a national average of 32%, with the long-term unemployed significantly more likely to feel that way. Over one in four—29%—said that they feel like an outcast, compared with 24% nationally, with the report finding that the long-term unemployed are significantly more likely to feel that way. Over one in five—21%—admitted that they feel like a waste of space, against the national average of 17%, with the long-term unemployed more than twice as likely to feel that way.

Those stats tell the story of young people and how they feel about their lives in Northern Ireland. They show why Northern Ireland Members are here today and why we are pleased to be able take part in the debate.

David Simpson (Upper Bann) (DUP): A point was made earlier about some schools perhaps looking at the content of skills and at keeping the level up, but surely careers officers in schools play a pivotal role in helping to advise young people to go down the vocational route.

Jim Shannon: My hon. Friend always brings a wealth of knowledge to these debates and I thank him for his intervention. Careers officers and school staff have an important role to play.

The correlation with the figures is clear, which is why, with others, I have fought and pressed for more apprenticeship schemes and why, with great respect to the Minister, I was so disheartened to see the details of the new scheme. I was pleased to hear of the so-called U-turn, but the Government must rectify the shortfall and do what they said they would do: create more apprenticeships and more training opportunities.

We will all have read the figures provided by Government and the figures, which are disputed in articles such as those by *FE Week*, that indicate that the introduction of two measures to arrest the decline—paying an extra 20% on the funding band limit for 16 to 18-year-olds, and promising £60 million of

“additional support in areas of disadvantage”—

has not and will not stop or address the shortfall. Indeed it is alleged that most frameworks will still feel cuts of 20% or more.

My hon. Friend the Member for Belfast East (Gavin Robinson), who has just left the Chamber, has done exceptionally good work in his constituency for the apprenticeship schemes in Bombardier. I am conscious of the time, Mr Streeter, so I will hurry along. It was announced that the cuts to construction skills at level 2 would range between 27% and 50%. Later, it was announced that they would range between 14% and 37%, which could still devastate the sector. In sectors such as hairdressing—I do not have worry about that—and engineering, *FE Week* analysis revealed that at levels 2 and 3 there could still be maximum cuts of some 50%.

I stand firmly with the right hon. Member for Tottenham and thank the Government for the changes, but they are not enough. We already have a society in which too many young people feel worthless and they need the help and attention that these schemes provide. Let us do what we can for young people. They are crying out for help, support and particularly hope. Let us give them that hope today in this debate and from the Minister.

10.23 am

Michael Tomlinson (Mid Dorset and North Poole) (Con): It is a pleasure to follow the hon. Member for Strangford (Jim Shannon), who always manages to make a meaningful contribution to such debates. I am particularly pleased to have caught your eye, Mr Streeter, and to follow so many excellent speakers. I want to pick up one or two points made by the right hon. Member for Tottenham (Mr Lammy), whom I congratulate on securing this important debate.

I take a slightly different tack because I warmly welcome the Government's commitment to apprenticeships. Like the Minister and my hon. Friends, I, too, had an apprentice in my office shortly after the election in May 2015.

I am the chairman of the all-party group for youth employment. Every month, we look at the youth unemployment statistics. The former chairman, my hon. Friend the Member for Norwich North (Chloe Smith), sensibly changed the name of the group from youth unemployment to youth employment, which is a much more positive outlook. I fully applaud her decision and have continued with that tradition.

We looked at the unemployment statistics every month. We had the benefit during the last session of looking at the evidence in Impetus Private Equity Foundation's youth jobs index and report. We looked in detail at the unemployment statistics and they are still too high; the right hon. Member for Tottenham is absolutely right. They are nearly three times overall unemployments, but in the last quarter the unemployment rate for 16 to 24-year-olds was 13.7%, which is lower than a year

earlier, at 14.7%. That is still too high and it is higher than its lowest level: 11.6%. However, its highest ever rate was 22.5%.

Next year, the all-party group will look at the pathways from education to employment, and apprenticeships will feature highly on the agenda. The Minister has been invited, or will be invited, to meet the group—he may not know it yet. We warmly look forward to him coming to the group, because I know his commitment in this area.

One point has not been made in the debate, or at least if it has, I have missed it. The apprenticeship levy has been much discussed, but funding must be sustainable. However, I know that smaller businesses will welcome the Government's model because 98% of businesses will not have to pay the levy. They will pay 10% of the training costs and the Government will pay the balance—90%—so the majority of businesses in my constituency will welcome the funding arrangement and the fact that they have to contribute only a relatively small amount.

Time may not permit, but I am going to attempt to mention two businesses in my constituency and give examples of where they are going in relation to apprenticeships. First, PME Group is a marine engineering group. You will be interested, Mr Streeter, to know that it recently won the 2016 south-west national apprenticeships award in the small employer of the year category. I invite him the Minister to consider the model because almost 50% of its staff have completed or are in the process of completing an apprenticeship. Other businesses may also care to look at that model.

Secondly, TestLink, which is based in Upton in my constituency, repairs and services ATMs—the cashpoints we all rely on when we run out of money. It was recently named one of the 20 mid-market companies of tomorrow. A large number of its staff are on apprenticeships. Not all of them are young or would be in the age group covered by my all-party group for youth employment, but they are benefiting from an apprenticeship and the skills and qualifications that come from it.

Time also permits me to mention the Dorset young chamber programme, which was launched last month. I am part of the steering group that, I hope, will set it on the right course. It provides a link between schools and businesses in the area. So far, three schools have been linked up with local businesses. It is a great initiative under the chief executive, Ian Girling, and I am delighted to be part of it.

I want to pick up a point made by the hon. Member for Liverpool, Walton (Steve Rotheram) and my hon. Friend the Member for Bolton West (Chris Green) in relation to the quality of apprenticeships. Both Members are right, but I strike a note of caution: quality does not necessarily mean a higher level. I believe we can have a quality apprenticeship even at level 2 and that those apprenticeships are perfectly valid and necessary, and that there is still a market for them. I agree that all apprenticeships must be of a high quality, but that does not necessarily mean of a high level.

10.28 am

Marion Fellows (Motherwell and Wishaw) (SNP): It is a pleasure to serve again under your chairmanship, Mr Streeter. I thank the right hon. Member for Tottenham (Mr Lammy) for this very important debate. If my voice

gives out in the middle of my speech, it is a sign of how important the subject is. I declare an interest as a former further education lecturer who helped to train many apprentices.

In his speech, the right hon. Gentleman described passionately the effect of cuts in his constituency and the effect of the proposed cuts on prospective apprenticeships for young people. Those in pockets of deprivation will suffer more. That is not the message the Prime Minister gave on the steps of Downing Street. Figures for those not in education, employment or training—NEETs figures—in the UK are much worse than they are in other developed countries, and skills shortages are holding back economic progress. That is a problem we have in Scotland, too. I appreciated his reference to idle hands making very dangerous work. Having taught young people, I know the difficulties in mental health and other areas when they are not gainfully employed in doing what benefits them, which the hon. Member for Strangford (Jim Shannon) also mentioned.

The construction skills crisis is the worst in decades, as has been mentioned. Construction Industry Training Board figures are alarming. I came to London and had never seen so many cranes, but I do not know who is operating them. We need to look at that.

The hon. Member for North Swindon (Justin Tomlinson) spoke about apprenticeships for those with learning disabilities, and about hospitality training offered in Bridgwater, where workplace training cost money but was not recognised as an apprenticeship. I thoroughly commend his efforts towards getting the academic element reduced for those who will never pass it, but who could turn out to be the best employees a company has. I was at a Department for Work and Pensions event in my constituency on Friday asking employers to take on more people with disabilities of all kinds—the apprenticeship programme must take that forward.

The hon. Member for Liverpool, Walton (Steve Rotheram) spoke about the drop in apprenticeships in Liverpool. He and many other Members touched on the lack of will from the UK Government to fund deprived areas. The hon. Member for Bolton West (Chris Green) said that companies find resistance within the schools system. As a member of the Education Committee, I can confirm that we have spoken to various experts who say that it is very difficult for young people in schools to get good careers advice leading them towards apprenticeships because the focus in schools is on the academic side and on moving on to universities. Again, I can relate to that from my own experience. Not all schoolchildren want to progress academically, but they all want jobs. Apprenticeships could be the best route forward.

Michael Tomlinson *rose*—

Rebecca Pow: Will the hon. Lady give way?

Marion Fellows: Certainly, but please do not fight over me.

Rebecca Pow: Does the hon. Lady agree that under the Labour party under Tony Blair, every child was encouraged to go to university? What is her view on whether that put a different focus on apprenticeships? I wonder whether that had an influence on the change of thinking within our schools.

Marion Fellows: I cannot entirely agree with the hon. Lady, but over the years there has been a focus on degrees. For example, nursing was not an apprenticeship but training. Everyone agrees now that that is not the best route for the entire school population and that we should look at improving our skills base. We are one of the best economically developed countries in the world but our skills base is falling behind that of other developed countries.

My hon. Friend the Member for Glasgow North West (Carol Monaghan) spoke of the need for Government support. She also spoke about the National Audit Office report that pointed out that the Department for Education has not set out how it will increase apprenticeship numbers to deliver improvements in productivity, or how employers will be supported to deliver the apprenticeships that offer the most value for the economy, including in construction, digital and all the skills gaps.

The hon. Member for St Ives (Derek Thomas) mentioned his experience of apprenticeships, both as an apprentice and as an employer. Modern apprenticeships are definitely the way forward and the message has to be got out that apprenticeships now are not the same as the apprenticeships of 20 or 30 years ago. The one and only hon. Member for Strangford—to coin your phrase, Mr Streeter—gave a comprehensive view of Northern Ireland, focusing on the mental health issues faced by young people there. That is reflected in the mainland countries as well. We need to look after our young people and provide what is best for their futures.

The hon. Member for Mid Dorset and North Poole (Michael Tomlinson), a member of the all-party parliamentary group on youth employment, said that the unemployment statistics are coming down. That may be the case, but we very much need to focus on what we offer young people. He also said that small businesses will welcome that initiative because they will not have to pay the apprenticeship levy but will get 98% of their training costs back. He recommended that we look at the quality of apprenticeships and how they are managed. That subject is close to my heart. We should not just give out apprenticeships. I remember the youth training scheme. I taught YTS trainees, so how old am I? It was a way of getting people off the unemployment books, but it did not lead to long-term stable employment for many. The apprenticeship programme must not hark back to those days. I do not believe that it is trying to do so, but this is a warning that it must not.

Essentially, the employment tax is being introduced across the UK to deliver on the UK Government's apprenticeship ambitions in England. The collection of the levy is a reserved matter, and Scottish Ministers are working to ensure that Scotland gets its fair share. Will the Minister tell us what progress is being made in that regard? The levy undermines the Scottish approach to modern apprentices and was introduced without any consultation with the Scottish Government, despite apprenticeships policy being devolved to the Scottish Parliament. That is not me raising a grievance. Those issues must be addressed. There is already a well-run, well-managed modern apprenticeship programme in Scotland, run by Skills Development Scotland in conjunction with employers. We want to ensure that things in Scotland improve what we have already started.

It is very important that Scotland's share of the funding is used to support the delivery of the 30,000 modern apprenticeships by 2020 that the Scottish Government

have mentioned. We have been working hard with employers and have had consultations. We have introduced new types of apprenticeships—a foundation apprenticeship and graduate apprenticeships—because apprenticeships should not be one size fits all. Yes, they should be for school leavers, and yes they should be for older people, but they should also be for graduates and young people still at school. That ties into the idea of careers, and of helping young people into careers in which they will be able to find work for many years to come, which would benefit the economy.

There is a strong focus in Scotland on doing more to tackle under-representation in modern apprenticeship programmes. A modern apprenticeship equalities plan published on 2 December last year includes specific employment and improvement targets for modern apprentices in relation to black and minority ethnic backgrounds, care leavers, disabled people and a gender balance. We need to get more young women into apprenticeships. That happens with science, technology, engineering and maths, but we need to look across the board at a gender balance in all industries, because that will prove to be best for all our young people. The Scottish Government with Skills Development Scotland are working with partners to develop foundation apprenticeships from schools, so that young people who are still in school can get work experience and then, possibly, leave school and move straight in to a proper, more advanced modern apprenticeship.

My final remarks, Mr Streeter, will be on another thing that is interesting in Scotland and does not seem to happen here. On the worth of qualifications, which has been touched on in the debate, it is important that apprenticeships are of quality and allied to a quality framework. Some doubt is being cast on some apprenticeships. Ofsted has already looked at Jaguar Land Rover and is cutting its marks—it is no longer good, in that sense, and will have to improve what it does. In Scotland, the Scottish Credit and Qualifications Framework is a unified framework that covers both vocational and academic skills. The Minister should look at having something similar in England to make absolutely sure that our young people get the best-quality apprenticeships possible, at whatever level they undertake them.

10.39 am

Gordon Marsden (Blackpool South) (Lab): It is a great pleasure to serve under your chairmanship, Mr Streeter. I warmly congratulate my right hon. Friend the Member for Tottenham (Mr Lammy) on an absolutely splendid speech and on the inspirational lead he has given in challenging the Government on these issues, with 55 Members across the House helping to secure this debate.

We have had an excellent, positive debate across the Chamber today, with individuals offering their experiences, the range of which I have been particularly impressed by. I warmly thank my hon. Friends from Birmingham—my hon. Friend the Member for Birmingham, Northfield (Richard Burden) and my hon. Friend the Member for Birmingham, Erdington (Jack Dromey)—and my hon. Friend the Member for Coventry South (Mr Cunningham) for their interventions, as well as my hon. Friend the Member for Liverpool, Walton (Steve Rotheram), who had very important things to say about how we should take forward apprenticeship budgets in future.

My right hon. Friend the Member for Tottenham really hit the nail on the head when he talked about the glacial pace of the Government's response. We know this matter was left in the Minister's in-tray to deal with when he took office, but, as my right hon. Friend said, the elephant in the room remains adult skills and night schools. The Minister will have to confront those issues, as well as clearing up the mess he was left to deal with in the first place.

I wrote to the Minister at the beginning of August when the original proposals were made, underlining then what the problems would be. I said that

"these changes have the potential to cause catastrophic consequences for young people in the most deprived areas,"

and that they

"offer a damaging lack of support for young apprentices and further weaken...attempts to widen participation and increase social mobility".

I also said that, as a Blackpool MP as well as shadow Skills Minister, I was really concerned about getting small employers on board.

With apprenticeships—my goodness me! If wishes and exhortations and five-year plans from this Government could move mountains, we would have not 3 million apprentices by 2020, but 6 million. However, as we know, the devil is in the detail, and the Government's attempts to use a one-size-fits-all approach have not worked.

The Minister was present at the *FE Week* campaign event that I hosted on 14 September. I have seldom heard in a packed Committee Room in this House as uniform a chorus of concern across the piece. Concerns are shared not only by me and my right hon. Friend but by leading figures across the sector, including the Association of Employment and Learning Providers. Those expressions of concern and the investigative work done by *FE Week* in putting this process together have driven the partial U-turn.

I congratulate the Minister and give him full credit for having shaken up his officials—and perhaps even shaken a few extra coppers out of the Treasury's pockets—and for listening to the concerns. It was said of Julius Caesar that he came, saw and conquered; the Minister has come and seen but he has not yet conquered, because the devil is in the detail, as my right hon. Friend said. Plenty of questions about the proposals remain unanswered.

Let me give an example from the analysis done by *FE Week* since the U-turn on Monday. Before the U-turn, cuts of 27% and 50% to construction skills at level 2 were calculated; after it, the cuts still ranged from 14% to 37%, so there is little to be complacent about. Those cuts could still devastate the sector, as we have heard. In other areas, such as hairdressing and engineering, it is not necessarily good news either. The Government are struggling post-Brexit to orchestrate an industrial strategy. *FE Week* analysis has revealed that at levels 2 and 3, there could still be a maximum drop of 49% to 51% respectively. There is huge potential and a pressing need for high-quality apprenticeships in the service sectors, social care, leisure and visitor services, yet we know from the analytics that children's care, learning and development—an absolutely crucial social care issue—could be cut by 42%, and hospitality and catering by up to 45%. No one has told me where the tablets from Sinai

are saying how the funding will be delivered beyond year one. There are big questions about that, so will the Minister tell me what conversations he has had with the Treasury in advance of the autumn statement?

I am sure the figure of £3 billion—or £2.5 billion for England—that will eventually be raised by the apprenticeship levy will continue to be bandied around, but as we know, only £1 billion of that is new funding; £1.5 billion is going to the Treasury. I ask the Minister, when he is looking at the money we will need beyond year one, what is he already doing to knock on the Treasury's door?

The cuts are going to hit a wide range of employers and providers, including in the third sector. I remind the Minister of a letter that he had from YMCA Training, which said that despite the disadvantage uplift, there is the loss of youth contract funding, which will not help support for the most hard-to-reach young people. Mark Dawe, the chief executive of the Association of Employment and Learning Providers, also remains to be convinced, even about the details of the current proposals. He recently commented online:

"I hope...we review the deprivation payments, as...committed" but

"Personally I can't see how a system allocating £600, £300 and £200 just on frameworks can equate to a system that was paying up to 32% on"

the

"funding cap...ie over £8.5k in this scenario for one learner compared to £600."

The Minister has to address those really important issues.

We all want to know what the situation will be at the end of the year. Will we revert to the situation as it was last Monday? Will the Minister pass on to his right hon. and hon. Friends the message that it is not too early to be thinking about what they do when they have spent the £60 million? A 20% uplift for 16 to 18-year-olds is a necessary step to replace valuable funding that would have been lost under the previous proposal, but will the Minister tell us how that compares with previous measures?

As someone who, like so many in this House, has always been keen on supporting people with disabilities to progress in the world of work, I welcome the learning disabilities taskforce that was led by my parliamentary neighbour, the hon. Member for Blackpool North and Cleveleys (Paul Maynard), but it is important to stress that these issues have to be taken forward to completion, because we know that on completion disabled people will do a lot better.

The Government's equality assessment included the aim to achieve gender parity in the working population by 2030, but I see little detail on how that is likely to be done in terms of what the Government are doing on apprenticeships funding. The Minister may want to comment on that.

For the last few months, we have, with a wide range of stakeholders, been pressing the Government for more detail on the levy. Despite last week's revised paper, there are still issues, particularly about the digital apprenticeship delivery, that I remain to be convinced on. The Confederation of British Industry certainly is not. It said that

"six months out... major questions remain about its readiness."

[Gordon Marsden]

The EEF said that the

“Government must carefully prepare a final implementation plan...mindful that employers as well as Government need time to prepare for the sea change”.

How is the Minister going to reassure businesses and providers on that detail?

What is the Government’s capacity to deliver all this? As Paul Warner, the policy director of the AELP said, the Department faces “capacity challenges”. The head of the Skills Funding Agency’s technical and professional education admitted to a workshop last week that she was unsure of capacity and resources. The Government have scrapped the UK Commission for Employment and Skills; staffing levels at the SFA are down 50% from 2011; and now the Government, with their hastily thrown together Technical and Further Education Bill, are saying that the Institute for Apprenticeships will have responsibility for all technical education. That makes considerable sense, but where will the money and other resources come from?

Just last week, the Minister was asked by my hon. Friend the Member for Hove (Peter Kyle) what budget would supply funding for the costs of the Institute for Apprenticeships. He was told:

“It is expected that part of its budget will be provided by funding freed up from savings across the Department.”

Well, that is a vague response. It does not show us the money or give us the confidence to believe that the Minister will be able to take these things forward in the way we need.

Just six months out from the implementation of the levy, the Institute for Apprenticeships and Technical Education still has a shadow chief executive working two days a week. We know that there are worries about rebadging and the unintended consequences of forcing employers to reduce investment in other areas; and there are still substantial worries about small and medium-sized enterprises. The Minister still has to address those big concerns. We need to look into how large employers can help to retrain, reskill and supply a lot of those surplus apprenticeships.

In conclusion, the Government need to look at other issues, as well as this short-term stopgap. They need to look into the performance of careers and enterprise, as a lot is needed on that. They also need to look into devo-max, giving some power back to the people and areas of the country to produce the apprenticeships that our people deserve.

10.50 am

The Minister for Apprenticeships and Skills (Robert Halfon): It is a pleasure to serve under your chairmanship, Mr Streeter.

I congratulate the right hon. Member for Tottenham (Mr Lammy) on securing this important debate and on the work he has done, but I was disappointed that he did not feel that it was right to mention the £13.4 million spent by the Government in his constituency on the new digital college, which I was proud to open with him only a couple of weeks ago; the 920 apprentice starts in his constituency over the past year; the Government’s doubling of apprenticeship spending to £2.5 billion by 2020; the 619,000 apprentice starts that we have had since May

2015; or even—dare I say it?—the record on people not in education, employment or training. The previous Government left us with 1 million unemployed young people. Between 2014 and 2015, the proportion of 16 to 18-year-olds in education or work-based learning increased to 90%, which is the highest figure on record, and the proportion of 16 to 18-year-old NEETs fell to 6.5%, which is the lowest rate since records began. I was also disappointed that the right hon. Gentleman did not mention the 500% increase in higher apprenticeships since 2010, the £7 billion to be spent on further education and training, and the extra incentives given to the frameworks. His speech was partial and disappointing given his record in standing up for apprenticeships and skills.

I congratulate my many hon. Friends, and hon. Gentlemen and Ladies of all parties, on their thoughtful speeches. My hon. Friend the Member for North Swindon (Justin Tomlinson) was a brilliant Disabilities Minister. We are very supportive of the work done by him and my hon. Friend the Member for Blackpool North and Cleveleys (Paul Maynard) to encourage more disabled people into apprenticeships. We fully accept their recommendations and we are implementing them.

On the levy, we are increasing the incentives to employers and providers by £1,000 each for those on a healthcare plan or those from care homes; specific disabilities providers will get an extra £150 a month, and up to £19,000 will be provided for adaptation. My hon. Friend the Member for North Swindon will know about the £2 million that we put by for support for mental health apprenticeships; that money supports roughly 2,000 participants. It is worth mentioning traineeships, on which something like 19.7% of those with learning disabilities are represented. That has not been mentioned in this debate.

I am very happy to meet with the hon. Member for Liverpool, Walton (Steve Rotheram), and I am meeting him on Thursday about another issue. There are no existing plans to devolve the levy funds to specific areas. We are creating a system that simplifies funding across England, making it easier for employers to navigate. We will be reviewing how the disadvantage funding works over the next 12 months.

There were some thoughtful speeches, including from the hon. Member for Glasgow North West (Carol Monaghan). I say to her and to the hon. Member for Motherwell and Wishaw (Marion Fellows) that the devolved Administrations will get a fair share, and we hope to make the announcement shortly. The hon. Member for Glasgow North West made important points about apprentices getting real jobs. It is good that 90% of apprentices stay in work. Surveys show that the satisfaction of those apprentices is incredibly high.

I could talk about many of the issues raised today, but in the time available I want to go through those raised by the right hon. Member for Tottenham and Labour’s Front-Bench spokesman, the hon. Member for Blackpool South (Gordon Marsden). Hon. Members have to see what the Government are doing in the overall context of the £2.5 billion increase by 2020. A huge amount is going towards increasing funding rates for STEM frameworks—that too was not mentioned by Opposition Members. Just under half of 16 to 18-year-olds will attract more funding thanks to the uplift in STEM frameworks. Huge amounts of money are going into

support for disadvantaged apprentices, as was acknowledged by the right hon. Gentleman and others today. A significant amount is going towards helping small employers, as those with below 50 employees will pay no training costs at all. There are all kinds of other incentives. Some 25% of frameworks will be replaced by the new apprenticeship standards by the end of the year.

Jim Shannon *rose*—

Robert Halfon: I am sorry, but I cannot give way because very little time remains.

More money will be spent on standards. A huge amount of money is going into the system to ensure that 16 to 18-year-olds and those who are socially disadvantaged are properly represented. Many of the frameworks that apply to adults are the same as those applied to 16-year-olds, yet the ones for 16 to 18-year-olds can cost double the amount. The surveys and the evidence show that they do not need to cost as much, and that, often, only a few hundred pounds would make a difference.

We are moving into a new world. The apprenticeship levy is changing employer behaviour. Businesses will choose different kinds of apprenticeships because of the move to standards, and would-be apprentices will choose different kinds of apprenticeships. The way the discussion has gone among some Opposition Members, it is as if we were comparing apples with apples. However, the world is changing and we are now comparing apples with pears.

Mr Lammy: Will the Minister give way?

Robert Halfon: I will not, because I only have a few minutes left to speak, and I think that the right hon. Gentleman had a fair crack of the whip.

We are putting a huge amount of money into FE funding, guaranteeing that £7 billion will be spent on FE funding and training. We have put money into a transition year and traineeships. Of those who do traineeships, 60% are aged 16 to 18 and 50% go on to get work, apprenticeships or education. Some £50 million has been spent on traineeships thus far—again, that was not mentioned in the debate.

Of course, we are doing a lot of work on welfare reform to help with jobcentres and so on. An enormous amount of money is going towards helping 16 to 18-year-olds and people from socially disadvantaged backgrounds.

To use some frameworks as a way of saying that the Government are not helping the poorest is entirely wrong. I have five priorities for apprenticeships.

Mr Lammy: On a point of order, Mr Streeter. The Minister is reliant on the new standards, which only just over 3,000 apprentices have taken up. More than 99% are on the current frameworks, which is the subject of the debate, and the Minister has not addressed that at all. He is trying to hoodwink the House.

Mr Gary Streeter (in the Chair): That is not a point of order. The Minister may continue.

Robert Halfon: The right hon. Gentleman should check his statistics. There have been more than 4,000 starts on standards, and 400 standards are in development. Many frameworks are going up, and we are putting a huge amount of money into uplifting the STEM frameworks. That is what employers want, and we are designing an employer-led system.

We are raising the prestige of apprenticeships, helping the socially disadvantaged, and introducing the levy to change behaviours and so that the cost is borne evenly throughout society. We will reach the target of 3 million; as I said, we have had 619,000 since May last year. We are raising the quality of apprenticeships through the Institute for Apprenticeships and through degree and higher apprenticeships, which many thousands of people have taken up.

The Government are transforming the country into an apprenticeship nation. I am proud of the work that has been done, and of the officials who have worked hard to ensure that we listen to employers, as we said we would when we first announced the levy.

10.59 am

Mr Lammy: It is disappointing that the Minister has said nothing about funding cuts. He has been reliant on the extra £2.5 billion that he said is coming in. He is robbing Peter to pay Paul. Will he confirm that there will be funding cuts that will lead to deserts—

Mr Gary Streeter (in the Chair): Order. We must move on from this excellent debate to a debate on another interesting subject.

Motion lapsed (Standing Order No. 10(6)).

Martin Luther King's 1967 Visit to Newcastle

11 am

Chi Onwurah (Newcastle upon Tyne Central) (Lab): I beg to move,

That this House has considered commemoration of Martin Luther King's 1967 visit to Newcastle.

It is a pleasure to serve under your chairmanship, Mr Streeter. I thank everyone who has come to this important debate.

Like most, if not all, MPs, I make no secret of my pride in representing my constituency, the area in which I was born and grew up, and this debate is about a day in Newcastle's history that is a particular source of pride to me. On 13 November 1967, Newcastle University awarded Dr Martin Luther King an honorary degree. It was no accident that Newcastle was the only university outside the United States to honour King in his lifetime. From the trade union movement to the co-operative and fair trade movements, we have a long and active history in the struggle for social justice.

The university's historic decision was made all the more remarkable by Dr King taking the time to come to Newcastle to accept the award. He was accompanied by his secretary, Andrew Young, who went on to be a Congressman, a mayor and an ambassador for the US. Rev. Gerald Durley, who was an aide to Martin Luther King at the time, told me that Dr King was absolutely exhausted. He had been imprisoned just two weeks earlier for five days, and he was suffering from a serious cold. He was in the UK for a mere 24 hours, a short break from his busy schedule that included, among other things, campaigning for Carl Stokes in his successful bid to become the first black mayor of Cleveland, Ohio. Dr King was assassinated five months later in Memphis, Tennessee, where he was speaking in support of striking refuse workers. His decision to come to Newcastle must be seen in that context.

In accepting his award Dr King broke with Newcastle University tradition by giving an acceptance speech, which was to be his final public speech outside the United States. Dr King's "I have a dream" speech is rightly famous across the world, but few people are aware of the powerful speech he gave that day in Newcastle. He held the audience spellbound as he spoke of his struggle for racial justice and against the

"three urgent and indeed great problems that we face not only in the United States of America but all over the world today. That is the problem of racism, the problem of poverty and the problem of war."

I will be quoting from Martin Luther King a number of times today and, of course, I cannot aspire to his eloquence, but I hope that by recording some of his words the House will gain an impression of how powerfully he spoke and of his impact that day. Dr King was right that our world

"will never rise to its full moral, political or even social maturity" until racism, poverty and war are eradicated. The struggle for humanity is a continual, day-by-day battle to defend and enlarge the territory of social justice. We must passionately, unrelentingly work in that struggle, whether in the UK, the USA or anywhere else in the world.

King's work had huge impacts, and not just upon the legal and political rights of black people. His life is an inspiration for individuals across the world, including me. My earliest memory of him is of reading the "I have a dream" speech for the first time. I remember exactly where I was—Boots in Eldon Square, Newcastle. My eye had been caught by a poster of an African-American woman with doves flying out of her huge afro. I remember wondering whether that look would work for me. *[Laughter.]* Black women and hair.

After being drawn to the poster, I was caught even more powerfully by the words:

"I have a dream that my four little children will one day live in a nation where they will not be judged by the color of their skin but by the content of their character."

I was about nine or 10 at the time, and I was really moved. I was struck by the power of those words, and of course I identified with Dr King's little children. I hoped his words would come true not only for them but for me. That was at a time when the only black people on TV seemed to be singers, dancers or African despots. Only someone like Martin Luther King could help inspire me to dream that I could one day be the Member of Parliament for my hometown.

When the three great problems of racism, war and poverty are still all too real for millions of people, we all have a responsibility to take forward Dr King's legacy. To mark the upcoming 50-year anniversary of the degree ceremony, Freedom City 2017 will be celebrated across Newcastle and Gateshead. It takes its inspiration from Dr King and the themes of his speech at Newcastle University. The landmark event will launch a three-year cultural programme of international artistic and political significance. World-renowned artists and local communities will come together to produce new artworks responding to Dr King's iconic speech and legacy.

Working with local delivery partner Northern Roots, Newcastle University and community, faith, civic, artistic, business and academic organisations from across Newcastle and Gateshead, Freedom City will have dozens of events, programmes and workshops so that everyone in the community can get involved. I cannot emphasise the scale of Freedom City enough, but I will mention a couple of events about which I am particularly excited.

A bronze sculpture of Dr King, incorporating a quotation from his acceptance speech, will be installed on the university campus in November 2017. There will also be a day of celebration and remembrance of those who risked and lost their lives in the march for freedom, called "Freedom City on the Tyne." It will pay tribute to all those who marched with King, either physically or spiritually: from the Jarrow march to Sharpeville, Peterloo and especially the famous Selma confrontation between Dr King, his marchers and state troopers on the General Pettus bridge.

The Freedom City project will be launched on Friday of next week, ahead of the 49th anniversary of King's degree ceremony, with community groups, schools and citizens from Newcastle reflecting on King's legacy ahead of next year's celebrations. The American embassy gave £30,000 to support Freedom City in its initial stages; I pay tribute to it for that. The American ambassador, Matthew Barzun, who is coming to the end of his term, has been a particular champion of this project and friend of Newcastle, and I would like to record my gratitude to him. This great festival also owes a debt of

gratitude to Arts Council England, which has given us an award of £595,000 from its Ambition for Excellence fund in recognition of the festival's ability to

"stimulate and support ambition, talent and excellence across the arts sector in England."

Freedom City will take forward the legacy built around the creative case for diversity, changing the way artists and organisations present diverse arts in participatory, programmed and presented work. It will go further, too: it will educate and inform young people on the themes of Martin Luther King's speech and will encourage reflection on how those themes relate today to our social history and our future.

The lives of those who fought for an end to racism still play a role in inspiring citizens today, and not just in Newcastle. Hull has chosen to honour William Wilberforce in its city of culture celebrations, which will also take place next year and will complement Freedom City. What are the Government's plans to follow these great northern cities in taking forward King's legacy? They have a responsibility to every child to make sure that, in King's words,

"they will not be judged by the color of their skin but by the content of their character."

I ask the Minister and the Secretary of State for Communities and Local Government to visit Newcastle during the celebrations and discuss how King's legacy can be taken forward. Will the Minister accept that invitation?

Newcastle was lucky enough to host Dr King during his lifetime, but the memory of his work should be kept alive to inspire every British citizen. Black History Month, which is a fantastic celebration of black achievement, has just ended, but there are still many stories to bring to light. Dr King's visit in 1967 was all but forgotten—I myself growing up in Newcastle was not aware of it—until Professor Brian Ward of Northumbria University rediscovered the film of his speech. I recommend it to everyone; it is a fantastic speech and the film is available on the Freedom City 2017 website. Other materials are now coming to light, including fantastic footage of the first black newscaster in Britain, Clyde Alleyne, interviewing Dr King for Tyne Tees Television during that visit.

I hope and expect that the Government, along with the people of Newcastle, will continue to champion the men and women—women's voices are too often overlooked—who struggle against inequality throughout the world and in this country. We must also set our own house in order. Parliament is yet to truly represent the country it seeks to speak for. Have the Government considered an annual event to mark the struggle for diversity in politics? Freedom City 2017 will be officially launched here in Parliament on Martin Luther King day next year, but we would be happy to share that important date with the Minister, the Government or official parliamentary commemorations.

The battle against injustice is by no means over. Some 50 years after Dr King came to Newcastle, it is still the wealth and status of a child's parents that will determine his or her potential to a greater extent than almost anything else. That is why Freedom City is so important. I want every child in Newcastle and beyond to know not only that Martin Luther King came to Newcastle, but that he came for them, to speak to them. Those

three themes of poverty, racism and war not only speak to them but are to be answered by them—by every child and every adult in Newcastle and throughout the country. Everyone in every generation has a role to play in addressing those great challenges. Just as Martin Luther King saw the struggles around the world as part of the struggle for civil rights in America, there should be no limitations to our horizons. We still cannot say that every child in Newcastle and the rest of the country has the opportunity to be judged by their character and not by their race or their background. I certainly believe that it is my job as an MP to work to achieve that. When we can say that that has happened, I believe Dr King's legacy in Newcastle will truly have been fulfilled.

Dawn Butler (Brent Central) (Lab) *rose*—

Mr Gary Streeter (in the Chair): Order. I understand that Chi Onwurah has permitted her colleague, Dawn Butler, to make a short contribution to this debate.

11.15 am

Dawn Butler (Brent Central) (Lab): I thank my hon. Friend the Member for Newcastle upon Tyne Central (Chi Onwurah) for securing this important debate here in Westminster Hall on an important and powerful subject. As she said, Black History Month has just finished, and Martin Luther King's words are still as valid and poignant today as they were at the time. He said:

"A nation that continues year after year to spend more money on military defense than on programs of social uplift is approaching spiritual death."

The letters in our mailbags and the daily emails we get resonate with that.

I support my hon. Friend's call for an annual event in this place, and I am pursuing that idea. It is important that one of the oldest democracies in the world should talk about how far we have come with race relations but also acknowledge how far we still have to go. I cannot believe that she was lucky enough to have had Martin Luther King in her constituency; it makes me quite envious. When he received his award—I watched that speech over and over again, and it became more powerful every time—he said:

"I can assure you...that you give me renewed courage and vigour to carry on in the struggle to make peace and justice a reality for all men and women all over the world."

When the Opposition fight for equality laws and ask the Government to re-implement the equality assessments that they have said they no longer need because they are a tick-box exercise, people in this place often wonder why we push for those things so much. Martin Luther King put it beautifully:

"It may be true that the law cannot change the heart but it can restrain the heartless. It may be true that the law cannot make a man love me but it can restrain him from lynching me".

That is why we push so much for equality legislation: to move forward and continue to move forward until we have true equality in the world.

My hon. Friend talked about her journey here as a Member of Parliament representing Newcastle. Lots of little girls and boys and young adults who look at representation in the House and see people such as her

[*Dawn Butler*]

and me will feel that they too can make it anywhere they like, as long as they have the drive, ambition and support—and the right legislation to help to make it happen.

11.18 am

The Parliamentary Under-Secretary of State for Communities and Local Government (Mr Marcus Jones):

It is a pleasure to serve under your chairmanship, Mr Streeter. May I begin by congratulating the hon. Member for Newcastle upon Tyne Central (Chi Onwurah) on securing this debate? It is important that we commemorate one of the greatest African-Americans, Martin Luther King, and his visit to Newcastle nearly 50 years ago. He came to Newcastle on 13 November 1967 to accept an honorary degree of Doctor of Civil Law from the university. As we heard from the hon. Lady and her Front-Bench colleague, the hon. Member for Brent Central (Dawn Butler), it was an extremely powerful speech that captured the mood at the time and still endures today.

Britain today can claim to be a successful multi-ethnic and multi-faith country. In recent years, members of African and Caribbean communities have achieved in many different areas, such as business, sport, the arts and government, as well as in this House. We know that we still have a very long way to go, but we believe in a United Kingdom by every definition, which means that the Government will stand up against injustice and inequality. It is only by doing so that we can make the country work for everyone, not just a privileged few.

Last December saw the 50th anniversary of the Race Relations Act 1965, which historic legislation opened the way to all the subsequent equalities legislation. We can all be proud of the UK's world-class equalities legislation, but we know that it is not enough on its own. We must all champion equality and recognise and challenge discrimination.

We have in place a strong legal framework that protects all individuals against racial and religious discrimination, and against racially and religiously aggravated hate crime. Following the spike in hate crime and racist incidents taking place in communities after the vote to leave the EU, the Government stepped up efforts to tackle the scourge of hate crime. We have published a new hate crime action plan, which focuses on reducing hate crime, increasing reporting and improving support for victims. The scenes and behaviour we saw over the summer—including offensive graffiti and abuse hurled at people because they are members of ethnic minorities or because of their nationality—were absolutely despicable and shameful. We must all stand together against such hate crime and ensure that it is stamped out wherever it happens.

Fighting disadvantage and extending opportunity is the surest way to build strong and cohesive communities. My Department's current integration programme is focused on bringing communities together and celebrating what unites us rather than divides us, through projects such as Near Neighbours, Holocaust Memorial Day and Mitzvah Day.

In Newcastle, over two years between 2012 and 2014, we funded Show Racism the Red Card to deliver a programme of work designed to combat the influence of the far right on young people's attitudes and behaviours.

With the Arts Council and the British Library, we funded the Enterprising Libraries project, which in Newcastle helped to create 385 new businesses and more than 660 jobs over a two-year period to 2015. Of those who have started a business using the Newcastle Business & IP Centre services, 11% described themselves as black, Asian and minority ethnic, against a national average of 6% of businesses being led by members of a minority ethnic group in 2014.

The Government are committed to creating a fair society in which all people, of whatever ethnic origin or background, are valued and able to participate fully and realise their potential. The Prime Minister could not have been clearer about her determination on this issue from the very moment she arrived in Downing Street. We are making real progress, with black and minority ethnic employment rates at their highest levels for 15 years, but there is clearly more to do.

We are certainly not complacent, which is why the Prime Minister launched a race disparity audit in August to look at the racial disparities in our public services. It will stretch right across Government and highlight the differences in outcomes for people of different backgrounds, including in health, education, childcare, welfare, employment, skills and criminal justice. Gathering and publishing such information has been shown to have an effect on improving public services and outcomes for certain racial groups.

By looking at how racial grouping affects treatment in public services, the audit will be comprehensive and, where possible, linked to geography and income. This is the first time that a Government rather than an independent body will carry out an audit of racial group disparities in public services. The audit will inform the Government's approach to ending the injustices that many people experience. Work on the audit has already begun. We envisage that the large and ambitious programme of data collection and interrogation will take some months, but we hope to have the first tranche of data published before summer 2017.

Chi Onwurah: I thank the Minister for his kind and entirely true words about Newcastle earlier. The audit he is talking about is of great interest. Will he give a little more detail on what data will be collected on the users and/or deliverers of public services? I was pleased to hear that it might be separated by region. In addition, I hope he will not forget to respond to my invitation.

Mr Jones: The hon. Lady's invitation did not escape my attention and I will address it in a moment.

On the audit, the Prime Minister has been clear that she does not want there to be disparities in how our public services are provided. The audit will look comprehensively across the range of public services, and we will look in depth at the challenges and barriers in the treatment of people from BME groups. As I said, it will be linked to geography and income where possible. I hope that, in the not-too-distant future, we will be able to provide further information on how the audit is progressing. It will inform the work not only of the Government but, we hope, of other Members of the House.

We are continuing to work towards the ambitious goals set in 2015 to improve opportunity for BME people, such as on take-up of apprenticeships, employment

and university places, and recruitment in the police and armed services. We have stretching and challenging targets but are absolutely determined to meet them.

Two reviews started earlier this year: the right hon. Member for Tottenham (Mr Lammy) is looking at the treatment of and outcomes for BAME individuals in the criminal justice system, and Baroness McGregor-Smith is examining the obstacles faced by businesses in developing BME talent, from recruitment right through to executive level.

The hon. Member for Newcastle upon Tyne Central mentioned the Freedom City 2017 events. It is fantastic to hear about such an initiative and it is great to see that the Arts Council is supporting it significantly. It is also good to hear about the support being provided by the US embassy. I understand that the initiative will involve not only several world-renowned artists but many local artists from the Newcastle area, and that it will focus on the values of freedom, togetherness and empowerment.

I very much look forward to seeing that work come forward, and can certainly give the hon. Lady my commitment to come up to Newcastle. My sister currently lives in Northumberland, but she is moving to the edge of Newcastle, hopefully in the next few weeks. I am sure she will be glad to see me when I go up to Newcastle, so I really do look forward to that event next year.

Chi Onwurah: I thank the Minister for accepting my invitation and I hope to meet him and his sister in Newcastle. Will he say something about parliamentary diversity and some kind of celebration and action to increase it?

Mr Jones: I apologise that I did not cover that point in my speech. I shall certainly look into it. I would be grateful to hear more information from the hon. Lady about what she envisages such action would look like. If she can please provide that information, we can look to see what might be achieved in the House.

In conclusion, I thank the hon. Lady again for securing the debate. We should take this opportunity to remember the huge contribution made by people from Africa and the Caribbean, many of whom gave their lives fighting for this country in the first and second world wars. As a Government, we reiterate our commitment to standing up against injustice and inequality, making this a country that works for everyone and not just the privileged few.

Question put and agreed to.

11.30 am

Sitting suspended.

Global Biodiversity

[MR NIGEL EVANS *in the Chair*]

2.30 pm

Dame Caroline Spelman (Meriden) (Con): I beg to move,

That this House has considered global biodiversity.

A number of colleagues have applied to speak in this debate, but unfortunately they cannot all be here today to take part. In particular, Zac Goldsmith—I think we can refer to him by name at this stage—is unable to be with us today. However, since he originally applied to speak in the debate, I thought it would be nice to record that. I am also grateful to colleagues who have signed early-day motion 624 on global biodiversity to support this debate today. If other colleagues have not yet had the opportunity to sign that early-day motion, I would be grateful if they did so.

The catalyst for this debate was new research, conducted by the World Wildlife Fund and the Zoological Society of London, that shows that the global wildlife population fell by more than half between 1970 and 2012. According to the report, global populations of fish, birds, mammals, amphibians and reptiles have declined by 58% since 1970. Within that figure, the fish population declined by 36% and mammals by 38%, but the biggest decline, at 81%, was in the amphibians population, which shows how vulnerable they are to the challenges that we face, not least climate change, which further threatens their habitat.

The facts suggest that we face a global biodiversity crisis: without urgent action, by 2020, these vertebrate populations will have declined by 67% since 1970. The international community has agreed that by 2020 declines in biodiversity should have been halted. Frankly, these things do not compute—the international community is way off target when it comes to meeting its commitments.

When I was Environment Secretary, I had the great privilege of representing the UK at the United Nations conference on biodiversity loss in Nagoya, Japan, in 2010. It took place just after the climate change talks in Copenhagen had failed, after which people were very pessimistic—they did not think that a UN agreement would be achieved in this area. However, to everyone's surprise, we did it. The agreement achieved in Nagoya states that we should take effective and urgent action to halt the loss of habitats and species in order to ensure that by 2020 our natural environment would be resilient and continue to provide the essential environmental services that we otherwise take for granted. To that end, a series of targets was agreed to, known as the Aichi targets.

The reality is that most of our planet's biodiversity is not in developed nations such as ours, where we have already destroyed many natural habitats, but in the most remote and least developed areas of our planet. So the big challenge is how to protect these vulnerable areas and their endangered species, while trying to regenerate our own natural capital and lost species.

David Simpson (Upper Bann) (DUP): I congratulate the right hon. Lady on securing this very important debate. She has mentioned the agreement. In the recent Paris discussions on climate control, not all countries

[David Simpson]

signed up and not all of them turned up. What more can be done to influence those countries that are causing some of the major difficulties that we have?

Dame Caroline Spelman: We have clearly made some progress in the climate change talks, and climate change is one of the things that definitely threatens, or aggravates the loss of species. There has been a significant breakthrough between some of the big players over climate change. For a long period, large countries such as America and China just would not engage, so we have made some progress on that issue, but, as the hon. Gentleman suggests, we need the rest to be as good as the best. I am sure that the Minister heard what the hon. Gentleman would like the UK Government to be doing to encourage that to happen.

In fact, 90% of the biodiversity on UK territory is situated in our overseas territories, precisely because they are less heavily developed. The Government made the groundbreaking decision to create the largest marine reserve in the world around the Pitcairn Islands and are on their way to doing the same for Ascension Island, South Georgia, St Helena and Tristan da Cunha, in a blue belt strategy around the world's oceans. If all those are achieved, the area offering some form of protection will be greater than the size of India. That would make a significant contribution to Aichi target 11, which is on marine protected areas.

That points to the clear value of helping less developed parts of the world to protect vital species. Frankly, the cure to some disease that is currently a scourge of human society could be deep in the Amazon jungle. We have every interest in helping the poorest.

Dr Matthew Offord (Hendon) (Con): I congratulate my right hon. Friend on securing this debate. Does she agree that the UK Government often sign up to agreements that are worthy in principle, but the overseas territories that then become subject to those agreements do not always receive reciprocal finances to implement them? I know that in places such as Anguilla particularly and the Cayman Islands, that is placing an undue financial burden on their Governments.

Dame Caroline Spelman: My hon. Friend and I were members of the Environmental Audit Committee together. He has recently rejoined the Committee and I know that he looked closely at the predicament of overseas territories such as the Cayman Islands which would not naturally be in receipt of funds to help them to address this kind of issue. It is clear that we all have an interest in their being able to do so. I am sure that his comment was heard by the Minister.

The approach of helping the world's poorest countries to reduce and halt the loss of species was at the heart of our agreement in Nagoya. It inspired 193 countries to agree unanimously to own and solve this problem together. So everybody was present and did sign that Nagoya agreement. However, there were lengthy discussions about access to, and the benefits arising from, the world's most biodiverse populations. That was the heart of the matter. The world's richest nations wanted to be able to access some of the most biodiverse parts of the world, perhaps to find a cure for cancer, but in return the developing nations wanted to share in those benefits

and for us to help to resource them in protecting those areas. That was the nature of what we agreed to, which was a genuine example of a negotiated deal.

Historically, the UK has provided international leadership on this approach and there are many examples of how we have done so. The most recent is the opening of the new David Attenborough building in Cambridge, which will become the new global focal point for research and practice to transform our understanding about the conservation of biodiversity.

Even before I became Environment Secretary, the UK was providing resources to prevent deforestation under the so-called REDD-plus scheme, which stands for reducing emissions from deforestation and forest degradation in developing countries. If one is going to try to reduce deforestation in very poor countries, it is important to find a way to support those people who have not known any way of sustaining themselves other than by cutting down trees. If they are paid to maintain and look after the trees and to sustain the forest, deforestation will be reduced.

It is worth noting that the Department for Environment, Food and Rural Affairs will spend more than £300 million of official development assistance by 2019-20, including funding to help to tackle the serious criminal industry of the illegal wildlife trade, which definitely threatens endangered species, and to deliver projects to conserve biodiversity and to reduce poverty worldwide, including in the UK's eligible overseas territories and in developing countries, which will help developing countries to phase out ozone-depleting substances. When it comes to global biodiversity, no man is an island.

I have seen for myself how paying farmers in places such as the Amazon not to cut down their trees but to manage their forests can help us all, for the Amazon is the world's largest carbon sink. However, the next challenge in Latin America is to prevent the adjoining native savannah, the forest of the Cerrado in Brazil, from being ploughed up to grow soya. Over half of that area has been converted to agriculture since 1950. At present, the Cerrado shelters 5% of total global biodiversity and one in 10 of every Brazilian species. Almost half of its 10,000 plant species are found nowhere else on our planet and wild animals that are threatened by the loss of the habitat include the jaguar, the maned wolf and the giant anteater. I saw there an extraordinary plant, the like of which I had never seen, called the shauvarinho, which captures water droplets on tiny fan-like leaves that have adapted to survive drought. It is not, therefore, just the plough that destroys species on that savannah; the area is also very vulnerable to the effects of climate change.

As I have highlighted, we now have the tool accurately to measure the rate at which we lose species and the cost to the economy of that loss: the national ecosystem assessment. For example, bees, should they die out and should we have to replace what they do, would cost the country £400 million a year. These days, we can put an economic value on the loss of vital species.

Kerry McCarthy (Bristol East) (Lab): The right hon. Lady was talking about projects in Latin America. She might be aware of the Yasuni national park in Ecuador. The Government there tried to raise money internationally, so that there would be no oil drilling in what is one of the most biodiverse places on earth—an absolutely

pristine area. They could not get the international sign-up, however. Does she agree that that is something we all value, on a global level? Ecuador obviously needs to feed its people and boost economic growth, so in the end it was forced to go down the drilling route.

Dame Caroline Spelman: That speaks absolutely to the heart of the current debate on how we use international development assistance. The truth of the matter is that the issue is an increasingly difficult one, as people experience hard times themselves. I am disappointed to hear it vocalised that charity begins at home and that we should not be helping people abroad. I certainly do not share that view, but it is incumbent on us all as politicians to explain why helping people in very poor countries benefits everyone in the end. We must all work harder at getting that message across.

To come back to the bees, the fact that if they took their pollinating brushes home we would face a very big bill for substituting what they do underlines the importance of the debate about the demise of pollinators and explains why it is such an active one. The principles we agreed to in Nagoya bind us to reverse the trend of species loss, and that will take time and resources. The wealthy nations that signed up to the Nagoya agreement are the ones upon which it is incumbent to bring resources to the table to help poorer nations, if we are to arrest that decline.

The sequence of meetings known as the conference of the parties, or COP, has seen some progress in agreeing, in principle, to double biodiversity financial flows. I say in principle, because at COP 13, the next in the series—due to take place in Cancun in December—there will no doubt be more discussion about the amount of resources we need and who precisely will bring them. At that meeting, countries will discuss the practical delivery of the targets agreed following Nagoya. The excellent analytical work that is being undertaken by non-governmental organisations, including the Royal Society for the Protection of Birds, to measure the level of ambition of, and the practical progress being made by, the signatories to the original agreement will be published to coincide with the meeting. It is the Ministers who go to Cancun who will have to face up to the reality of whether they walk the talk, so I hope that the UK Government will continue to provide the international leadership they are known for in this area by sending a Minister to the meeting.

Our efforts to halt the loss of species in our own country are going to come under close scrutiny. The reality is that most of the world's most precious biodiversity is not on UK territory. The very fact that the British Isles has been developed has forced nature into retreat, but that does not mean we should not continue to strive to protect the species that are endangered here and to restore the lost natural capital. For example, a key action is to implement an intelligent and forward-looking biodiversity offsetting strategy for major infrastructure works. There are many infrastructure plans in the making, so there will have to be an awful lot of offsetting.

One of those plans is on my doorstep. High Speed 2 will go straight through my constituency and there is the opportunity to restore the polluted River Tame and enhance the Blyth river valley so that the urban populations of the west midlands conurbation can enjoy the green space and appreciate what nature has to offer. We know

how important that is for overall wellbeing. I hope that the Department for Transport and the Department for Environment, Food and Rural Affairs will consider carefully proposals being put forward by Birmingham City University to regenerate the lost natural capital in the area.

The UK has made good progress on marine protection. It is committed, under the Marine and Coastal Access Act 2009, to deliver an ecologically coherent network of well-managed marine protected areas within UK waters. However, critical gaps in the network remain, including protection for mobile species, such as seabirds. The third and final tranche of the English marine conservation zone designation is due to come forward next year and it is those critical gaps that I hope the Government will now be able to fill.

I have some key requests for the Government. I welcome the statement of the Secretary of State for Environment, Food and Rural Affairs in response to the "Living Planet Report 2016". It is encouraging that she has emphasised her commitment to protecting and restoring our natural environment for future generations. She has also called on us all to play our part. Indeed, every individual can play a role in arresting the loss of species. I certainly advocate that anyone who has not done so take part in the RSPB's bird count once a year. The count will enable us to have some sense, against a baseline, of whether the common species we all grew up with are thriving or declining. That is particularly important when it comes to the demise of farmland birds, and everyone can do their bit.

The Secretary of State has highlighted two key areas in which the UK has been successful, one being the blue belt protection for our overseas territories and the other helping to tackle the illegal wildlife trade. I welcome the fact that the Secretary of State will attend the next IWT conference in Hanoi, Vietnam, next month, providing the kind of leadership for which the UK is known. However, as I have already mentioned, it is critical that we send high-level ministerial representation to December's conference of the parties in Cancun. I cannot stress enough how important it is that a Minister is there—193 countries are present at the meetings. We often underestimate the capacity that the UK has, because of its heritage and the leadership it has provided on the issue, to be involved as a facilitator, in particular between countries that are dragging their feet a bit, and to get their agreement. I really hope that a Minister will be able to attend.

We must be visible and vocal as a leader on the world's stage, and establishing a clear presence in December will be an opportunity to demonstrate our commitment to continuing as an environmental leader. That will underline that the UK still wants to be at the forefront of the fight against biodiversity decline.

It is evident that tackling biodiversity loss will require a multisector approach, and in that we are helped by the fact that since the Nagoya agreement we have the framework of sustainable development goals—SDGs—which provides a context for our actions and our approach. The SDGs have the power to create a safer, fairer world, but we must now implement them ourselves, with careful cross-Government co-ordination and a clear focus on the challenges outlined in the report.

Goals 14 and 15 are directly connected to the convention on biological diversity and the Aichi targets, and they address reducing biodiversity loss on land and in the

[*Dame Caroline Spelman*]

marine environment. Many of the targets are due for completion in 2020—in less than four years' time. However, at the current rate of progress, those will be the first of the sustainable development goals the UK will fail to meet. As we know, the deadline for most of the SDGs is 2030. So there is real pressure, and an urgency to get on and implement what we can to achieve the targets.

It is important that DEFRA and the Department for International Development work closely together on implementation. I found, as Environment Secretary, that DFID was extremely helpful to the cause; indeed it gave me the money to be able to provide assistance in very poor countries where species were endangered. I sincerely hope that the Minister will be able to reassure us that DEFRA continues to work closely with DFID in that area.

Dr Offord *rose*—

Dame Caroline Spelman: I was about to finish, but I will give way.

Dr Offord: I am grateful to my right hon. Friend for giving way. Does she agree that it is welcome that the Natural Capital Committee reports directly to the Chancellor? That ensures that policy is accompanied by finances and reinforces and reiterates to us that nature does not come for free.

Dame Caroline Spelman: My hon. Friend is completely right. I should have said that it is not only about DEFRA and DFID working together; the Treasury holds the purse strings. He is right that the Natural Capital Committee—its chair, Professor Dieter Helm, provides outstanding leadership—reporting directly to the Chancellor is the best way of reminding the Treasury that nature comes at a price and that we need to reflect that in the decisions we make and the resources it gets.

I hope that we will shortly see a clear plan from the Government on the sustainable development goals. DEFRA's forthcoming 25-year plan for the environment is also a key opportunity. I hope that Ministers will use it to set out how they will work to reduce the UK's international carbon footprint, as well as to protect nature at home. Ministers will need to carefully weave together the domestic and international dimensions. We must emphasise intergenerational accountability and include mechanisms to assess the impact of policy on nature and the natural capital we wish to leave for our children.

2.51 pm

Angela Smith (Penistone and Stocksbridge) (Lab): It is a pleasure to serve under your chairmanship, Mr Evans. I forgot that pleasantries in yesterday's heated debate on grouse shooting.

I congratulate the right hon. Member for Meriden (Dame Caroline Spelman) on her excellent opening speech. She emphasised the need for Departments to work together on these issues, but I think it is also incumbent on all parliamentarians to work together, too. They are not party political issues and there is consensus in the House on them. We should all continue to press the Government as hard as we can to deliver and halt the declines in biodiversity. It is refreshing to

see debates in this Chamber being led by former Secretaries of State who have stayed loyal and interested in their briefs. That is not always the case, but when we get that expertise and experience coming back it enriches and strengthens our debates.

If we do not act soon to halt the declines in our biodiversity, it could be too late. The World Wildlife Fund's "Living Planet Report 2016" shows the scale of the task. As was pointed out earlier, although I will repeat the figures because they need repeating, global vertebrate populations fell on average by 58% between 1970 and 2012 and freshwater species such as amphibians and fish have declined by a shocking 81%. We are facing a global biodiversity crisis, and the need for action is urgent.

The problem should not be analysed by contrasting the performance of developing countries with that of advanced economies. I have seen that recently in print and in the media, and it is not helpful to describe the declines we have seen in that way, suggesting in some way that richer countries are doing better because they can afford to deal with the problem. It not does not help us at all and it is not accurate, because wildlife in the UK is far from thriving. If Victorians took a walk in our countryside today, they would be shocked at how sparse our wildlife really is. I have listened to my parents talk about that frequently; they say that the decline has been dramatic since their childhood, 50 or 60 years ago. We have seen huge declines in biodiversity, even since then.

Our planet's biodiversity—or to put it another way, the natural capital that we depend on—is on the verge of collapse. If we are not careful, we could see the demise of the global environment we all depend on—the quality of the air we breathe, the quality and range of the food we eat, or the water we drink. In the final analysis, there will obviously be a negative impact on the global economy, too. It is becoming apparent that we could be entering a new epoch: the Anthropocene, a new geological epoch in which the size and scale of human activity is affecting our most important environmental systems on a planetary scale. The list of endangered species is never-ending, and if action is not taken soon, many species will disappear before our very eyes.

Declines in our ocean biodiversity are of particular concern. The living planet index shows that marine species have declined by 36% since 1970. That cannot be allowed to continue. It is estimated that our oceans provide annual economic benefits of up to \$2.5 trillion a year—it is an international index, so it measures things in dollars. If we manage oceans effectively, they could help to underpin the relevant sustainable development goal and provide food security for many millions living in developing coastal and island states. Unfortunately, evidence suggests that because of poor management, including the over-exploitation of fisheries, that ambition will not be met. While Governments understand the importance of our marine environment, evidence is growing that their critical role in securing future resilience is still not given sufficient priority.

The UK can and should be playing a key role in taking forward and implementing sustainable development goal 14, which relates to our oceans. The right hon. Lady repeatedly stressed that point. We have strong economic and cultural ties to the sea—I grew up in a

coastal community, so I understand that well. I am not originally from an inland community, as Sheffield is. Even though many of our communities have secured livelihoods from our seas, we import a huge volume of seafood from many developing nations. We have international trading links that give us even more of a responsibility to work collaboratively on these issues. Our strong marine research expertise could help the Government in prioritising the actions needed on this specific aspect of global biodiversity. We also need to play our part internationally by building strategic partnerships with developing countries. Those partnerships are incredibly important when it comes to ensuring international resilience for our oceans.

That brings me neatly on to the EU's common fisheries policy, which provides a multilateral forum for taking action to rebuild resilient fishing stocks in European waters and a sustainable fishing industry. I know I will upset the hon. Member for South East Cornwall (Mrs Murray) with that point, but fortunately she is a Parliamentary Private Secretary, so she cannot respond on this occasion. The Government must remain actively engaged in the CFP for as long as we remain in the EU. I say that as the daughter of a fisherman and as someone who grew up in the biggest fishing port in the world. I feel strongly about the issue.

We must also start putting in place plans for continuing engagement and action on illegal, unregulated and unreported fishing once we leave the EU. We therefore need assurances from Ministers that once we leave, the protections against unethical fishing, if I can put it that way, afforded by membership of the CFP will be embedded into UK fisheries policy. If we are going to build our status globally as a soft power on biodiversity issues, we need to continue the best practice established in the European Union. Whatever Brexit provides for the future, we must as a country remain committed to the policy of maximum sustainable yield and must retain fishing quotas in the form of total allowable catches by species. Not to do so would be wrong and would risk a return to the days of over-fishing and the consequences that that brought down upon all of us. I therefore ask the Minister to give assurances in her closing remarks.

Marine protected areas are a critical tool for conservation. It is estimated that protecting just 30% of the world's oceans could result in net benefits of between \$490 billion and \$920 billion over 35 years. Currently, just 3.9% of the world's oceans are designated for protection, despite a global commitment to achieve 10% by 2020. Many of the marine protection areas that do exist lack effective management plans. We need to play our part in addressing that weakness. The Government must continue designating an ecologically coherent network of marine conservation zones around our shores, as the right hon. Member for Meriden pointed out. We also need to continue the creation of a blue belt around our unique overseas territories by putting into place large-scale marine protected areas overseas, which will contribute to delivering on our 10% target.

Will the Minister commit to delivering a truly comprehensive and ecologically coherent network of marine conservation zones around the UK, with the management plans to match? That is the key weakness in our implementation of the Marine and Coastal Access Act so far. We need effective management plans for that

network and we need them quickly. Also, will the Minister commit to the 10% target for MPAs around the UK's overseas territories?

Although the world's oceans face huge pressures, there is evidence that sustainable management and conservation work can reverse biodiversity declines and bring life back to the world's seas. For instance, North sea cod stocks are now on an upwards trajectory because of the strong management measures implemented through the EU's cod recovery plan. It is worth putting on the record that the decline in those stocks was not caused by the European Union. It never was. Those stocks were heavily depleted before the EU's management regime came into effect. Nobody ever asks why the fishing fleets of the east coast, where I come from, went to Iceland to catch fish. Why go all that way? Why face all those dangers? It was because they had depleted the North sea stocks. The measures needed to put that right have started to work and the UK has a responsibility to continue on that trajectory. The experience of working with the European Union and internationally, as we have over all those years, also underlines the importance of the UK Government continuing to work co-operatively with other Governments, both in the EU and more widely, to ensure that our fisheries are sustainably managed.

A key opportunity for the Government to set out their own stall will be the forthcoming 25-year plan for the environment. The Minister could use the opportunity of the plan to reduce the UK's international footprint by setting out a trajectory and a clear strategy for how we will achieve that, as well as protecting nature at home. At this point I will refer to yesterday's debate and hope sincerely that the plan will include measures to deal with the decline in the health of our blanket bog and upland environment in the UK, which is a source of particular concern to me.

When might this extremely important plan be published? Are the rumours that it is being reviewed because of Brexit true? If that is the case, what exactly is being reviewed in the plan? Are we going to see more ambitious plans for improving the environment as a result of Brexit, or are we going to take Brexit as a chance to reduce our environmental standards? The House deserves some clarity on that point.

We are at a crossroads both as a country and as a planet. We need action and we need it now. The UK needs to play its full part and lead from the front internationally in reversing the decline in our biodiversity not only for our generation, but for the many generations yet to be born. Let us not forget that the environment is our legacy to future generations. The world belongs to our children. If we forget that legacy and forget the important fact that the world belongs to our children, we will never be forgiven for abdicating our responsibilities.

3.5 pm

John Mc Nally (Falkirk) (SNP): It is a pleasure to serve under your chairmanship, Mr Evans. I congratulate the right hon. Member for Meriden (Dame Caroline Spelman) on securing the debate on global biodiversity today.

The report laid before us by the World Wildlife Fund and the Zoological Society paints a bleak picture of wholesale ecocide on a scale unseen for aeons. Faced with such catastrophe, it would be easy to retreat into

[John Mc Nally]

complacency and mourn while the web of life unravels. An article on the rapid decline in species in last Thursday's *Times* on 27 October was very interesting. It stated:

"Human activity is driving many of the planet's species dangerously close to extinction."

It is predicted that

"Global vertebrate populations...are likely to have declined by an average of 67 per cent on their 1970 levels by 2020."

This is the here and now, and yet this does not have to be the case.

One of my favourite quotes comes from the great American politician and civil rights activist, Harvey Milk. He once said,

"If you want to change the world, start in your own neighbourhood."

As a "neighbourhood", Scotland possesses a natural environment that retains some of its richness and diversity even after centuries of degradation. Scotland's Government recognise that the importance of biodiversity goes far beyond majestic wildlife and bonnie glens. Carbon sequestration, the health of pollinator populations, water purity, which has been mentioned, and human health and wellbeing are just a few of the things that are dependent on resilient, diverse ecosystems. In recognition of the essential role that biodiversity will play in ensuring Scotland's future sustainability and success, the Scottish Government are committed to placing it at the heart of their economic strategy. All Governments should do that. The fruits of these efforts have already started to show.

In 2010, Scotland's biodiversity assessment concluded that biodiversity loss had slowed where targeted action had been applied, but that halting it would require renewed and sustained effort over a long period. In 2013, a route map was published, which set out the actions necessary for the country to meet the challenges set by the UN convention on biological diversity's targets for 2020: the so-called Aichi targets—I hope I have pronounced that correctly.

For example, target 11 aims to have at least 17% of freshwater bodies and 10% of coastal and marine areas under protection by 2020. Target 15 aims to enhance ecosystem resilience and the contribution of biodiversity to carbon stocks through the conservation and restoration of at least 15% of degraded ecosystems. Its first progress report, published in 2015, shows that we are starting to turn this juggernaut around: 16% of our seas are now part of our marine-protected area network, exceeding the 10% stipulated by the UN. We are restoring twice the area of peatland that is required of us and exceeding our required area of protected land and fresh water. There are still actions that need to progress faster, but we can take heart from the fact that although in the second half of 2015 there were still some areas that showed no progress, or even a continued decline, progress was made on all of our actions in the first half of 2016.

Driving the strategy is the realisation that biodiversity loss is a problem that must be tackled at scales beyond the remit of a single area, organisation or even, as has been mentioned, Government. That realisation is as true here as it is in Scotland or anywhere else. Integrated, co-operative forms of management involving multiple Departments and other stakeholders are needed to form the backbone of actions and projects.

The natural world must no longer be seen as something desirable but expendable. The question "Can we afford that?" has an ecological answer that is at least as important as its financial and political answers. We face choices that will manifest in the near future. As individuals, we tend to be myopic; we prefer to deal with present outcomes at the expense, often, of future ones. That is a given. Our choice is to consider the long-term loss and decline of our wildlife, and decide on the best course of action to prevent the continuation of that decline.

To end on a somewhat brighter note, I will mention that, although the picture is bleak, there is still some ecological resilience left. The vast majority of species are not yet at the point of no return. If we act, we can reverse what is happening. If there is a concerted international effort, we can turn it around globally. Let us not create a global extinction event as our legacy.

3.11 pm

Kerry McCarthy (Bristol East) (Lab): It is a pleasure, as ever, to see you in the Chair, Mr Evans. I congratulate the right hon. Member for Meriden (Dame Caroline Spelman) on securing the debate; as my hon. Friend the Member for Penistone and Stocksbridge (Angela Smith) said, she has very much retained an interest in the issues that she dealt with as Secretary of State for Environment, Food and Rural Affairs. We have often had conversations in passing, in the corridor—particularly about marine conservation zones. I appreciate that in her new role as Second Church Estates Commissioner she has adopted a more conciliatory approach to bats in churches than her predecessor; we had some run-ins in our time. I am sure the bats appreciate it, too.

Today's debate is timely, given the publication of the excellent "Living Planet" report by the World Wide Fund for Nature and the Zoological Society of London. I urge everyone to read it. Biodiversity has intrinsic value, but our survival also depends on it. It is a key indicator of the health of the planet, and we should treat it as seriously as climate change. It was frustrating for me, both during the Brexit campaign and the Paris talks, that the focus was always just on climate change and energy policy. There was not the discussion of the natural environment that there should have been, particularly given that so many of our protections stem from the EU.

The "Living Planet" report makes disturbing reading, but that should not come as a surprise. Year on year we have heard reports of mounting evidence of the decline of biodiversity. Each report adds to the imperative for action by Governments around the world. We have heard that we shall fail to meet the Aichi biodiversity targets by 2020, and that global wildlife populations fell by 58% between 1970 and 2012. On current trends, our vertebrate populations would decline by two thirds by 2020.

It is disappointing that public funding for biodiversity fell by 32% from 2008 to 2015. As my hon. Friend the Member for Penistone and Stocksbridge highlighted, that is potentially even more of a threat with Brexit on the horizon. I hope for reassurances from the Minister today. The Government have, through the Natural Capital Committee, recognised the potential economic value of the natural environment, and are trying to do work that builds in the costs, financial or otherwise, of damaging

it. However, there is a lot more work to be done if that is really to be embedded in policy making.

There is a tendency for most attention to be paid to iconic species such as pandas, tigers and killer whales, which are under serious threat. There is a lot of talk about them, and there have been some successes. As the WWF highlighted, the giant panda has been removed from the list of endangered species of the International Union for Conservation of Nature, thanks to China's efforts to protect habitats and re-establish forest. Tigers are still critically at risk, but their population has increased by 20% since 2010, thanks to collaborative efforts by Governments, communities and conservationists. The Government have been very committed to the agenda of the convention on international trade in endangered species, with respect to the shark population, for example. However, species that we have never heard of—and, in some cases, can barely see—are also in dire need of attention. In his foreword to the “State of Nature” report, David Attenborough said:

“If we and the rest of the backboneed animals were to disappear overnight, the rest of the world would get on pretty well.”

However, if invertebrates were to disappear,

“the land's ecosystems would collapse.”

We need action to protect all biodiversity, whether vertebrates, invertebrates or plant life. All of those have suffered from human activity. Poaching, and the international wildlife trade, are an obvious cause, with elephant populations in Tanzania falling by 60% between 2009 and 2014. I, for one, would welcome further action to stem the global ivory trade that contributes to that—even the historic ivory trade.

Less visibly, as the global population has risen, our use of fertilisers, pesticides and transport, greenhouse gas emissions, our reliance on medicines and our water use have all increased. They all have a negative impact on biodiversity. It is the human population that has caused so much habitat loss for other species, whether through pollution, intensive agriculture, climate change, building or resource use that exploits natural resources.

As I mentioned, in Ecuador the Government were very committed—probably top of the league when it came to biodiversity and the beauty of the country—but they face pressures, in a country struggling to make ends meet, with the knowledge that such a wonderful site as the Yasuni natural park is home to oil reserves. As the right hon. Member for Meriden and I have said, there is a global role to be played in helping such countries to protect their wonderful biodiversity. We need international co-operation and the UK to take a lead in talks, rather than turning its back on the world, which some might think the referendum result would lead us to do.

As part of that, we need a commitment from the Environment Secretary, or the Minister who is present today, to attend December's conference of the parties to the convention on biological diversity taking place in Mexico. We need to lead by example. There has already been mention of the Environmental Audit Committee's report on the British overseas territories; only a tiny fraction of DEFRA spending goes to them, although they are home to 90% of the biodiversity for which the UK is responsible. As the report revealed, DEFRA did not at the time have a single staff member dedicated to working full time with the overseas territories.

We had a private meeting of the Environmental Audit Committee today, with some overseas territories representatives, to talk about some of those issues. I do not think I am betraying any confidences if I say that, in particular on the subject of the blue belt or the marine protected areas, there were pleas for things to be territory-led. Some of the people who attended were very happy with what has happened, because it was led by the people in the territories, but in some cases there are still issues to do with not being compensated for loss of income from fishing licences. Money may be going in, but it goes to the marine protected areas and does not compensate the Administrations—of Ascension Island in particular. I hope that the Minister will consider that. The overseas territories appreciate that they have a role to play in protecting the wonderful marine environment, but they need the resources to do it without suffering as a result.

When we discussed the EAC report a couple of years ago, I think about 0.3% of the biodiversity conservation budget was spent in the overseas territories. As I said, they are home to 90% of the biodiversity, so that suggests quite an imbalance. More than 32,000 native species have been recorded in the overseas territories and more than 1,500 of those are found nowhere else in the world. The territories are home to at least 517 globally threatened species. Our lack of knowledge and attention risks those species becoming extinct. The Foreign and Commonwealth Office works closely with the overseas territories on some issues, particularly business, but we need a closer relationship on environmental issues as well. The marine protected areas are a very welcome contribution but, as my hon. Friend the Member for Penistone and Stocksbridge said, we need to complete the network of English marine conservation areas and ensure that they guarantee the robust protections that our marine life needs.

We have been talking about overseas, but the latest “State of Nature” report found that 53% of the UK's wildlife species declined between 2002 and 2013 and 15% of our native species are under threat of extinction. The report's launch was very well attended and the Secretary of State spoke but, as so often with these things, the warnings are taken to heart in the short term but very quickly forgotten. I hope the Minister will tell us a little about how the Government intend to take those concerns forward. The report said that insects and invertebrates were under particular threat, despite being crucial for pollination and healthy soils, and concluded that the UK is

“among the most nature-depleted countries in the world”,

having lost significantly more than comparable western European countries such as France and Germany.

I understand that we may get a framework for the much anticipated 25-year environment plan in the next few months, but we will not see the plan until later next year. That plan must rise to the enormous domestic and international challenge we face. The signs are not encouraging. The “State of Nature” report identified policy-driven agricultural change—the intensification of farming—as the most significant driver of declines.

I know that Ministers have taken on board the need for more links and connections between the two plans that we have, but when the Environment Secretary gave evidence to the Environmental Audit Committee on Brexit only a couple of weeks ago, she implied that

[Kerry McCarthy]

one plan was about the economics—the selling of food, farming and food production—and the other plan was about the natural environment. I do not think that that is good enough, as the two are so interconnected, even with footnotes explaining the connection. I am sure that the Minister has heard these representations many times before and I hope she is listening again. If the Government are genuinely interested in protecting biodiversity, DEFRA must commit to the EU birds and habitats directive and pollution reduction targets post-Brexit.

I want to conclude by bringing the debate down to a local level. Bristol is fortunate to have the Avon gorge, which has been designated a special area of conservation under the habitats directive. It is home to Bristol whitebeam and Wilmott's whitebeam, which are not found anywhere else in the world and—I found this out only in the past couple of days—we also have the Bristol onion. The Avon gorge is the only place where it is found in mainland Britain. It is very pretty, with big purple flowers, but it is under threat from invasive species.

My favourite Twitter account, NoExtinctions, looks at attempts on obscure islands to stamp out invasive species that put particular species under threat. Lundy island did a very good job recently stamping out the rat population. NoExtinctions is a great account to follow to see what is going on in very obscure, unheard-of places around the world.

Bristol has developed its own pollinator strategy. Urban pollination strategies are incredibly important as there cannot be a divide between the town and city. “Get Bristol Buzzing” plants nectar and pollen-rich flower meadows in public spaces, in parks but also on roundabouts and wherever there is a spare piece of land.

I am also a species champion. The Royal Society for the Protection of Birds and Buglife has asked a number of MPs to be species champions and now have about 30 or 40 MPs. My hon. Friend the Member for York Central (Rachael Maskell) is one.

Angela Smith: So am I—for the hen harrier.

Kerry McCarthy: As is my hon. Friend.

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Dr Thérèse Coffey): I would just like to say that I am the bittern species champion and I am proud to say that bittern babies are booming, so that is good news.

Kerry McCarthy: I am glad. If anyone is not a species champion, I should say that more are needed, so Members can sign up.

I am a swift champion. It is urban habitat loss that is responsible for the decline in swift numbers. The RSPB told me last week that in Exeter they are introducing a planning requirement for new-build developments to include swift bricks or boxes—a really simple measure that will increase the number of places where swifts can nest and could be replicated across the country. I will certainly be urging Bristol council to take that on board, and I hope others will too.

3.25 pm

Calum Kerr (Berwickshire, Roxburgh and Selkirk) (SNP): It is a pleasure to serve under your chairmanship, Mr Evans. You will not know this, but you are actually one of my favourite MPs, based on the image on your magnificent Christmas card of you casually leaning on the Terrace with your mug. It is etched in my memory and is one of my favourites from last year.

Mr Nigel Evans (in the Chair): There is another on the way.

Calum Kerr: I look forward to it. I should get my act together and one-up you on it—I will get my thinking cap on.

I congratulate the right hon. Member for Meriden (Dame Caroline Spelman) on securing this debate and kicking it off with a very well informed contribution. I confess that at first I was worried it was going to be a little bit too self-congratulatory regarding some of the things that had gone before, but it was not at all. There were some very good suggestions and proactive ideas for the Government to take forward. I congratulate her on bringing the subject before the House.

I thought the hon. Member for Penistone and Stocksbridge (Angela Smith) was particularly bold in bringing up the issue of fishing until I realised that the hon. Member for South East Cornwall (Mrs Murray) was not able to contribute to the debate, and suddenly it became an inspired move. I shall note that move for myself in future. Although there was much discussion about the blue belt, the hon. Member for South East Cornwall is a black belt when it comes to defending her local fishermen.

My hon. Friend the Member for Falkirk (John McNally) gave a lovely speech about the Scottish hills and bonnie glens that we are all so proud of, but as he rightly said it is about so much more than that. He gave a very honest report card on the Scottish Government's efforts—some that we are very proud of and some that we need to work harder at.

The hon. Member for Bristol East (Kerry McCarthy) is a redoubtable champion of this whole issue. I hear she even braved yesterday's Westminster Hall grouse debate to put forward an alternative view. Although I may not agree with her on that subject, it is really important to have voices on all sides that provide balanced argument. I thank her for her contribution today and for joining the fray yesterday. She made some excellent points. Throughout the debate, the importance came across of the Government joining up the dots of all the different plans to create the right picture for the future.

I googled the Bristol onion, which Members may be interested to know is also known as the round-headed leek. It is beautiful, with purple flowers.

Kerry McCarthy: I was going to say that it is also known as the bald-headed onion, but I think it is the ball-headed onion—I had better make sure I got that right.

Calum Kerr: The phrase I always use is that God only made so many heads perfect; the rest he covered up with hair.

The hon. Lady mentioned swifts. I was looking at my front lawn recently and my front grass is looking a little the worse for wear—I am sure all MPs can relate to

that, unless they have a gardener—apart from one little, very green patch, which is underneath where the swifts nest, so they are also good for fertilising the front lawn.

As someone relatively new to politics, one of the reasons why I have liked this debate so much is that I cannot help but observe that we are all in some way guilty of living in the present, as my hon. Friend the Member for Falkirk said, and not projecting forward to consider the longer term implications of our decisions. MPs' inboxes are full of short-term issues that need fixing, so it can be all too easy to ignore longer-term challenges. At times, we struggle to think beyond the five-year parliamentary term but, as we have heard today, the WWF's "Living Planet Report" claimed that we are potentially facing the first mass extinction of species in 65 million years. If that is not a wake-up call, I do not know what is.

The scale of the challenge must not deter us. We have a duty to our children and their children not to be deterred from this enormous task. All efforts to focus the minds of policy makers in this place are welcome. If major declines in biodiversity continue, we risk nothing less than the collapse of the life-support systems that sustain us all. There is no synthetic alternative to those precious natural ecosystems. The air we breathe, the water we drink, the food we eat and the economy that underpins our standard of living all ultimately depend on biodiversity.

These problems reach far beyond DEFRA's remit. This ought to be a common policy concern across all Government Departments, but let us be honest: we have very little sense of what approach the Government will take to the environment after Brexit and all its potential impacts on regulation and conservation programmes. I hope the Minister will give us a perspective on that today. Let me give one example of the Government's approach. In a recent study, ecologists found that 65% of the areas earmarked for potential shale gas extraction have an above average level of biodiversity. I would be interested to learn how the Government think they can square such roughshod policies with their headline claim that they want to leave the natural environment in a better state than they found it.

In contrast, Scotland is a global leader on climate change. The Scottish Government have already achieved their target to reduce emissions by at least 42% by 2020. At the last count, Scotland generated the equivalent of 57% of its electricity consumption from renewables, and we aim to generate 100% equivalent of Scotland's electricity from renewable sources by 2020. The UK Government's recent contribution has been to slash support for renewable energy, much to the exasperation of the sector. I do not want to dwell too much on the differences because nature does not have any regard for national borders. I would much rather use the remainder of my time to talk about programmes under way in Scotland to protect our remarkable natural environment.

Scotland provides the major part of the UK's contribution to the EU's Natura 2000 programme. More than 15% of our land is designated for a wealth of habitats and species. Natura 2000 is the largest co-ordinated network of protected areas in the world, offering a haven to Europe's most valuable and threatened species and habitats. Scotland remains a stronghold for a number of species, such as the Atlantic salmon and the freshwater pearl mussel, which are now threatened or extinct elsewhere

in the EU. Additional conservation efforts include the network of sites of special scientific interest, targeted conservation efforts for species such as the red squirrel and reintroduction programmes for species including the white-tailed eagle, the red kite and the beaver.

After Brexit, there will be no compulsion on the UK to set targets for energy saving or green energy, which are both essential for meeting Scotland's ambitious climate targets. On top of that, we face losing the protection that European courts offer if the UK Government fail to meet their commitments to the environment.

In conclusion, preventing the potential mass extinction of species due to the impact of human activity is about nothing less than keeping the only planet we have habitable. No country can tackle these challenges in isolation; they demand transnational co-operation, binding commitments and mutual trust. Given the Government's claim that Brexit will revive Britain's role on the global stage, let us hope that they choose to take a long-term view and put our duty to protect the planet and the diversity of life upon it at the heart of all they do.

3.35 pm

Rachael Maskell (York Central) (Lab/Co-op): It is a pleasure to serve under your chairmanship, Mr Evans. This has been a fantastic and detailed debate. I start by thanking the right hon. Member for Meriden (Dame Caroline Spelman) not only for bringing her interest and expertise to the debate but for championing the relationship between natural capital and development, and its importance to the sustainability of this planet.

I first want to make an interjection about the species that I champion in York, the Tansy beetle. This year, its number grew substantially, despite York's being under floodwater for several months. We have so much to learn about the behaviour of these species and what happens there. I am trying to grow the Tansy plant at home to help that species be even more productive in the future.

Last year was a very important year for us all. Not only were we signatories to the UN sustainable development goals, but we had the agreement in Paris on climate change. Both are very important indeed for challenging the real issues facing our planet at this time. Often in this place, we involve ourselves in debating the minutiae of operational processes, as opposed to taking a step back and looking at the big issues of our time and the global crises we are facing in this era. Therefore, it is a shame that there are not more parliamentarians here. I trust that this is the beginning of a process, not the end.

There are 169 targets that came from the 17 sustainable development goals, addressing issues such as climate action, life above the water—on land—and life below the water. What we have learned from these processes is that we alone in isolation will not make a difference. It is in the strong global partnerships we form that ambition can be realised.

The most important reason for staying in the EU is that it gives us an influential voice. Now that we have a determination to take another path, it is important for the Government to make sure we have that voice in the future. I call on the Minister today to say how we will have a voice on that global stage to ensure sustainability in the longer term. That was the point that my hon.

[*Rachael Maskell*]

Friend the Member for Penistone and Stocksbridge (Angela Smith) was making with regard to fishing policy. Fish do not stay static in waters; they move. Therefore, it is so important that we have a seat at the table and a voice in that debate.

As we look at the global challenges that we face, we know that the environment is often at the heart of those issues—whether it is about population migration, for instance, or what is happening to our planet at this time. Our population has multiplied five times since the start of the last century. We know that we have got to address how we are consuming our planet at this time. We are using up 1.6 planets-worth of resources every year. That is not sustainable. We have to take a different direction if we are to be sustainable into the future.

I have to question the Minister again about the policies that are being pursued by her Department—for instance, over trade. Why, rather than focusing locally, are we trotting halfway around the world to build stronger trade relationships with emerging economies, as that increases our carbon footprint and therefore the damage that can be done to our planet? We need to ask challenging questions about what we are doing at the moment.

Biological diversity is a huge global asset. The interlinking of each element is so delicately balanced, as we have heard in today's debate. The lack of prioritisation of the importance of this issue is seen as a serious threat to specific species and the whole ecosystem. That is why, 24 years ago, the convention on biological diversity moved things forward, acknowledging that we need to be putting things in order. That is why the Aichi targets, of which we have heard so much today, have set out the global framework for moving biodiversity forwards and are so important to ensure sustainability in future. Those 20 targets drill down to another 114 more specific actions—again, targets and actions coming out of global plans. We need to respond with our UK biodiversity action plan.

Around the globe, nations have put together their plans—high on ambition, but delivery makes the difference. It is so important for us to ensure that we can deliver and, obviously, we have heard about the serious risks that we will not now deliver on the plans by 2020. That is deeply concerning in a developed country, that we cannot put that in order. That is why the report that stimulated today's debate, the "Living Planet Report", by WWF and ZSL, and earlier this year the "State of Nature" report made startling reading. We do not have time to waste, we cannot delay and we cannot say that we missed our targets because we did not do the right actions, because the next generations will not forgive us for that. Therefore, it is so essential that we move forward.

We have been failing the targets. We want to know how we will complete the network of marine protection areas. How will we ensure that we have planted enough trees? What is happening to our air quality, with 50,000 people in our own country dying each year from poor air quality? And our soil has only around 32 harvests left to sustain the future. So we have real concerns moving forward.

The fact is that where we are, the analysis has been done, the reports have been made, the targets have been set and monitoring processes are being put in place, but

the issue is political ambition and delivery. That is where my concern sits. If we are honest, this House saw the movement towards the Climate Change Act 2008, put forward by Labour, which was really momentum building, moved the whole issue forward and delivered a world-changing agreement on the back of it. That legislation was leading the world, but we have not seen the same on biodiversity and we are certainly not seeing the same importance being placed on that agenda by the Government.

That really concerns me, and my biggest call today is that this agenda is mainstreamed into every area of departmental and Government work. We may look at issues in their silos, when it is very easy to say, "That's a DEFRA issue," but as the right hon. Member for Meriden said, this one links in with development, industrial strategy and, as we have heard, energy strategy. It is so important that we mainstream this agenda into the future.

The reality, and another concern I have, is that we are a consumerist society, which is a focus of what I am looking at. How do we address consumption? We cannot keep consuming our planet, living our lives and saying, "These are our rights!" without serious consequences for generations to come. We therefore have to look at how we take that forward. That is why I was disappointed that the Minister did not embrace issues such as the circular economy when she appeared before the Select Committee. We have to move these issues forward—it is so important.

I have been heartened, I have to say, by the Welsh Labour Government addressing the issue of how we change behaviour and move things forward in their Well-being of Future Generations (Wales) Act 2015. This Act is about improving the social and economic environment, as well as cultural wellbeing in Wales. It is the first serious attempt to see driven changes in behaviour towards the wider environment. We have also heard today about Scotland and about putting these issues at the heart of economic strategy.

Loss of natural capital impacts on so many things—not just our air, land and sea, but our health and wellbeing, and our communities and livelihoods. With poor air quality and 5.5 million people dying prematurely, we also know that 663 million people do not have access to clean and safe water. In the UK, soil degradation is leading to 2.2 million tonnes of lost soil every year and, across the globe, only 15% of soil provides the quality needed to grow our crops. Therefore, we have to drive change forward.

In concluding, I want to say first, as many colleagues have already said, that the 25-year plan has been delayed and that, although we know a framework is on the way, what my hon. Friends have said is absolutely right: the integration with farming is absolutely essential. There is no point having two parallel plans. We need to move the plans into one, so that we get the balances right and so that we understand what the real issues are. That is a first step that the Government could take towards mainstreaming such issues as biodiversity.

Secondly, I want the Minister to give feedback on how she is mainstreaming this issue right across Government. If she has not been to date, how will she take that forward?

Thirdly, also called for across the House today, we can work together across the House on moving our biodiversity system forward. The reality is that the

planet is so fragile, and the Government do not have a monopoly of wisdom on these issues, but if we work together we might just have the solutions needed to change behaviour. If change of behaviour starts at home, then every single parliamentarian has a responsibility back in their constituencies to lead things to a new place. We have even more responsibility in this place. Will the Minister therefore be prepared for a cross-party working group to look specifically at how we move the whole agenda around biodiversity forward to ensure that we do not miss our targets? If Government miss their targets, we are all affected, and the next generation is too. On those three requests, I would like an answer from the Minister.

3.46 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 Evans. I thank my right hon. Friend the Member for Meriden (Dame Caroline Spelman) for securing the debate. She has great experience in this field, as she eloquently illustrated. I also welcome back several hon. Members who were in this Chamber yesterday. Large elements of that debate covered biodiversity, and in particular we discussed actively managed heather moorlands, which I learned are rarer than rain forest.

Angela Smith: When talking about heather moorlands, it is always best to remember that they are built primarily on blanket bog, and it is the bog itself that is really endangered and degraded by environmental impacts over a 200-year period.

Dr Coffey: Which I am sure is why the hon. Lady will welcome our strategy to tackle the matter.

As referred to extensively, last week WWF and the Zoological Society of London published the “Living Planet Report”, which included specific data and conclusions about the direction of travel and certain species being in decline. That is clear, but we need to be slightly cautious in extrapolating to a global scale from the detail of specific datasets in the report.

Biodiversity loss is a global problem that needs a global solution. Through schemes such as the Darwin initiative and the international climate fund, the UK supports projects that directly help developing countries to protect their biodiversity. Over the past 12 months, we have seen the agreement of a range of measures at international level, from the adoption of the Paris agreement on climate change last December, to which the hon. Member for Falkirk (John Mc Nally) referred, through to last week’s agreement to create the world’s largest marine protected area in the Ross sea in the Antarctic. As part of that landmark decision, countries also agreed to a proposal by the United Kingdom to protect areas after ice shelf collapse and retreat.

The global community has adopted targets to drive action on key areas of concern, most recently in 2010 under the convention on biological diversity, on which my right hon. Friend the Member for Meriden was herself instrumental in reaching a final deal. Last year, those targets were reflected in the global goals for sustainable development. At the CBD meeting in December, we will hear that while there has been significant progress towards some of the 2010 targets, without further action

many will not be achieved by 2020. The UK’s core aim for the meeting is to promote effective international action to halt the loss of biodiversity. We will work to agree strategic actions to mainstream biodiversity across other sectors, as well as to gain recognition for the important links between biodiversity, climate change and the global goals.

Our scientific expertise is globally recognised. UK scientists led the vital assessment of pollinators that will be presented to the CBD meeting and that provides the evidence to end up in international action. As we have heard, the December meeting will centre on the theme of mainstreaming, which is about taking on an integrated approach and putting conservation in the broader context of long-term prosperity and sustainability.

Our 25-year environment plan will help us to achieve mainstreaming in the United Kingdom—certainly in England and perhaps in other parts of the United Kingdom—and will put in place the foundations to ensure that everyone has the chance to become responsible stewards of the natural environment.

To answer Members’ specific direct questions, it is not possible for Ministers to attend all such meetings, which means that it is necessary to take strategic decisions about whether to attend. I confirm—I have already made this clear to the House in other ways—that a Minister will not be going to Mexico this December, but a considerable amount has already been achieved and our officials are clear about the levers that they can pull to achieve our strategic objectives.

Dr Offord: Having been a Parliamentary Private Secretary myself, I am aware of the ministerial code. If no one else is able to attend, perhaps an able PPS would be able to go.

Dr Coffey: I am not aware that there is any leeway in the ministerial code for PPSs to attend as Government representatives.

Dr Offord: Will the Minister give way a second time?

Dr Coffey: No, I will not. There is an option for a PPS to accompany a Minister, but PPSs are not Ministers and therefore cannot represent the Government in that way.

I will give some examples of levers that can be pulled. DEFRA has invested £140 million of international climate finance and committed a further £200 million to forestry projects that protect the world’s most biodiverse rain forests. For example, in Brazil, which is home to 12% of the world’s forests, our investment is protecting biodiversity by helping farmers transition to low-carbon technologies. By working with other Departments, such as the Department for Business, Energy and Industrial Strategy and the Department for International Development, we can deploy international climate funding as part of our climate change efforts, which help biodiversity.

I assure Members that the Government take global biodiversity loss seriously, as demonstrated by the strong UK presence at several significant international meetings this year that have addressed that subject. Between September and December, there will have been four major international meetings: the Convention on International Trade in Endangered Species meeting, the International Union for Conservation of Nature and Natural Resources congress, the Vietnam conference

[*Dr Thérèse Coffey*]

on the illegal wildlife trade, and the CBD meeting. DEFRA will continue to be a strong influence at those meetings.

I attended the CITES meeting and the Secretary of State will attend the IWT meeting later this month. At CITES, we adopted measures that will protect critically threatened species such as pangolins, opposed the resumption of commercial trade in ivory, adopted enhanced global rules on hunting trophies—the hon. Member for Bristol East (Kerry McCarthy) correctly pointed out that that is about much more than just the iconic big animals—and in particular made groundbreaking moves on rosewood. I learned at the conference that more than two thirds of what CITES protects is flora rather than fauna. While in South Africa, I visited Kruger park specifically to see UK Government-funded tracker training to help stop rhino poachers. [*Interruption.*]

Mr Nigel Evans (in the Chair): Order. There is a Division in the House. Minister, I think I am right in believing that you are nowhere near coming to a conclusion. You still have seven and a half minutes.

Dr Coffey: I'm afraid so. Well, not afraid—delighted.

Mr Nigel Evans (in the Chair): Quite right too.

3.52 pm

Sitting suspended for a Division in the House.

[*MR ADRIAN BAILEY in the Chair*]

4.7 pm

On resuming—

Dr Coffey: It is a pleasure to serve under your chairmanship, Mr Bailey.

To reiterate, while in South Africa, I visited the Kruger national park specifically to see UK Government-funded tracker training, which is intended to stop rhino poaching. It is extraordinary to think that success is measured by the fact that, instead of two to three rhinos being poached a day, it is down to one a day. I am pleased to say that the canine unit is particularly successful. It has a dog called Killer, who has managed to get more than 100 poachers—it does not kill them; it just stops them—and in the 24 hours I was there seven poachers were found. Well done, Killer and the trackers.

To talk about the UK, in January, we published our latest assessment of UK progress with national and international commitments on biodiversity. As at the global level, our indicators give a mixed picture, but I do not think it is quite as bleak as painted by the hon. Member for Penistone and Stocksbridge (Angela Smith). There are many areas in which we are doing well. We are world leaders on natural capital accounting. My hon. Friend the Member for Hendon (Dr Offord), who is no longer in his place, referred to the fact that the Natural Capital Committee reports to the Chancellor; it does so through the Cabinet Sub-Committee on Economy and Industrial Strategy.

We lead the way in protecting our marine environment and have delivered on the commitment to create a blue belt of marine protection across the UK's overseas territories, announcing new areas of protection around

Pitcairn, St Helena, Ascension and Tristan da Cunha. Seventeen per cent of UK waters and 21.8% of English waters are now designated as marine protected areas.

We have announced plans to ban the sale and manufacture of products containing microbeads, which can cause harm to the marine environment. Since the publication of the Government's "Biodiversity 2020" strategy in 2011, an additional 15,000 hectares of our most important wildlife sites have been restored to a fully healthy state. More than 90% of our most important wildlife sites are in a healthy or improving condition, hitting our goal for 2020 already.

Our new countryside stewardship scheme is more targeted at our most important habitats and species and includes, for the first time, a wild pollinator and farm wildlife package as well as support for farmers, through the facilitation fund, to work together beyond their own farm gates. Some of our water companies are actively managing upstream habitats and so reducing their costs in purifying water, while conservation groups have found innovative ways of funding habitat management, such as providing cut reeds as biomass for bioenergy plants, as seen in the Waveney valley.

We have set in hand the creation of nearly 115,000 hectares of priority habitats such as meadows and traditional orchards, which is well over halfway towards the 200,000 hectare "Biodiversity 2020" target. We have achieved 63.45% of priority habitat in favourable or recovering condition. Woodland cover in England is at its highest level since the 14th century and I am confident that our manifesto commitment to plant another 11 million trees over the course of the Parliament is on track.

There are now otters in every county in England, and we have improved the fortunes of the bittern, the curl bunting and the greater horseshoe bat. A comprehensive national strategy has been in place since 2008 to tackle the threats posed by invasive non-native species and we have championed the introduction of the EU invasive alien species regulation to bring other member states up to UK standards.

However, it is clear that there are definitely still areas in which we need to do more, which have already been highlighted—for example, we need to reverse the negative trends on farmland birds, butterflies and pollinators. One way we hope to achieve that is through our 25-year environment plan, which will build on our successes and, together with the food and farming plan, set the direction for policy. We are consulting on a framework in the next few months to help us to develop the 25-year environment plan. We will set out what my officials say is a game-changing approach—a new approach to managing the environment, building on already good pillars of success.

Extensive reference has been made to the overseas territories. The UK is custodian of precious and unique environmental assets, including in the overseas territories, many of which are small islands that are highly vulnerable to environmental challenges, in particular through human activities and the introduction of invasive species. I am pleased that leaders and representatives of the overseas territories are in London this week to meet the Government to discuss a range of issues, including climate change and the environment, and I look forward to my meetings tomorrow.

I will take away the point made by the hon. Member for Bristol East about dedicated officials and compensation

not going directly to the overseas Administrations. We know that the Darwin Plus fund, which was established in 2012, brought funding for environmental projects into one place to support the implementation of agreements such as the convention on international trade in endangered species and the convention on biological diversity. So far, 70 projects have been funded across 14 overseas territories, including Anguilla and the Cayman Islands, totalling well over £400 million.

During the last minute of my contribution I will try to address some of the other specific points raised. My right hon. Friend the Member for Meriden referred to the critical gaps that need to be filled in marine conservation zones. We will be consulting on that next year. I clearly do not know the geography of her local area as well she does, but I know that the biodiversity off-setting strategy for HS2 is being carefully considered in the work between my Department and the Department for Transport.

The hon. Member for Penistone and Stocksbridge spoke of fishing. I point out to her that the UK has led the way in marine conservation, for which I congratulate my hon. Friend the Member for Newbury (Richard Benyon) and the Minister of State, Department for Environment, Food and Rural Affairs, my hon. Friend the Member for Camborne and Redruth (George Eustice). Let us be clear: we want to ensure that, in any future co-operation scheme, there is no sliding back by any party on the important marine conservation progress that has been made.

The hon. Member for Bristol East referred to the Avon gorge and the Bristol onion—I wonder whether that is as tasty as it looks. She also referred to swifts, urban habitat loss and the innovative planning requirements in Exeter. That is a good example of local action, and it shows how local nature partnerships can work really well. I am sure that her mentioning it in the House today will bring it to the attention of other local nature partnerships.

The hon. Member for Berwickshire, Roxburgh and Selkirk (Calum Kerr), ably supported by the hon. Member for Falkirk, reminded us of Scotland's contribution to helping the UK achieve its international commitments. The hon. Member for York Central (Rachael Maskell) talked a bit about trade around the world. The country has to earn its living, and there are huge opportunities for environmental services. Air quality is a personal priority of mine that I wish to take forward. On the circular economy, let me be clear: I support the principles, I just do not like the name. In fact, many companies are already leading the way on that, and I assure her that the UK is actively involved in the negotiations.

The decision to leave the EU means we now have a unique opportunity to design a set of policies specific to the needs of Britain, its species and habitats. We will continue to provide strong international leadership on biodiversity and to work with the EU. Our goal is to leave the natural environment in a better state than we found it for future generations. I thank all hon. Members who participated in the debate.

4.14 pm

Dame Caroline Spelman: I am delighted that you have been able to join us for the latter stages of the debate, Mr Bailey. I am sure you will have picked up in that short time how important this issue is for the future of our countries and for future generations. I thought it was put incredibly neatly by the hon. Member for Falkirk (John Mc Nally), who said of our generation, "Let us not create a global extinction event as our legacy." I cannot underline that more. The debate has been an important contribution to making sure that, as far as possible, we leave a really good legacy for the next generation. I thank all hon. Members who took part.

Question put and agreed to.

Resolved,

That this House has considered global biodiversity.

Coeliac Disease and Prescriptions

4.15 pm

Mr Kevan Jones (North Durham) (Lab): I beg to move,

That this House has considered coeliac disease and prescriptions.

It is a pleasure to serve under your chairmanship, Mr Bailey. I am grateful for the opportunity to hold a debate that raises awareness of the problems facing those who suffer from coeliac disease and of access to gluten-free food prescriptions. It would be remiss of me not to thank the work of Coeliac UK, the national charity that represents people with coeliac disease, for not only supporting the campaign around the prescription of gluten-free food, but for its work to support sufferers.

Coeliac disease affects one in every 100 people in the UK. I declare an unwelcome interest: I actually suffer from coeliac disease, although I do not get prescriptions for gluten-free food. It is also worth noting that there are some half a million people in the UK who are completely undiagnosed, according to Coeliac UK.

Coeliac disease is a serious medical condition in which the body's immune system attacks its own tissue when gluten is eaten. The only medical treatment currently available for sufferers is a strict adherence to a gluten-free diet for the rest of their lives. In the late 1960s, gluten-free food was first prescribed to prevent long-term health complications. However, that rationale has now been challenged by some clinical commissioning groups, despite the fact that their position lacks supporting evidence for withdrawing such prescriptions.

Jack Dromey (Birmingham, Erdington) (Lab): I am grateful to my hon. Friend for bringing such an important debate on an issue that affects so many people. Does he agree that it is absolutely wrong that David Lissaman, a pensioner in my constituency, who thus far has been able to get gluten-free food on prescription, now faces the prospect of losing that as a consequence of the clinical commissioning group's review? He is a good man who served his country well. In his own words, he will "have to find ways" of significantly reducing the amount of food that he eats, which, because of his other health problems, could put him at risk.

Mr Jones: I agree, and I shall refer to certain demographics—pensioners being one—that are particularly affected by these proposals.

Some 40% of CCGs in England are now choosing to restrict or remove support for patients with coeliac disease, which is leading to increasing health inequalities and, basically, a postcode lottery for NHS care, depending on where someone is diagnosed. The CCG's rationale for going down that route seems to be justified on cost grounds alone. Indeed, Coeliac UK has made a number of freedom of information requests to try to get more details on why CCGs are changing their policies.

I will take a moment to read an example of a response to Coeliac UK's FOI request, which came from North East Essex CCG, where sweeping assumptions have been made that are completely devoid of any systematic research. That CCG stated:

"We appreciate that there is a large cost-differential between supermarket value brands and GF [gluten-free], but many people

within the CCG buy their bread from bakers or do not buy the supermarket value brands and the cost differential is therefore much reduced."

That type of anecdotal evidence, used by CCGs to justify their decisions about patient care, is in direct conflict with a paper produced in September last year entitled "Cost and availability of gluten-free food in the UK: in store and online". It said:

"There is good availability of gluten-free food in regular and quality supermarkets as well as online, but it remains significantly more expensive. Budget supermarkets which tend to be frequented by patients from lower socioeconomic classes stocked no GF foods. This poor availability and added cost is likely to impact on adherence in deprived groups."

Mr Jim Cunningham (Coventry South) (Lab): I congratulate my hon. Friend on securing this debate. The issue does not apply only to elderly people. I have had a number of young people write to me about this, who are very concerned that they may not be able to get gluten-free foods on prescription any more. Has he looked at the possible costs for people who are at the lower end of the earnings scale?

Mr Jones: My hon. Friend raises an interesting point. There is evidence—including from my own family—that gluten intolerance and coeliac disease run in families. If a young family includes several children with this condition, the cost could be significant.

Sir Gerald Howarth (Aldershot) (Con): To reinforce the point, my constituent Sheryl Rees has drawn my attention to the fact that her son was diagnosed with coeliac disease when he was two. He is now 11. She pointed out the cost of gluten-free items. For example, a small loaf is £3. A pizza is £4. Pasta is £2 a pack. Basically, she is paying double. She has a family of six. This is really impacting on her family's budget.

Mr Jones: The hon. Gentleman raises an interesting point, especially in terms of families with children. There is also a question of availability in some rural areas. Larger supermarkets stock some of these products at the prices he mentioned and higher, but in other areas the products are not available.

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

Mr Jones: I will make a bit more progress.

We have a situation where, in places such as east Essex, the needs of patients are being discounted despite a complete lack of any type of research. I am concerned that more CCGs across the country will begin to use inadequate justifications as a precedent and follow a similar path. That leads me back to my earlier point about the big problem of under-diagnosis. I am afraid we will see a bigger problem if gluten-free prescriptions are not made available to those on low incomes.

Dr Julian Lewis (New Forest East) (Con): On the specific point of failure to diagnose, until 20 years ago I had never heard of coeliac disease, and then I went out with a young lady who, as a teenager, had repeatedly gone to her GP knowing something was wrong. Coeliac disease was never diagnosed until she suffered something analogous to a stroke, which left her permanently all but unable to read. Although she has bravely developed

coping strategies over the years, there is no doubt that her life and career have suffered, and she should never have been put in that situation.

Mr Jones: The right hon. Gentleman raises a serious point about the life-changing effects that coeliac disease can have. I was only diagnosed by accident, in my 30s; my mother was not diagnosed until she was over 70. Early diagnosis is important, but it is not uncommon for people to live a long time without one being made.

The Health and Social Care Act 2012 included a duty on CCGs to have regard for National Institute for Health and Care Excellence quality standards, but NICE guidance on prescribing gluten-free food for the management of coeliac disease has only recently been published. It says:

“Gluten-free products are more expensive and are usually only available from larger retailers, making access more difficult for people on low incomes or with limited mobility. As coeliac disease can affect more than one member of a family it can also be an additional burden on the family budget”—

as the hon. Member for Aldershot (Sir Gerald Howarth) said.

“To address this, healthcare professionals should help people who may need support to find suitable gluten-free food products on prescription to enable them to maintain a gluten-free diet.”

Mims Davies (Eastleigh) (Con): I declare an interest, having been diagnosed in my late 20s. My cousin and all my second cousins are exactly the same. In fact, at university I was diagnosed with ME because I was so unwell and unable to work at various points.

This debate is an opportunity also to talk about the low incomes and limited mobility that can affect people's access to these basic items. We must also make a plea through Coeliac UK to supermarkets to ensure that what they provide, which is very expensive, is of better nutritional quality, with lower levels of salt and fat. Although these foods are gluten-free, they might be full of some awful stuff as well.

Mr Jones: The hon. Lady raises an interesting point, but I assure her that the products available today are completely different from when I was first diagnosed. The bread then was like cardboard, and today it is very much different.

There is a general duty for GPs to prescribe treatments for health conditions via the FP10 prescribing system where treatment is available, and in the case of coeliac disease that is a gluten-free diet. There is also a duty in legislation for CCGs to reduce inequalities with respect to patient access to services and outcomes, but because of the lack of explicit recommendations on prescribing from NICE, CCGs are being given a fairly free hand to make decisions that run contrary to reducing health inequalities.

Jim Shannon (Strangford) (DUP): I congratulate the hon. Gentleman on securing this debate. Prescription of gluten-free food as medication clearly needs to be regulated by the NHS across the United Kingdom. One of my constituents said to me this week:

“The disease is antisocial and can lead to isolation.”

Does the hon. Gentleman agree that the supply of food on prescription can have social benefits, as well as mental, physical and emotional benefits?

Mr Jones: It can. There is some anecdotal evidence about the connection between coeliac disease and mental health. The hon. Gentleman raises an interesting point.

This situation is creating considerable uncertainty for those who rely on access to gluten-free staples on prescription, and it is the vulnerable who are most adversely affected. Individuals with the disease are not eating gluten-free food out of choice or because it is some type of fad or Hollywood diet. They do so because they have to. It is people on fixed incomes or on benefits who receive free prescriptions and those whose households rely on deliveries from community pharmacies who will suffer most if prescriptions are withdrawn.

A number of people have written to me ahead of this debate, and I would like to draw Members' attention to their cases. Patricia said:

“The diet I and many others follow is not a fad. It is necessary as it will affect my health and wellbeing if not followed, and might actually result in my admission to hospital—an extra strain on the NHS.”

Rebecca Pow (Taunton Deane) (Con): Will the hon. Gentleman consider students in this category? Many of them are on low budgets. They might be tempted not to buy the right food and then end up being sick and in the NHS, costing the state more money.

Mr Jones: That is the main point. What some CCGs are doing is a false economy, because one hospital admission will cost more than the annual cost of prescriptions for an individual who adheres to a gluten-free diet.

Another person living with coeliac disease, Janice, who is a constituent of mine, wrote to me saying:

“I strongly believe that these plans will cause more expense to the government when coeliac patients can't afford shop priced gluten-free foods and don't stick to their diet and end up with cancer of the bowels”,

as well as other conditions. She went on:

“I am a pensioner and find it increasingly hard to afford luxuries like biscuits and cakes. If I have to add gluten free bread, pasta and cereals to my shopping list this will cause more stress. I cannot have any form of gluten, even in small doses, as I am violently ill.”

As well as a failure to consider the evidence before making decisions to withdraw gluten-free prescriptions, there is also evidence of a lack of public consultation by CCGs. Coeliac UK has been doing a good job of holding CCGs to account. One example it provided is of Trevor, who told Coeliac UK that he has never received confirmation in writing that the policy had changed; he was informed only when Coeliac UK told him. He was diagnosed 10 years ago and has only ever had bread on prescription. He is unable to work and has ongoing medical problems. His nearest shop is a Co-op, which does not stock gluten-free products, and the nearest shop that does is some six miles away. That creates problems for people such as him.

The CCGs that have already removed access to prescriptions for gluten-free products have not outlined or implemented policies that offer alternatives to safeguard patients, such as access to specialist dietary or nutritional advice. When a coeliac patient is taken out of a CCG's responsibility because their gluten-free food prescription has been withdrawn, that CCG can no longer monitor them or determine the changed policy's impact on that

[*Mr Kevan Jones*]

patient's health. This is an important factor, and I am concerned that it has not been taken into account by a number of CCGs.

In areas where gluten-free products are not prescribed, there is now no opportunity to encourage dietary adherence nor a prevention strategy for long-term management of people with coeliac disease. Effectively, patients who suffer the condition in these areas will be offered no support by the NHS. Although CCGs are engaged with local authorities and wellbeing boards to explore alternatives, none has yet been put in place.

The NHS has a good track record of involving the public in consultation, but the lack of consultation on the decision to withdraw prescriptions for gluten-free products is a disgrace, added to the fact that charities such as Coeliac UK are not consulted before such decisions are made.

Nic Dakin (Scunthorpe) (Lab): I congratulate my hon. Friend on securing this debate. The point he is making is direct and correct. The nine-year-old daughter of my constituent, Helen Frost, has coeliac disease and Helen is worried that prescriptions for gluten-free products may be taken away. The uncertainty is adding stress to a situation that is already difficult to manage.

Mr Jones: That is not even taken into consideration, as my hon. Friend says.

My concern is that cutting prescriptions for gluten-free products is a simple and easy target for CCGs under financial pressure. The entire prescription cost to the NHS in 2014 was £26.8 million or 0.27% of the total prescription budget—£194 per patient. The procurement system that the NHS has in place is not working. The market for gluten-free products in the UK in 2014 was some £211 million, but the annual NHS budget was around £27 million or 13% of that total market. I do not know why the NHS cannot negotiate contracts with some commercial companies. Failure in procurement will clearly have an impact.

I turn to the issue of pharmacists. Back when we had primary care trusts, some pharmacy-led supply pilot schemes were set up in a handful of regions in England. When a patient was diagnosed with coeliac disease, the pharmacy-led scheme allowed patients to access gluten-free food and to manage their coeliac disease. However, with the establishment of CCGs, that seems to have gone out of the window—except in Scotland, which has a national gluten-free food service: a pharmacy-led scheme based on pilots in the UK.

Will the Minister seriously consider introducing such a scheme in England? It would save time and money and be a better way of managing people with coeliac disease. It is worth noting that the annual cost of gluten-free food is lower than the annual cost of items that the NHS provides that cost less over the counter—for example, paracetamol and so on. I beg the Minister to consider that, if properly done, what I suggest would save money.

I know the Minister has been in post for only a few months and I am sure he receives many demands for things to be provided by the NHS, but I am also sure his officials have briefed him on the principles of the NHS: that it is a comprehensive service available to all with

access to NHS services based on clinical need, not individual ability to pay, and that it aspires to put patients at the heart of everything it does. This issue is about limiting choice because of cost.

In conclusion, the issue needs urgent intervention. It is not fair to individuals and there is a postcode lottery. A pharmacy-led system could be delivered better and more effectively. At the of the day, the people affected have no choice but to have a gluten-free diet. We should not ration care for some of the most vulnerable in our society.

4.35 pm

The Parliamentary Under-Secretary of State for Health (David Mowat): It is a pleasure to serve under your chairmanship, Mr Bailey. I congratulate the hon. Member for North Durham (Mr Jones) on leading the charge on this subject. There is clearly consensus in the Chamber on the direction the Government should take. I will make a few points about where we are and what I think we need to do, and leave time for him to sum up.

Mr Adrian Bailey (in the Chair): Order. In a half-hour debate, the mover does not have the opportunity to sum up at the end, so you have a little more time than you thought, Minister.

David Mowat: Thank you, Mr Bailey.

As the hon. Gentleman said, one in 100 people in the UK suffer from coeliac disease. Interestingly, I was not aware of it until a year ago, when I was tested for the disease—fortunately I was negative. It is a significant disease that benefits from early diagnosis, and the points made about diagnosis were valid. Coeliac disease is an autoimmune condition: gluten damages the small bowel and the immune system feeds on it, resulting in a range of symptoms including diarrhoea, iron deficiency, tiredness and weight loss. It can exacerbate, if not cause, osteoporosis and mental health issues.

As we have heard, the only treatment is a gluten-free diet, which has two components. Meat, fish, fruit and vegetables do not contain gluten and generally do not need to be prescribed, but staple foods such as bread, pasta and flour and non-staple food such as biscuits do contain gluten. Since the 1960s, when the medical community was becoming more aware of the disease, those staple and non-staple foods have been prescribed pretty much, it is fair to say, without limit until recently. We spend something like £28 million a year on these prescriptions and in the great scheme of NHS costs that is not huge when considering the cost of cancer drugs and so on. It is true that we are now seeing a postcode lottery emerge, and I will say a little about why.

The other thing that has happened since the 1960s—I think the hon. Gentleman will concede this—is that the supermarkets and the retail trade have begun to get their act together in selling these products, although of course they are not available to everyone. Many supermarkets now have areas with gluten-free products, including bread and pasta. The products are more expensive than the equivalent non-gluten-free products, but they are certainly more available than in the past and a real alternative. Added to that, the fish and meat part of the diet, which is the same for sufferers and non-sufferers, is available to both.

Kevin Foster: The Minister is making valid point about supermarkets. Will he suggest to CCGs such as Torbay in south Devon that there is a halfway house and that instead of scrapping the prescription of gluten-free products they could provide vouchers that could be taken to a local supermarket?

David Mowat: That is an interesting idea, which I will consider, but I am not briefed to talk about it. The position of most Members on this issue is very clear from the tone of this debate and the points being made, and we will respond to that.

Rebecca Pow: Will the Minister give way?

Liz McInnes (Heywood and Middleton) (Lab): Will the Minister give way?

David Mowat: First to my hon. Friend, and then to the hon. Lady.

Rebecca Pow: This is highly relevant. I, too, have been contacted by constituents who have suggested this voucher idea—that the bona fide coeliacs get the staples and so many vouchers a month, not for all their products, but for the bread, pasta and absolute staples.

Liz McInnes: Is the Minister aware that the annual cost per diagnosed patient of prescribing gluten-free food is £180 per year? Weigh that up against the cost of avoiding infertility, bowel cancer and osteoporosis. What is the obvious conclusion for any NHS professional?

Mr Adrian Bailey (in the Chair): Order. Before the Minister responds, can I point out that he has been very generous in taking interventions, but the debate has to finish at 4.45 pm?

David Mowat: I made the point earlier that one in 100 people suffer from coeliac disease, and that £28 million is not a huge amount of money in the context of the entire NHS. I am sure the hon. Lady's arithmetic stands up to that, and those are fair points.

If I may, I will set out the postcode lottery that has emerged. So far, 11 out of around 200 CCGs have ended all gluten-free prescriptions; 27 offer only bread and flour; 20 offer only bread, flour and pizza; 92, which is still by far the majority, broadly follow the Coeliac UK guidelines and offer a full range based a little on

age, gender and other restrictions; and only four CCGs now have no restrictions whatsoever. The arguments about this are clear. Many poorer people, in particular—low-income people—are affected by the need to source their gluten-free products in different areas. CCGs are under pressure—the whole of the NHS is under pressure—and choices have to be made. It is true that £28 million is not a huge amount of money, but with £28 million here and £28 million there, we are soon talking about real money. It is true that choices have to be made, but it is not clear to me that this is an area in which the right choice is always being made.

In the couple of minutes available, I want to set out the actions that I think we should take. First, the hon. Member for North Durham correctly said that the community pharmacy sector has a role in this and is not so far being utilised as much as it could be. I think that he was wrong to say that it has stopped doing this in the transition from PCTs to CCGs. Something like 200 community pharmacies—15% of the total—do stock and sell gluten-free products. We are doing a review into the community pharmacy sector, trying to get it more focused on services. This is a very clear example of the sort of thing that we should be paying it to do, and when the Murray review is complete, I will—I am sure the hon. Gentleman will hold me to account on this—endeavour to make sure that that happens.

The hon. Gentleman mentioned consultations. CCGs should not withdraw gluten-free products without a consultation. My understanding is that in all cases where that has happened, a consultation has taken place. If he can provide me with evidence of that not being so, I will follow up and take action. The information I have been given is that consultations should always have taken place.

Finally, there is the issue of the postcode lottery. It is true that we give CCGs a lot of power in our system, in terms of making clinical decisions. The idea behind that is that they look at local considerations and balance the various options that they have. However, I will see to it that a review is done, hopefully within the next six months, of prescribing policies, and we will endeavour to come together with something that is more consistent, in a way that means we can actually make progress on this. I thank the hon. Gentleman for his contribution, and I thank everybody that has made an intervention in this debate. It has been a good debate, and a useful one for us to have had.

Question put and agreed to.

National College for Wind Energy

4.45 pm

Melanie Onn (Great Grimsby) (Lab): I beg to move,

That this House has considered the National College for Wind Energy.

It is a pleasure to serve under your chairmanship, Mr Bailey. I wish that this debate was not necessary, but with the autumn statement in just three weeks' time, once again the Government look set to omit a deal for the proposed national college for wind energy, meaning that the project will stay stalled. The college was first announced in December 2014 by the then Business Secretary, the former Member for Twickenham. Three other colleges were aimed at addressing existing or forecast skills shortages in particular industries, and the policy included £80 million of Government funding to be matched by employers. However, difficulties at the due diligence stage of developing the bid with the private sector meant that the funding application could not be submitted in time, and the project was not included in last year's autumn statement.

The original proposal was for a hub-and-spoke model. The college located in the Humber area would deliver training, allow partners to use the site for expertise that was not available elsewhere, and act as a co-ordination point for other skills providers located elsewhere in the country in order to maximise access. Following the failure to develop a funded plan for that before the deadline, alternative proposals were suggested, including one whereby there would be no physical college, but merely a national college badge for training providers as a guarantee of quality. I am glad that that idea no longer seems to be under consideration.

I will come to the various barriers that are preventing the deal, but it is important to note that this proposal was a pre-election promise by the coalition Government to invest tens of millions of pounds into the Humber region and to boost our local offshore wind industry. As it stands, that is a broken promise, which can be added to a pile of pre-election northern powerhouse funding commitments that quickly unravelled after last May.

Clearly the Government need to take the wheel if the college is ever going to be delivered, but I am now really concerned that the new Government are neglecting this proposal. When I and colleagues representing constituencies in the Humber, who I am delighted have joined me here today, met the previous Ministers for Business and Energy—the hon. Member for Grantham and Stamford (Nick Boles) and the right hon. Member for South Northamptonshire (Andrea Leadsom)—back in March 2016, they assured us that they remained committed to delivering the college, but now it simply does not seem to be on the Government's radar. Following the appointment of the current Cabinet in July, I wrote to the Secretary of State for the new Department for Business, Energy and Industrial Strategy, calling on him to work with the Education Secretary to ensure that a suitable proposal for the college was ready in time for this year's autumn statement. I am still waiting for a reply.

The Prime Minister sent an awful signal to the energy industry when in one of her very first acts she scrapped the Department for Energy and Climate Change. She now has to show the industry that she is serious about

giving it the attention that such an important sector of our economy requires. The day after my application for this debate was granted, my office received a call from the Department for Business, Energy and Industrial Strategy. It wanted to know whether it or the Department for Education needed to send a Minister to respond today. That suggests that there has been absolutely no communication between the two Departments on this subject for four months, and that is incredibly disappointing. I say to the Minister here today that when he goes back to his office, he should pick up the phone to his colleagues in the BEIS and get to work on delivering what was promised.

When the college was first announced less than two years ago, the then Business Secretary said:

“The UK can no longer afford to lag behind countries like France and Germany, which have invested heavily in technical skills at the highest level for generations. The National Colleges will function on a par with our most prestigious universities, delivering training that matches the best in the world. They will help build a strong, balanced economy that delivers opportunity across all regions in the UK.”

That all remains true today: skills provision in this country does not match its ambitions and there is still a need to support industries such as offshore wind that provide good jobs outside London and the south-east. As a relatively young and fast-growing industry that demands high levels of skills, it is no surprise that offshore wind sites have sometimes struggled to find workers already equipped with the necessary capabilities for the jobs. Mike Parker, who was chair of the Humber local enterprise partnership's employment and skills board, said that the national college would be “a major step forward in helping the UK bridge that gap.”

RenewableUK, the trade body for renewable energy, has highlighted some of the challenges specific to offshore work in training employees. Personnel need to receive training in real working environments, and it has to be done safely; such conditions are difficult to replicate. That accounts for the need for advanced skills training in the construction and operation of turbines offshore. It takes four years of training to become a wind turbine technician.

A RenewableUK study from two years ago found that more than a third of wind and marine energy firms were having difficulty filling certain positions. The TUC argued in its “Powering ahead” report that the skills gap in renewables requires training to be given equal weight to what are currently described as the three pillars of energy policy: security, affordability and sustainability.

Nic Dakin (Scunthorpe) (Lab): I congratulate my hon. Friend on securing this important debate. The Humber local enterprise partnership has prioritised skills and training and it has done a good job. Does she agree that a Government commitment to deliver and complete their promise on wind energy, by agreeing to get the college moving forward, would be a real, much-needed vote of confidence in the Humber LEP and the Humber region?

Melanie Onn: I could not agree more. The significant skills gap across many industries has been noted and recognised in the local area. The Humber region is particularly eager to capitalise on the growth in the offshore industry, whether we are talking about Siemens,

DONG Energy, E.ON, Centrica—I could go on. The number of international companies that are choosing to base themselves in the Humber area is increasing by the week and we must have the local workforce skilled to meet the requirements of industry.

The report argues that not only are apprenticeships and further education courses needed to provide opportunities for young people to access the renewable energy industry, but we need institutions such as the national college in order to give workers in the oil and gas industries the skills to transfer over, as high-polluting industries are gradually replaced by those in the green economy. I do not think that the issues that made the college necessary two years ago have altered that much in the past two years. I would argue that the only major changes we have seen since 2014 make it more important that the college is developed.

As foreign companies are looking at whether to invest further in the UK, the uncertainty over future immigration policy makes it vital for the UK to be able to offer workers with the necessary skills and training to do the job. Following through on the national college for wind energy would be a commitment to the future of the industry, assuring energy companies that Britain is committed to the offshore wind sector for the long term and therefore providing the certainty they need to continue investing in our economy.

Developing the college is also of regional and local importance. The Humber region was due to be the location for the college under the original plans for a really good reason: thousands of people across the energy estuary are employed to work on the wind farms and in the supply chain, with the Hornsea, Race Bank and Triton Knoll sites all set to employ hundreds more in the near future.

Organisations within the region have welcomed the new industry with enthusiasm. The Humber LEP, for example, set an ambition in 2014 to make the region

“the national centre of excellence for energy skills.”

We have already seen investment in training and opportunities for young people. Indeed, an apprentice from a local firm was at an event in the House of Commons today, so apprentices I have met in Grimsby are making the journey to champion their organisations here in Parliament. They have the opportunity to take advantage of the fantastic new £10-million training facility that AIS Training built last year. That investment shows the confidence that local business has in offshore wind.

An apprentice I have had the pleasure of meeting is Michael. I have told his story a number of times but I am going to do so again, because it made a significant difference not only to me and the way I view the offshore wind industry, but to hundreds of people in a room at a skills fair that I held earlier in the year. Michael was 19 at the time, and his ambition was to be a skipper on one of the North sea service boats that go out and maintain the turbines. I invited him along to the skills fair; he thought he would be telling a small group of young people in a classroom a little bit about his job, so having never spoken to an audience before, he was rather surprised to be in front of an auditorium of about 200 people, who were all very keen to hear about how he found his way into an apprenticeship in the wind industry.

The significant thing about Michael, in his own words, was this:

“Seven months ago I was on jobseeker’s allowance, and had no plans and nothing to bring to the table. North Sea Services didn’t judge me for all my tattoos and took me on. Seeing the wind turbines close up is mind-blowing. The work that goes into them is unbelievable. I’m trying to show them that I’m worth keeping on.”

Happily, North Sea Services did keep him on, and Michael was part of the vessel crew that took my hon. Friend the Member for Wigan (Lisa Nandy) and I out to visit the Humber Gateway turbines in June. His story shows why it is so important that this industry continues to grow and that the college is developed: so more young people in towns such as Great Grimsby have a chance to make something of their lives, and to have a job they can be proud of.

Great Grimsby was one of three sites in the Humber region that were originally touted to host the college. I want to say why it would be so important for the development of my town, and I hope that my neighbouring colleagues will excuse me for championing my town as the host town for the college. For more than a century, Great Grimsby was a one-industry town. Fishing not only employed thousands of local people but gave them their identity, their community and their pride, and we are still feeling the effects of its decline. My constituency has one of the highest unemployment rates in the country, and because of the lack of opportunity one in three of our children grows up in poverty.

I have said it before, but it is true: offshore wind has brought a renewal of hope to Grimsby. It is playing an important role in redefining what my town offers not just to our own people, but to the rest of the country. We are already the renewable energy capital of England and being home to the national college for wind energy would be vital for the same reason. It would also give more local people the opportunity for a proper career, with high-skilled work—something that until recently young people felt they would have to go to the big cities to find.

The Prime Minister said last month that the Government’s industrial strategy was

“about identifying the industries that are of strategic value to our economy and supporting and promoting them through policies on”;

among other things, “training” and “skills”. She also spoke about the importance of economic revival in parts of our country that have lagged behind London and the south-east for too long. If this Government are to live up to the Prime Minister’s conference speech, they need to show leadership and get this project moving again. If industry is now reluctant to commit funds to the project, citing greater risk, lower growth, and a lack of clarity on skills policy, the Government should assuage those concerns by committing to support the industry.

We have seen in the past week that the Government are willing to support specific industries and even individual companies, as with Nissan. It is good news that Nissan’s future in Sunderland is secured, but it is just as important that the Government meet their commitments to the wind energy industry. The Government should also remind the energy companies that they have a stake in this. They have received large subsidies from taxpayers and have a responsibility to ensure that their business benefits the towns and cities in which they operate, and

[*Melanie Onn*]

it is in their interest to build a workforce for the future. I hope that the Minister gives us, at the very least, an assurance that the Government have not given up on this project and will set out how he plans to move forward with it.

4.59 pm

Martin Vickers (Cleethorpes) (Con): As always, it is a pleasure to serve under your chairmanship, Mr Bailey. I congratulate the hon. Member for Great Grimsby (*Melanie Onn*)—my Member of Parliament—on securing the debate and on outlining the importance of such a college to the Humber region and, even more important, to the Grimsby-Cleethorpes area, which is very much dependent on the development of the offshore renewables sector for the local economy to succeed and develop. In order to do that, as she pointed out, the correct training facilities are essential. We want to get local people, particularly younger people, trained up so that they can take advantage of the new industries.

At the moment, too many highly-skilled workers are being imported from Denmark, Germany and the like. We must get to a situation in which our younger people develop skills so that they can move into those jobs in the near future. As has been pointed out, the companies have a duty. I think that the hon. Lady was a bit too critical of the Government. I have never been shy of criticising the Government when necessary, as my Whip would happily confirm, but on this occasion we have seen a commitment, certainly from the coalition Government when the original announcement was made, and subsequently.

Karl Turner (Kingston upon Hull East) (Lab): The hon. Gentleman said that my hon. Friend the Member for Great Grimsby (*Melanie Onn*) was critical of the Government. Does he not agree that it is a bit damaging, to say the least, that the Prime Minister—within a few minutes, apparently, of taking office—scrapped the Department that everybody, including all those investors, were looking to in order to make things happen?

Martin Vickers: I thank the hon. Gentleman for his intervention, but I do not agree. There is an obvious synergy between the various Departments that were merged into the new Department for Business, Energy and Industrial Strategy—BEIS, as I think we are supposed to call it. What matters is that there are spokesmen such as my right hon. Friend the Minister who are determined to develop skills and the energy aspects of the Department, so I will sweep aside the hon. Gentleman's intervention.

As the hon. Member for Great Grimsby knows, there are facilities in our region. She, like me, will have visited the Grimsby Institute. I know that she has visited HCF CATCH, the training facility at Stallingborough in my constituency. We also have the newly established Humber University Technical College in Scunthorpe. There has been a clear and positive contribution from the Government and some parts of the private sector.

The hon. Lady is right that we urgently need to develop the college in the Humber region, preferably on the south bank and, even more preferably, in the Grimsby-Cleethorpes area. I am even prepared to support her bid to have the college in Grimsby, because it is in danger, in some respects, of being one of the left-behind towns to

which the Prime Minister has referred. Grimsby is in urgent need of regeneration, which, in part, has to come from the public sector. The private sector will get on board, but the Government need to show willing. The hon. Lady and I have been supporting each other in trying to develop and bring forward a number of other projects in north-east Lincolnshire, hopefully in the not-too-distant future.

I think, to be very local, that the east marsh area and perhaps the Freeman Street area, with such proximity to the docks, would be ideal locations if there were a new build. From my conversations with the LEP, I know that there are discussions about whether the college should be a new build or whether we concentrate too much on new builds. However, locating the college on such sites would be particularly helpful with regeneration.

Melanie Onn: Will the hon. Gentleman join me in supporting a call for a new build precisely to evidence the support of the Government for assisting a grand regeneration project for Great Grimsby?

Martin Vickers: I am very happy to support the hon. Lady. As I mentioned a moment ago, the Grimsby-Cleethorpes area, particularly the rundown areas of Grimsby, are definitely in need of regeneration, which has to come from a public sector-led development.

In conclusion, I urge the Minister to give a positive lead. From previous discussions with him, I know how committed he is to training, apprenticeships and giving every support to our young people. It would be a real bit of encouragement to those in our area if he could give a positive lead and answer the questions raised by the hon. Member for Great Grimsby and me.

5.5 pm

Callum McCaig (Aberdeen South) (SNP): It is a pleasure to serve under your chairmanship, Mr Bailey. I congratulate the hon. Member for Great Grimsby (*Melanie Onn*) on securing the debate and on putting forward a compelling case for why the proposals for the college should go ahead. I am not going to get involved in the discussion about whether it should be in Great Grimsby or Cleethorpes, largely because I do not know what I am talking about when it comes to that—not that that has ever stopped me in the past.

Education is devolved in Scotland, so that side of the debate has no implications for Scotland. However, the industrial side of things, including the ability to provide the marketplace with enough skilled folk, very much resonates with Scotland. Energy policy, which is a reserved matter, also has an impact on the general attractiveness of the whole United Kingdom as a destination for investment in renewable energy. In the past few weeks, we have slipped further down the Ernst and Young rankings for countries with renewable energy attractiveness—from 13th to 14th—after not being out of the top 10 for a decade or so. That is regrettable.

I will not talk about the educational merits. National colleges are not a model that we have used in Scotland; our investment is through existing educational providers. However, I will talk about the message sent to the investment community, young people and the whole industry by announcing something like the college and then not funding it once it has gone ahead. This is

another of the substantial number of announcements that the Government have made in the realms of renewable energy that have been unhelpful and that have probably added to the UK's diminished investment attractiveness.

The hon. Member for Great Grimsby mentioned that it was unfortunate—I do not think that that was her exact word, as it is probably worse than that—that the Department for Energy and Climate Change has been abolished. I share that frustration. The justification for abolishing the Department was to put industrial strategy back into the political lexicon. Well, taking climate change out of the political lexicon was particularly short-sighted. The biggest challenge facing us as a species perhaps deserves a bit of recognition by the Government.

I understand the argument made by the hon. Member for Cleethorpes (Martin Vickers) about the synergies that can be created by bringing the two Government Departments together. Unfortunately, it does not sound as though those synergies are working well, if the hon. Member for Great Grimsby cannot get a response to a letter for several months. I have also found that letters are going unanswered, and colleagues in the Scottish Government are having incredible difficulty getting proper information out of the new Department. We all understand that putting new Departments together takes time and will cause confusion for a while. We also understand that Brexit is eating up an awful lot of the Government's time—for their thought process and to think about what can be done—but there is a day job that needs to be done properly, particularly when it comes to the investment and skills for vital industries that have a four-year lead-in time, as the hon. Member for Great Grimsby mentioned.

The joined-up approach that is supposed to come from BEIS needs to come quickly, and the college is a particular example of where that could happen. The proposal is on the table. Put the money into it. Provide that incentive for others—a vote of confidence in an industry that will require significant investment in skills. We have huge question marks on the electricity supply in this country, which will get harder as a result of Brexit.

I am interested by the TUC's argument, which the hon. Member for Great Grimsby mentioned, on adding the skills shortage as a fourth pillar of the trilemma. I have not previously heard that argument, but I think it is key. We have teased out that there are skills shortages in this area. Can the Minister provide us with more up-to-date figures on the skills shortage in the renewable energy industry, particularly in offshore wind? The problem is not going to get any easier with the expected restrictions to free movement of labour as a result of the Brexit process. As well as failing to attract folks from Germany or Denmark, whom the hon. Member for Cleethorpes mentioned, we are already losing skilled personnel from the industry. Skilled people are losing their jobs in the onshore wind sector—there are clearly significant synergies between onshore wind and offshore wind—because of the Government's lack of investment.

The hon. Members for Great Grimsby and for Cleethorpes both touched on this but if I have one plea on the development of an industrial strategy, it is that Government expenditure, particularly in areas of deprivation—the Humber is not an area I know well, but I understand that there are issues of historical

unemployment—boost the economy and provide long-term economic and societal benefits. Money spent by this Government need not just be seen as money going out the door; it needs to be seen as an investment in the future and in communities that need help from their Government for whatever reason. There will be a return on that investment. There will be a benefit if we invest, as a country, in areas such as Great Grimsby and in technologies and industries such as offshore and onshore wind. If we do not do those things, either the jobs will go unfilled or we will have to bring people in from Germany, Denmark or wherever. Electricity will still be needed if we do not build onshore or offshore wind, but we will get it from Norway, France or Holland.

Let us think about a joined-up approach, as BEIS is meant to do. If we invest in skills and provide certainty that we will build x amount of offshore wind and y amount of onshore wind, the money, the jobs and the energy security will follow. It is a pretty simple proposition, but it is one that the Government must get right.

5.12 pm

Gordon Marsden (Blackpool South) (Lab): It is a great pleasure to serve under your chairmanship, Mr Bailey. I warmly congratulate and applaud my hon. Friend the Member for Great Grimsby (Melanie Onn) on securing this debate. As she said, she has a long track record on this issue. It is extremely disappointing that, almost two years after the proposed national college for wind energy was first announced, the Government still have not finalised the funding or the strategy and still have not given an open date for developing a college that would help to address the skills shortages in the industry and the wider region.

I obviously listened with great care to my hon. Friend's speech, but I also listened to the hon. Member for Cleethorpes (Martin Vickers) and what he said about the importance of seeing the whole area as a forcing point for these technologies. The hon. Member for Aberdeen South (Callum McCaig) spoke a great deal of sense about the need for a holistic approach.

In a way, the little episode that my hon. Friend the Member for Great Grimsby described, about the Department that never was, indicates the issue. The hon. Member for Aberdeen South and I were both relocated, if I can put it like that, in the summer period, and I am no stranger to changes to the machinery of government. I remember the issues that were discussed in 2007 when the Department for Innovation, Universities and Skills, as it was called, was split from the Department for Education.

When we have such changes, such necessary disruption, it only becomes more important that things that have been sitting in the filing tray, virtual or actual, should be looked at with greater urgency by the incoming Department. That is not too much to ask when we know that offshore wind presents a great opportunity for expanding our low-carbon generation profile and can play an important role in helping us to decarbonise the power sector and meet our climate change targets.

In August 2016, a strategic review of east coast port facilities identified the offshore wind sector's enormous potential to accelerate economic growth on the east coast of Britain. It found that east coast ports have the capability to support the ambitious pipeline of offshore wind projects that will be built out on the North sea in

[*Gordon Marsden*]

the decades ahead. The construction of such major infrastructure projects will stimulate economic activity in some of the most economically deprived areas of the UK.

As we have seen in other industries, such as the nuclear industry or the aerospace industry—I am particularly familiar with the aerospace industry, having BAE Systems only a few miles down the road from me in Blackpool—supply chain companies would serve projects in British waters and export goods across the world. We all know that jobs created directly in an industry are often exceeded two or threefold by the jobs created in the supply chain. The secret ingredient in that process, of course, is skilling and training, particularly high skilling and training. That is one of the reasons why the college that my hon. Friend the Member for Great Grimsby is so strongly advocating would be essential.

My hon. Friend has said that the Humber area is an ideal location for the college. Grimsby is the renewable energy capital of England, not least because of the involvement and investment of Siemens in the region since 2014. Siemens has announced its decision to invest £160 million in wind turbine production and installation facilities across two locations, and its port partner, Associated British Ports—ABP—is investing a further £150 million in the Green Port Hull development.

In my first spell as shadow Minister for further education and skills, I was privileged to visit Hull to meet the local enterprise partnership and other stakeholders about their hopes and expectations for this project. We spoke about how crucial it is for the area's wellbeing and the local enterprise partnership's strategy. When I moved across to become shadow maritime Minister, I was lobbied on the issue by the excellent port group, ABP, because it was keen to see progress. Now that I have returned to shadowing the Department with responsibility for further education and skills, I find that the same issue has cropped up again in my new portfolio, which shows how important and widespread the project is. We need to cut across the silos of Government to get the results that my hon. Friend wants.

The then chair of the Humber LEP employment and skills board, Mike Parker, welcomed the project in 2014:

“Our economy is growing; building on their Grimsby presence, Siemens are set to locate in Hull, and E.on, Centrica, Vestas and Dong Energy have chosen the south bank of the estuary as their preferred sites. Supporting the generation companies is a growing supply chain of maintenance and facilities management. Wind energy generation is still relatively new and demands higher level skilled employees, the lack of an able qualified workforce has led to the sector facing a serious challenge in filling vacancies.”

The hon. Member for Cleethorpes made that point when he spoke about generating skills locally, rather than importing them from Germany and Scandinavia.

Melanie Onn: Does the shadow Minister agree that growth and new investment from DONG Energy, which has decided to establish its operations and maintenance base in Grimsby, make it even more vital that we have enough young people and skilled local people able to take on jobs at the site when it is built?

Gordon Marsden: I absolutely agree. My hon. Friend makes a critical point: there has to be a synergy—a symbiosis, if I can put it that way—between the timing

of the creation of these new initiatives and the supply chain of skills to feed them. Getting that wrong would not only cause great disruption in that supply chain but send out a message to other potential investors that this is not an area in which to risk their money.

Let me quote again from the former chair of the Humber LEP skills and employment board:

“Having a dedicated National College will be a major step forward in helping the UK to bridge that gap.”

The need to tackle skills shortages has not shrunk but increased over the past two years. One has to ask why the Government have still not committed to the college.

In response to the strategic review carried out earlier this year, the new Secretary of State for Business, Energy and Industrial Strategy, the right hon. Member for Tunbridge Wells (Greg Clark), commented:

“The UK is the world leader in offshore wind and it's important that we make the most of the many jobs and business opportunities that arise from this growing industry.”

What more appropriate way to achieve that than by taking action on this project?

When the college was first announced in 2014, it was envisaged that it would open its doors in late 2016. A significant feature of the college—not least in view of some of the issues that the Minister and I discussed in an earlier debate in this Chamber today about the balance of skills and apprenticeships—is that it would offer new and mature students professional qualifications and short courses in addition to bespoke programmes directed and sponsored by employers.

Beyond the specifics of this project in Grimsby, that would help to address the bleak situation that many adult learners face in further education and higher education. As the Opposition argued when we debated the Higher Education and Research Bill, we really need to put the same emphasis and passion that have been put behind the apprenticeships programme into the expansion of adult learning and skills. Those are the areas in which we have lost big time over the past four or five years, especially in comparison with our continental counterparts.

The TUC's report “Powering ahead”, which my hon. Friend the Member for Great Grimsby has already mentioned, states—rightly, in my view:

“The TUC believes there should be a fourth pillar of energy policy: skills...It is...essential that if today's workers are to become tomorrow's workers, using new technology, they will need the skills for this change. Upskilling must become a normal and regular part of a worker's life.”

That is crucial. We will have more than 13 million job vacancies over the next 30 years, but only 7 million school leavers to fill them, so reskilling adults is paramount. That growing skills gap has to be at the heart of the agenda to bridge the gaps and shortages appearing across the workforce. There is so much potential in lifelong learning, but unfortunately the Government are still moving too slowly and letting the sector down.

Wind energy is a growing industry. Employment is expected to increase and engineers, technicians and other specialist roles will therefore be in greater demand. Many of those roles can and should be filled by young people starting their careers. However, there are other roles, including at other levels, in which experience will be extremely important, particularly in coastal environments. We know that there are already large skills gaps across

the wind energy sector and that 37% of vacancies are found to be difficult to fill. A national college in Grimsby would go a long way towards providing a strategy on addressing those shortages and would help new and mature students to advance their skills.

I have great sympathy for Grimsby in this case. Like me, my hon. Friend the Member for Great Grimsby represents a coastal constituency that has seen challenges. Second-level towns, particularly seaside and coastal towns, have been particularly challenged in recent years by the decline of traditional industries and traditional sources of income. They are the towns that particularly need regeneration and the benefits that come with it—skills, jobs and potential spin-offs—especially given all the unknowns and uncertainties that their communities face, whatever happens as a result of the 23 June referendum.

Opposition Front-Benchers, alongside the TUC and others, have been pushing for a review of the increasing demands on adults to take out advanced learner loans to fund vocational upskilling. As the TUC report “Powering ahead” states:

“In light of the fact that the bulk of funding for apprenticeships will switch from government to employers in the coming years, there is a strong case for government providing more direct subsidy for retraining and upskilling of adult employees in priority areas as the economy transitions to a sustainable industrial scenario.”

If funding for the college is an issue, the Government really ought to give their attention to it. They have to rebalance their skills basket to focus on adult workers as well as on those starting out. The message of the Leitch review, which is now nearly a decade old, is still very pertinent: because of the democratic demands, new technologies and new skills cannot simply be left to the young.

The take-up of advanced learner loans is not very good: only about 50% of the money allocated is being used and the rest is being sent to the Treasury, so the Government need to find a way to incentivise adults to take out loans. Initiatives such as the potential national college for wind energy would offer a fantastic opportunity for people over the age of 24 or 25 to gain new skills and a path into employment in a fast growing, vital industry. As well as dealing with today’s skills, a college such as the one proposed for Grimsby could also promote cutting-edge research into new skills for generation 2.0 and 3.0 of these innovative new technologies.

I sat on the Innovation, Universities, Science and Skills Committee when it did a report on renewables in the late 2000s. We spoke in that report about the lost opportunities for UK plc to capitalise on the expanding renewables markets, and about the dangers of relying on assemblage outside the UK for our renewable technologies. Sadly, some of the Committee’s fears have come to pass, but that is why it is even more important that we take the initiative now that we have the opportunity. Frankly, the Government have delivered enough knocks to renewables initiatives in the past couple of years—first with the problems in trying to decide whether to have nuclear as well as renewables, and then by encouraging subsidies for solar power, knocking them back and dithering over onshore wind. The signals that that approach sends out are not encouraging.

In Blackpool, our own energy college, Blackpool and the Fylde College, is going to look at renewables. When I look out from Blackpool towards Liverpool bay, I

have a particular interest in seeing those new renewable energies offshore continuing to flourish. The national college for wind energy in Grimsby that my hon. Friend the Member for Great Grimsby has promoted so valiantly today would be an important part of that strategy. We hope the Minister will be able to say some positive things today to get it moving on its course.

Mr Adrian Bailey (in the Chair): I propose to conclude the debate at 5.45 pm. If the Minister could give Melanie Onn a few moments to wind up, that would be helpful.

5.29 pm

The Minister for Apprenticeships and Skills (Robert Halfon): It is a pleasure to serve under your chairmanship, Mr Bailey. I genuinely congratulate the hon. Member for Great Grimsby (Melanie Onn) on securing this debate; she is a brilliant advocate for her constituency. I also pay tribute to my genuine hon. Friend the Member for Cleethorpes (Martin Vickers) and thank him for his remarks.

It is clear from the hon. Lady’s interest in this subject that she rightly wants to ensure that people of all ages in Grimsby have access to high-quality further and higher education to acquire the technical skills that employers are increasingly demanding. The Grimsby Institute is already helping to meet those needs as one of England’s largest providers of higher education, providing a wide range of training at a variety of levels. The hon. Lady spoke movingly about the apprentice she met. She will know that there were 840 apprentice starts in her constituency last year, and there were more than 5,210 between 2010 and the end of 2015. I know she would like to see more; hopefully, the impact of our commitment to deliver 3 million apprenticeships by 2020 will be felt in her constituency.

The hon. Lady raised important issues about the skill needs of the energy industry, which is timely because it allows me to set out what the Government are doing to address the skills needs across all sectors of the economy in England. It is a key priority of the Government to ensure that we have the skilled workforce required to support development and growth in all areas of the UK economy. The country has all the ingredients required to compete with other skilled nations, but we have to create an education system that can harness and develop that talent, starting at school and going right through to the highest levels of education and training.

We are making progress. Many more of our young people are now taking up high-quality apprenticeships and training, leading to good jobs and careers in their chosen profession. Our post-16 skills plan will build on that, creating a more streamlined system of high-quality technical education that truly delivers the skills that industry need, but the Government cannot do the job by ourselves. We want to work with employers and colleges to unlock the potential in this country. There are already good examples of colleges and employers working in close partnership to create world-class facilities and teaching, but there is more to do.

I am not afraid to acknowledge that our education system does not always deliver the high-level technical skills in the volumes that our economy demands, especially at levels 4 to 5—the bit between A-level and graduate level. The fact that only 10% of people in England hold higher-level technical qualifications has contributed to

[*Robert Halfon*]

a chronic shortage of highly skilled technicians. The OECD estimates that we will need around 300,000 trained technicians entering the labour market by 2020. Every year, the UK produces only around a third of the number of people trained at technician level that Germany produces. Higher apprenticeships are beginning to address that, but we are growing from a low base. Things are not going to get any better in a system in which only 4% of students are studying further education at level 4. Although there is good higher-level technical provision in some areas, it is spread too thinly across the country overall.

National colleges, which we have heard about this afternoon, will play an important role in helping to meet the gaps, within the context of the wider reforms set out in our 16-plus skills plan, which outlines the most radical shake-up of post-16 education since the introduction of A-levels almost 70 years ago. It will transform technical education for most young people and adults into an education that is world class, with clear pathways to skilled employment. It will build on the success we have already had by investing in apprenticeships, with the aim of creating a skilled workforce that is the envy of every other nation and that meets the needs of our growing and rapidly changing economy.

National colleges will have an important place in the new technical skills landscape, helping to define and deliver the routes required. They provide specialist facilities and training and lead the way in the design and delivery of higher level technical skills in industries or sectors that are critical to economic growth—industries that currently rely heavily on imported skills to meet the skills gaps at higher levels.

Gordon Marsden: The Minister is setting out some of the Government's new proposals in this policy area, on which we will no doubt touch again as part of our discussions of the new Further Education and Technology Bill, which was announced last week. Regarding the hopes of my hon. Friend the Member for Great Grimsby (Melanie Onn) for the college at Grimsby, does the Minister accept that there needs to be a recalibration in Government to ensure that older people who have experience and skills participate in the new set of national colleges as well as younger people? It seems that too often the Government's rhetoric has excluded them.

Robert Halfon: I would like all people to participate if they need the skills. I do not agree with the hon. Gentleman: our apprenticeships, skills offerings and national colleges are all open to all ages.

The Government are investing £80 million to support the development of five national colleges, and we expect that money to be matched by investment from industry in the respective sectors. The ambition is for the colleges to train up to 20,000 learners by 2020. I recently visited the new Hackney-based National College for Digital Skills. The facilities, the enthusiasm of the staff, the passion of the students and the strong support from employers such as Google will make it the success that I know it will be. Employers in other industries are crying out for higher-level skills, and particularly for technicians who combine deep knowledge of technology with up-to-date experience in industry.

National colleges will be set up only in those sectors where there is a clear gap in skills and where employers have clearly demonstrated their support and willingness to contribute to the operation of the colleges. Those that have been successful so far have had a clearly defined scope and sector focus, with evidence of strong employer support—High Speed 2, nuclear and the creative and digital industries—and wind energy is no exception. An industry-focused skills solution would need to demonstrate strong employer commitment and willingness to contribute capital, equipment, senior management time and access to facilities.

I am encouraged by the considerable work done to date by key partners to develop a proposal that meets the existing and future needs of the energy sector. Officials from my Department have been in discussion with the local enterprise partnership and others to provide advice on what we would want to see from a national college for wind energy. I understand that the LEP and RenewableUK are working with industry to identify skills gaps and to build a case for a viable national college model. The latest proposal has changed, but it is still very much consistent with the original vision of a national college. I am encouraged by the work that is going on, and look forward to further progress on the national college proposal. It will follow, as it must do, the same robust assessment process as for every other national college that has been agreed. Widespread employer buy-in and engagement will be a critical factor.

Melanie Onn: Might this be an opportune moment for the Minister to throw his full and forceful weight behind accelerating the programme as much as possible and encouraging all the agencies in the area to provide a blueprint so that we can all receive some assurance? My original concern was about the problem of the timing, in advance of the autumn statement; perhaps he can comment on that as well.

Robert Halfon: As I have said, as long as the same propositions that others who have set up national colleges are followed—it looks as if a lot of work is being done to do that—I will of course support and work with the relevant bodies, such as the LEP, as well as with the hon. Lady and others. Nevertheless, the detailed plan must be produced, and it has to meet the conditions that the plans for other national colleges had to meet. There is no doubt that, as I have said, this industry is vital to the economy and that, as I have also said, we need a skills training system that can deliver the skills needed to fill these jobs.

During the Commons debate on the Humber energy estuary in February, the Government set out our ambition to have a strong industrialised UK supply chain with the capability and capacity to win even more orders. We are working with developers to see how we can attract further investment and promote rejuvenation in areas such as Hull. We want UK companies to be able to benefit from offshore wind development, by ensuring that they are in the best possible position to compete for business.

I am grateful to the hon. Member for Great Grimsby for raising this important issue today and I know that she will work hard to try to help establish the national college in her area.

5.40 pm

Melanie Onn: I will take the Minister up on his offer to work together, because the only way that this project can be achieved is through significant political championing. I look forward to many an exchange of correspondence with him; hopefully, he will visit my area, which may assist him in gathering ever-increasing enthusiasm for my vision—not only for the college, but for my constituency.

I thank the hon. Members for Cleethorpes (Martin Vickers) and for Aberdeen South (Callum McCaig) for their very considered contributions to the debate. Obviously, the local knowledge that the hon. Member for Cleethorpes brings to the discussion highlights how keen local MPs are to see our constituencies benefit from all of the projects available in the local area. I also recognise the contributions from my hon. Friends the Members for Kingston upon Hull East (Karl Turner) and for Scunthorpe (Nic Dakin), who are no longer in their places.

Some of the skills that need to be developed go beyond those of a wind turbine technician. Only a finite number of wind turbine technician vacancies will ever be available in this industry, but the skills required in the industry go beyond those of such a technician. There are maritime skills, operational skills, mechanical skills, digital skills and technical skills, as well as the engineering side of things. A vast range of skills is required, all of which need to be taught up to a very significant level.

I recognise the commitment of companies that have based themselves in the Humber area to try to secure as many local people as possible—they are trying to employ the local workforce—and to assist with local training facilities by having a direct input into the development of training, so that they do not have to send their staff to Denmark or Germany to access training when it can be accessed locally. Nevertheless, it would be an enormous boost to our area to have a centre of excellence that

everybody in the whole country could be proud of, with high-level provision of skills for a really exciting and fast-moving industry. We are already behind on skills training.

Martin Vickers: Will the hon. Lady acknowledge that, although we have spoken a lot about getting our young people trained up for these industries, there are many people who have past experience in the offshore oil and gas industry and require only modest retraining? If the retraining courses were available, that would open up new opportunities for them.

Melanie Onn: The hon. Gentleman is absolutely right; in fact, I briefly referred to that issue in my speech and obviously my hon. Friend the Member for Blackpool South (Gordon Marsden), the shadow Minister, has been very keen to focus on adult skills.

However, such training should have been provided when the investment was being made, because we are already playing catch-up. This is advancing technology, so we should be looking at the research and development side of things as well as providing the basic skills, because 15 years ago turbine blades were 16 metres long and now they are over 80 metres long. This industry has developed rapidly in the last 15 years and in my view every delay leaves those of us in the Humber area even further behind in getting the very best out of the offshore wind industry. So I urge the Minister to take a particularly keen interest in this issue.

Question put and agreed to.

Resolved,

That this House has considered the National College for Wind Energy.

5.44 pm

Sitting adjourned.

Written Statements

Tuesday 1 November 2016

BUSINESS, ENERGY AND INDUSTRIAL STRATEGY

Government-owned Company: Provision of Indemnity

The Minister for Climate Change and Industry (Mr Nick Hurd): On 2 October 2015 the SSI steel works in Redcar was placed into compulsory liquidation and an official receiver (OR) was appointed as liquidator. On 12 October, following no buyer for the steel works being found, the decision was taken by the official receiver to set about the hard closure of the site. Since that time the official receiver has been undertaking a protracted liquidation of SSI and, in the absence of an owner, he has been overseeing the safe and secure hard closure of the site. Government, through the Department for Business, Energy and Industrial Strategy, are currently providing an indemnity to the OR so that he can carry out his duties as liquidator of the company and ensure its ongoing safety and security.

The Department is establishing a Government company, known as the South Tees Site Company, in order to take forward the safety and security of the site from the OR. STSC will have a management team as well as a board of directors, accountable to the BEIS Secretary of State. In order to allow the board of directors and management team to carry out their duties BEIS has agreed to indemnify them against all claims, proceedings, costs—including the cost of defending proceedings—and expenses.

Over the summer recess the Department for Business, Energy and Industrial Strategy identified a need to provide the indemnities immediately. As a result the Department wrote to the Chairs of the Public Accounts Committee and the BEIS Select Committee on 2 September outlining our intention, asking for any objection to be notified within five working days. I can confirm that neither PAC nor Select Committee raised any objections to the issuing of these indemnities.

I would also like to take this opportunity to inform the House that there is an agreement in place between SSI in liquidation and STSC concerning the management of the site. BEIS has clarified to the OR that his indemnity of 2 October 2015 indemnifies him for any claims, proceedings, costs and expenses raised against or incurred by the OR as a result of a breach by STSC of the agreement.

It is not possible at this stage to accurately quantify the value of such indemnity. HMG has considered the risks of this indemnity and I believe the likelihood of such indemnities being called upon is low. The indemnity is limited to liabilities arising as a consequence of the site assessments and the current BEIS indemnity remains in place. If the liability is called upon, provision for any payment will be sought through the normal Supply procedure.

As a matter of record I have laid a departmental minute for both Houses explaining the procedure followed and containing a description of the liabilities undertaken.

[HCWS230]

CABINET OFFICE

National Cyber Security Strategy

The Minister for the Cabinet Office and Paymaster General (Ben Gummer): Today the Government are publishing the national cyber-security strategy 2016-21. This strategy sets out the Government's objectives for strengthening the security of the UK in cyberspace over the next five years.

Cyber is a tier 1 threat to the UK's economic and national security. The policies, institutions and initiatives developed under the previous strategy have helped to establish the UK as a leading global player in cyber-security. However, the scale and dynamic nature of cyber-threats, and the increasing dependency of our economy and society on digital products and services, mean that our current approach to cyber-security needs to be further strengthened. Therefore, the Government are today publishing the new five-year national cyber-security strategy, which defines our vision and ambition for achieving a UK that is secure and resilient to cyber-threats; prosperous and confident in the digital world.

The strategy sets out a series of ambitious policies and initiatives across the following themes:

Defence against the threat;

Deterrence of hostile actions against the UK, its people, businesses and allies;

Development of our cyber-security industry, enhancement of our cyber-security skills and strengthening of our scientific research base.

This activity will be supported by international action to invest in partnerships to shape the global evolution of cyberspace in a manner that advances the UK's cyber-security interests.

At the heart of the strategy is the creation of a new national cyber-security centre (NCSC)—a world-class centre of excellence to co-ordinate the national cyber effort and provide a unified source of advice and support for the private and public sector.

This strategy will be delivered through Government working in partnership with the devolved Administrations, the wider public sector, industry, academia and the public. It is supported by the £1.9 billion national cyber-security programme.

The National Cyber Security Strategy 2016-2021 can be viewed online at <http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2016-11-01/HCWS229/>.

[HCWS229]

CULTURE, MEDIA AND SPORT

Draft BBC Charter and Draft Framework Agreement

The Secretary of State for Culture, Media and Sport (Karen Bradley): On 15 September 2016, I announced the publication of the draft BBC royal charter and draft framework agreement.

The debates in the devolved legislatures and both Houses on these important documents have now concluded. I have listened with interest to the views raised and the debates have very much shown how far we have come. I am pleased today to announce the publication of updated versions of the draft royal charter and draft framework agreement on www.gov.uk which will shortly be submitted to the Privy Council.

The updated versions take into account and reflect the outcome of the debates and contain some minor and technical changes to the initial draft versions I published on 15 September 2016.

I can confirm that a copy of the royal charter and a copy of the framework agreement will be laid before the House if approved by Her Majesty. A copy of the royal charter and a copy of the framework agreement will be deposited in the Libraries of both Houses when ready.

[HCWS231]

EDUCATION

Safeguarding

The Minister for Vulnerable Children and Families (Edward Timpson): I am pleased to publish this statement about the safeguarding of unaccompanied asylum-seeking and refugee children jointly with the Home Office Minister of State for Immigration (Mr Robert Goodwill).

The Government are committed to safeguarding and promoting the welfare of children, and providing help for those in genuine need of international protection. The UK takes their responsibilities towards children extremely seriously, and we already have a comprehensive approach to safeguarding children, including unaccompanied children.

We recognise that the number of unaccompanied and refugee children arriving in the UK has risen over the last few years, including through the transfer of hundreds of children from Calais. Some of these children can be among the most vulnerable in society. That is why we are, today, committing to publishing a strategy, by 1 May 2017, which will set out further detail on how these children should be safeguarded and their welfare promoted. This strategy will complement and build on existing safeguarding guidance and procedures, in recognition of the increased numbers and specific needs of unaccompanied asylum-seeking and refugee children already in the UK, unaccompanied children who we transfer to the UK from Europe, and unaccompanied children who we resettle directly from outside Europe. It will also set out the practical steps the Government will take to implement this plan.

In recognition of the important role fostering plays in caring for unaccompanied asylum-seeking and refugee children the strategy will set out plans to increase the number of foster carers. This will include evaluating the need for any additional training needs required by foster carers and support workers in looking after unaccompanied children. Supported lodgings, where young people can live in a shared and supportive environment, can also play an important role in meeting the needs of these children as well as ensuring placement capacity so we will set out our plans to encourage provision of this type.

We recognise that these children may have family or potential carers with whom they are seeking to be re-united, under the Dublin regulation. The Department for Education and Home Office will work together to make sure the system for identifying these children and uniting them with family or potential carers is further strengthened bearing in mind that the primary responsibility of all involved must be safeguarding and promoting the best interests of the child. We are already working closely with the Local Government Association and local authorities where children are arriving, and will look to build on these strong relationships. Specifically, we will regularly review funding to support and care for unaccompanied asylum-seeking and refugee children, working closely with the LGA and local authorities.

In developing our strategy we will evaluate the procedures for, and speed of, transferring unaccompanied asylum-seeking and refugee children who have been identified for transfer from Europe. We will also ensure that the strategy is informed by evidence from other immigration programmes, including the measures in place to ensure sufficient safeguarding and security checks are undertaken on those being transferred to the UK.

We recognise the particular vulnerabilities of these children and will review the information currently provided to asylum-seeking and refugee children about their rights, their current circumstances, and the role of local authorities in caring for them.

We will also consult the devolved Administrations to ensure a joined up approach across the United Kingdom. We will also consult with all relevant public bodies on the strategy, including local authorities in England, NGOs, the Children's Commissioners for England, Scotland, Wales and Northern Ireland.

In doing so, we will seek the views of local authorities to identify any further action that might be taken to prevent unaccompanied asylum-seeking or refugee children going missing and we will consider whether to introduce a new set of standard actions for the police on first encountering an unaccompanied asylum-seeking child. We will also consider arrangements for Children's Commissioners across the UK to make representations on behalf of children transferred where appropriate and consistent with their statutory remit.

In taking forward this work my Department will also revise the statutory guidance published in 2014 on the care of unaccompanied and trafficked children so it covers the safeguarding of children transferred under Dublin provisions and unaccompanied asylum-seeking children who arrive spontaneously who then explain that they have family in the United Kingdom with whom they wish to live.

Finally, in recognition of the importance of this issue, we commit to updating Parliament annually on delivery against the strategy and providing quarterly updates to the Children's Commissioners for England, Scotland, Wales and Northern Ireland, ensuring transparency and appropriate scrutiny. We will also commit to publishing regular updates on the number of unaccompanied asylum-seeking children transferred to the UK.

The Government's strategy has been to support efforts to find a comprehensive and sustainable solution to the refugee crisis; we must deal with the root causes of this crisis, as well as respond to the consequences. The UK has been at the forefront of the response to the crisis in

Syria and the region. The Government have pledged over £2.3 billion in support of the crisis in Syria; our largest ever humanitarian response to a single crisis. Under the Syrian vulnerable persons resettlement (VPR) scheme, the Government have committed to resettle 20,000 of the most vulnerable refugees direct from the region. Around 2,800 people have arrived in this country since the Syrian VPR scheme began, around half of them children, and we are on track to meet this landmark commitment. The Government have also established a new resettlement scheme focused on children at risk in the Middle East and North Africa, the first of its kind focused on the region and which will see up to 3,000 people, of all nationalities, resettled to the UK over the next four years. We have worked closely with the UNHCR to develop this scheme and it reflects their advice on how best to safeguard the children caught up in this conflict.

[HCWS232]

ENVIRONMENT, FOOD AND RURAL AFFAIRS

October Agriculture Council

The Minister of State, Department for Environment, Food and Rural Affairs (George Eustice): The UK was represented by deputy permanent representative to the European Union, Shan Morgan, at the Agriculture and Fisheries Council on 10 October in Luxembourg.

Commissioner Vella gave a presentation on the International Commission for the Conservation of Atlantic Tuna (ICCAT), which focused on the poor and deteriorating state of the swordfish stock. He noted that immediate and remedial action was needed, including the introduction of a catch quota. A number of member states intervened with differing support or opposition. The presidency concluded by noting the positions, and said a more detailed preparation of the EU position would take place at working group level.

Commissioner Vella promised full transparency for the EU/Norway fisheries negotiations, as well as discussions with coastal states which feed in to this. He wanted to ensure a balance between the interests of different member states, in particular those who wanted to maximise the quota for arctic cod and those who have traditionally had to pay for it in terms of exchange of quotas with Norway. A number of member states, including the UK, underlined the importance of accessing additional quota for choke species, to avoid any disruption connected to the introduction of the landing obligation.

The Council also agreed on the 2017 catch quotas in the Baltic.

Commissioner Hogan presented the omnibus regulation, as a tool for simplification of the four common agricultural policy regulations. The Commission wants the regulation to enter into force by 1 January 2018, so that there are three years of stability before the next multi-annual financial framework. The main proposals include: a sector-specific income stabilisation tool; simpler rules for loans and financial instruments aimed at young farmers; an optional national flexibility of the “active farmer” definition; and easing the process for undue payments. Most member states indicated that they needed more time to assess the details and submit comments, but noted some proposals were not simplification. The UK welcomed flexibility on the active farmer definition, and wider access to the income support tool. Commissioner Hogan underlined that this regulation was a big opportunity but that all comments would be taken on board.

Any other business items

Items on the market situation and sugar were taken together. Commissioner Hogan made a presentation on the current market situation, noting that the milk market observatory had reported an improvement in the dairy market, and the milk production reduction scheme will further improve the situation. He also made it clear that sugar quotas will come to an end in October 2017.

Poland presented a joint statement which it had co-ordinated outlining concerns of new greening proposals. This was supported in advance by 18 other member states, including the UK. Commissioner Hogan understood a number of measures were not supported, and offered four concessions which will be discussed at the next Special Committee on Agriculture.

Austria argued that international financial institutions are not taking animal welfare in to account when they make lending decisions.

Slovenia reported from their conference entitled “The Customer has the Right to know”, which highlighted the advantages of country of origin labelling.

The Council took note of the Dutch presentation outlining the conclusions of the 39th conference of directors of paying agencies.

Commissioner Hogan gave a short explanation on a European Court of Justice case (C-113/14), and confirmed that the necessary amendments to the fixing regulation were being arranged as quickly as possible.

[HCWS228]

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