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**HOUSE OF COMMONS  
OFFICIAL REPORT**

**PARLIAMENTARY  
DEBATES**

**(HANSARD)**

**Wednesday 18 January 2017**

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# House of Commons

*Wednesday 18 January 2017*

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

## PRAYERS

[MR SPEAKER *in the Chair*]

## Oral Answers to Questions

### SCOTLAND

*The Secretary of State was asked—*

#### Welfare Powers

1. **Robert Courts** (Witney) (Con): What progress has been made on transferring further welfare powers to the Scottish Government. [908165]

**The Secretary of State for Scotland (David Mundell):** As this is the Scottish questions immediately preceding Burns night on Wednesday 25 January, may I wish all those organising Burns suppers or other events in Scotland, across the UK, including here in this House of Commons, and around the world the very best? Robert Burns' legacy is as relevant today as ever.

The UK Government are committed to a safe and secure transfer of the remaining welfare powers. The majority of welfare powers commenced in 2016, and the transfer of the remaining powers will be overseen by the joint ministerial working group on welfare, which will meet again next month.

**Robert Courts:** The Scotland Act 2016 gives the Scottish Government powers over benefits in Scotland. Does the Secretary of State agree that the Scottish Government must now set out the detail of how they plan to use those powers to shape Scotland's welfare system?

**David Mundell:** My hon. Friend is right about that; the power for the Scottish Parliament to create new benefits in devolved areas came into force in the autumn, and it now has the power to shape that welfare system as it chooses. Some modest measures have already been announced, but it is time that we hear more about the proposals for a new welfare system. A consultation has been held and I look forward to hearing the Scottish Government's response to it.

**Margaret Ferrier** (Rutherglen and Hamilton West) (SNP): The fact that the UK Government plan to close half of Glasgow's jobcentres without even knowing the number of affected people is a dereliction of duty. Will the Secretary of State commit to having a word with his Cabinet colleagues and getting those plans dropped?

**David Mundell:** I do understand the concerns that have been raised about jobcentre closures in Glasgow. I have spoken directly with my colleague the Secretary of State for Work and Pensions. It is the Government's determination to ensure that there will be no change to the level of service offered to the people of Glasgow. As the hon. Lady and other Glasgow Members will know, there is a public consultation for people who have to travel more than 3 miles or for more than 20 minutes, and it is open until 31 January. I encourage all those affected, and all hon. Members with constituencies affected, to take part in it.

13. [908177] **Helen Whately** (Faversham and Mid Kent) (Con): What progress has been made on transferring further welfare powers to the Scottish Government. The transfer of significant powers over welfare decisions clearly raises complicated issues, as we have seen over the past few months. Will my right hon. Friend update the House on the recent work of the joint ministerial working group on welfare and give his assessment of progress?

**David Mundell:** That group has played an important part in establishing the links between the DWP and the Scottish Government. I have been in regular recent contact with Angela Constance, the relevant Minister in the Scottish Government, about their latest proposals on universal credit. Inevitably, the complexity of this area means that as the transfer takes place new issues arise that need to be dealt with. The joint ministerial working group is the ideal place to do that.

**Mr David Anderson** (Blaydon) (Lab): I am sure the whole House will join me in sending our condolences to the family of Canon Kenyon Wright, who, sadly, passed away last week. He was a principled man whose legacy should serve as a reminder to all of us that when we work together it is possible to deliver the impossible.

This Tory Government are currently moving disabled people from the disability living allowance to personal independence payments, and it is estimated that the people of Scotland will lose out on £190 million a year as a result. If that was not bad enough, the Government did this a year ago but they withdrew the timetable and have not issued a new one. So can the Secretary of State please inform the House, and indeed the people of Scotland, when they can expect to lose out on this £190 million a year?

**David Mundell:** First, may I welcome the hon. Gentleman back? He was missed at our last Scottish questions, although the hon. Member for Ealing North (Stephen Pound) entertained the House—I think I can say that. I knew Canon Kenyon Wright and he was indeed a very principled man, with strong personal conviction. He played a very important part in the constitutional convention that led to the establishment of the Scottish Parliament. As we have seen in the media, he is widely mourned.

The hon. Member for Blaydon (Mr Anderson) will know that disability benefits are to be fully devolved to the Scottish Parliament, and the funding of those benefits was dealt with in the negotiations for the fiscal framework. It is now for the Scottish Government to come forward with their proposals for disability benefits in Scotland.

11. [908175] **Mike Freer** (Finchley and Golders Green) (Con): Does my right hon. Friend agree that we need to hear less from the Scottish Government about the powers they want and more about how they are going to use the powers we have given them?

**David Mundell:** My hon. Friend makes a very relevant point. The hon. Member for Blaydon (Mr Anderson) referred to personal independence payments, to which, I know, the Scottish Government are opposed, but I have no idea what they intend to replace them with, or on what timetable.

**Angus Robertson** (Moray) (SNP): May I begin by joining colleagues in paying tribute to Canon Kenyon Wright? He not only played a significant role in helping to deliver devolution to Scotland but, of course, in 2014 supported a yes vote for Scottish independence.

The UK Government are planning to close half the jobcentres in Glasgow without even knowing the number of people who will be affected by such a radical change. Was the Secretary of State consulted in advance of the closures, and when did he show enough interest to find out which specific locations would face closure?

**David Mundell:** I have taken a very close interest in this issue and worked closely on it with my colleagues in the Department for Work and Pensions and the Scottish Government. The Government and I have never suggested that the procedures followed during the process have been perfect, but we have put forward a public consultation for people who are affected and will have to travel more than 3 miles or for more than 20 minutes. I encourage everyone involved to take part in the consultation.

**Angus Robertson:** The devolution of powers hangs very much together with the hard Brexit plans of the current Government. The Secretary of State has said that his role is

“to ensure Scotland gets the best possible deal and that deal involves clearly being part of the single market.”

Does he still believe that, or has he changed his mind after being told what he should say by his Tory bosses in London?

**David Mundell:** I do not recognise the Prime Minister’s speech yesterday as a hard Brexit plan. I do not think that the 500,000 Scottish National party voters who voted for Brexit will take kindly to being referred to as right-wing Tory Brexiteers. They were independently minded people in Scotland who voted for what they thought was the right thing for Scotland. It is absolutely clear, as the Prime Minister said yesterday, that we want to have access to the single market, and that is what the quote from me that the right hon. Gentleman just read out made clear. On the other hand, membership of the single market is a quite different thing, as Mike Russell and, privately, the Scottish Government accept.

**Several hon. Members** *rose—*

**Mr Speaker:** Order. I say gently to colleagues that progress is far too slow; we need to hasten the pace. Some reduction in the decibel level—not least from the Chair of the International Trade Committee—would be heartily welcomed across the House.

## Agriculture

2. **Calum Kerr** (Berwickshire, Roxburgh and Selkirk) (SNP): What discussions he has had with Cabinet colleagues on support for the Scottish agriculture sector. [908166]

**The Secretary of State for Scotland (David Mundell):** I regularly meet Cabinet colleagues to discuss a wide range of matters. I recently met the Secretary of State for Environment, Food and Rural Affairs to discuss a number of issues relating to the Scottish agriculture sector, and will continue to do so.

**Calum Kerr:** Last year, the farming Minister told us that there would be an £18 billion Brexit dividend. He said that farmers would continue to get “as much support—or perhaps even more” after Brexit. Does the Secretary of State agree that it would be unacceptable if funding to Scottish agriculture was cut after 2020?

**David Mundell:** There is no suggestion that funding to Scottish agriculture will be cut, but there is the opportunity to move forward from the constraints of the common agricultural policy, which farmers throughout Scotland have often complained about. We need to seize this opportunity to reshape the support for farming to make it more effective, but to continue to sustain those areas of Scottish farming that need sustaining.

**Sir Gerald Howarth** (Aldershot) (Con): My right hon. Friend is aware that my family are extensive farmers in the Scottish borders. Does he not agree that Brexit presents the United Kingdom with a magnificent opportunity to fashion an agriculture policy that is required not by French farmers, but by British farmers, and will he assure the House that hill farmers in Scotland and elsewhere in the United Kingdom will be given proper consideration?

**David Mundell:** I can absolutely give that undertaking. I hope that, in conjunction with the Scottish Government, we can move forward to shape a new basis of support for Scottish agriculture, especially for those who farm in less-favoured areas. There have been multiple complaints about the operation of the common agricultural policy and its need to take into account farming practices across the continent. We now have the opportunity to have our own support mechanism and we need to work to shape it.

14. [908178] **Ms Tasmina Ahmed-Sheikh** (Ochil and South Perthshire) (SNP): Will the Secretary of State confirm what he said to *The Sunday Times* in November that the Scottish Parliament will retain full responsibility over agriculture and fisheries following Brexit and that “no powers will be re-reserved to Westminster.” Will he tell us: yes or no?

**David Mundell:** Yes.

**Mr David Anderson** (Blaydon) (Lab): Almost two thirds of the UK’s agriculture exports are to the EU. After what we heard from the Prime Minister yesterday, there is an increasing possibility that we could revert to World Trade Organisation trade rules on exit from the

EU. Does the Secretary of State agree with the NFU Scotland, which says that the potential for 20% tariffs as a result of WTO trade rules will be increasingly damaging for the profitability of Scottish agriculture?

**David Mundell:** The Prime Minister made it clear yesterday that her objective is to achieve the best possible access to the single market, with the minimum of barriers and tariffs. That will be to the benefit of Scottish agriculture. Scottish farmers see the opportunity that leaving the EU provides them, and I am sure that they will seize it and that we will be able to provide the environment in which they will succeed.

### Taxation

3. **Mr Nigel Evans** (Ribble Valley) (Con): What discussions he has had with the Scottish Government on recent changes to its taxation powers. [908167]

4. **Mark Menzies** (Fylde) (Con): What discussions he has had with the Scottish Government on recent changes to its taxation powers. [908168]

**The Economic Secretary to the Treasury (Simon Kirby):** The Scottish Government will take on their first major new tax power from the Scotland Act 2016 in April, enabling them to set rates and thresholds of income tax. The Chief Secretary to the Treasury attended a Joint Exchequer Committee with the Scottish Government's Cabinet Secretary for Finance in November. They discussed ongoing work, and there are regular ongoing discussions.

**Mr Evans:** The Prime Minister says that she wants income tax rates on hard-working British people to be as low as possible. Should Nicola Sturgeon be sufficiently brave or bonkers to increase the rate of taxation on hard-working Scottish people, what economic impact would that have on Scotland?

**Simon Kirby:** May I thank my hon. Friend for his important question? In taking over income tax powers, the Scottish Government now need to account for how they use them, particularly if they plan to make Scotland the highest tax part of the UK.

**Mark Menzies:** Does my hon. Friend agree that the Scottish National party's plans to tax middle-income families more in Scotland for doing the same job as families in England would bode very, very badly for the Scottish economy?

**Simon Kirby:** The UK Government are doing everything they can to support our economy and boost jobs and growth. Where the Scottish Government now make choices that have a different impact, they will need to explain them to the people of Scotland.

**Neil Gray** (Airdrie and Shotts) (SNP): Again we have heard erroneous claims that Scotland is somehow the highest-taxed part of the United Kingdom. In actual fact, the average cost of a band D council tax property in Scotland is lower than in England. Will the Minister now welcome the Scottish Government's approach to council tax policy in Scotland?

**Simon Kirby:** What I will say is that the SNP should focus on making a success of its new powers for the benefit of the Scottish people. [*Interruption.*]

**Mr Speaker:** Order. Mr Docherty-Hughes, you are a very curious denizen of the House. I had you down as a cerebral and academic type, but you are becoming increasingly hysterical—very curious behaviour.

12. [908176] **Michael Gove** (Surrey Heath) (Con): The SNP wants to levy the highest level of income tax anywhere in the United Kingdom. It already receives more per capita funding than England, yet Scotland's schools are conspicuously worse than those in the rest of the United Kingdom. Does the Minister put that down to the incompetence of the Scottish Government or their prioritisation of nationalist posturing over proper administration?

**Simon Kirby:** I may not like the Scottish Government's plans to make Scotland a higher-tax nation, but that is up to them. What they will have to do is explain to the people of Scotland why they are having to pay more tax than their friends and families who have the same jobs south of the border.

**Mr David Anderson** (Blaydon) (Lab): In a week when the chairman of the British Medical Association in Scotland has warned that the NHS in Scotland is "at breaking point", is the Minister as surprised as I am that the so-called progressive SNP Government in Holyrood consistently refuse to use the powers afforded them to protect the NHS in Scotland?

**Simon Kirby:** Scotland's new devolution settlement delivers one of the most powerful and accountable devolved Parliaments in the world, giving the Scottish Government unprecedented power to shape the future economy of Scotland.

### Immigration

5. **Stuart C. McDonald** (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): What assessment he has made of the effect of immigration on Scotland's economic performance. [908169]

**The Secretary of State for Scotland (David Mundell):** Migrants from outside and within the UK make a significant contribution to Scotland—to its economy, of course, but also to its society and wellbeing. The Government will always welcome the brightest and the best who have come here to work.

**Stuart C. McDonald:** We know that about 180,000 EU nationals make a hugely valuable contribution to the Scottish economy and that Governments such as Canada's and Australia's successfully apply different immigration rules to different parts of their countries. Going beyond warm words, will the Secretary of State listen carefully to proposals for a different arrangement for Scotland, allowing EU citizens freedom to continue to come and live and work there, benefiting us all?

**David Mundell:** I will always look at evidence-based proposals; that is our commitment, for example, in relation to the Scottish Government's paper produced

just before Christmas. However, it was clear within the settlement agreed under the Smith commission that immigration would remain a reserved power.

**Bob Blackman** (Harrow East) (Con): Does my right hon. Friend agree that one of the problems that Scotland will face under the SNP Government is the flight of individuals from high taxes, who will have to be replaced with further immigrants, as well as the fact that businesses will fly down to London rather than be in Scotland?

**David Mundell:** I find it surprising that the Scottish Government always seem to fail to acknowledge that they have very significant powers to attract people to Scotland. At the moment, about 4% of migrants who come to the United Kingdom go to Scotland. Clearly, more needs to be done to encourage people to come to Scotland, and the Scottish Government need to address that. Making Scotland the highest-taxed part of the UK is not, in my view, the way to do it.

**Mr Alistair Carmichael** (Orkney and Shetland) (LD): I associate myself and my party with the expressions of condolence about the late Canon Kenyon Wright—a truly lovely man, for whom it was once my privilege to act as election agent, albeit unsuccessfully.

Will the Secretary of State explain to the Home Secretary the importance of non-EU nationals in making up the crews of many fishing boats, especially in the white fish sector, that operate out of Scottish ports?

**David Mundell:** I certainly will take that issue forward for the right hon. Gentleman. I am aware of the concerns that have been raised and I would be more than happy to meet directly with him to discuss the matter further.

### City Deals

6. **Iain Stewart** (Milton Keynes South) (Con): What assessment he has made of the effect of city deals on cities in Scotland. [908170]

**The Secretary of State for Scotland (David Mundell):** The UK Government have spearheaded these deals, which will be transformative for the cities of Scotland. The city regions are engines of economic growth, so they will drive forward Scotland's economy, which means more jobs and a secure future. That is why I am so pleased that the Government have now committed to a city deal for every one of Scotland's seven city regions.

**Iain Stewart:** In the autumn statement, the Chancellor gave welcome support to city deals. Will the Secretary of State assure me that he will support the borderlands initiative as part of the programme?

**David Mundell:** The borderlands initiative is an innovative proposal that seeks to bring together Dumfries and Galloway Council, Scottish Borders Council, Carlisle City Council and other councils in the north of England to recognise the significant economic area that crosses the border. I am delighted to give my support to that proposal.

**Alan Brown** (Kilmarnock and Loudoun) (SNP): As well as city deals, the Secretary of State will be aware that the Ayrshire growth deal has been submitted to the

Scottish Government. In yesterday's Treasury questions, the Chief Secretary to the Treasury wrongly said that it is for the Scottish Government to advance that deal. What discussions has the Secretary of State had with Treasury colleagues about supporting the Ayrshire growth deal?

**David Mundell:** May I first welcome the fact that the hon. Gentleman's colleague, the hon. Member for North Ayrshire and Arran (Patricia Gibson), has secured an Adjournment debate tomorrow that will focus specifically on the Ayrshire regional growth deal? I have met the councils and I want that deal to receive support from the UK Government in the way that is most appropriate to make it happen.

**Mr Speaker:** At this Scotland Office questions, I am pleased to inform the House that I have just been notified that Andy Murray has won his second round match in Melbourne.

### Exiting the EU

7. **David T. C. Davies** (Monmouth) (Con): What assessment he has made of the potential effect on the Scottish economy of the UK leaving the EU. [908171]

**The Secretary of State for Scotland (David Mundell):** Mr Speaker, I noted that in congratulating Andy Murray, you did not display the usual exuberance that you have demonstrated in support of him and the rest of the British team at Davis cup matches.

The UK Government have taken a number of measures to support Scotland's economy, including by committing to city deals for each of Scotland's cities, as I just said, and providing an additional £800 million for the Scottish Government's capital budget through to 2021. Leaving the EU opens up real opportunities for Scotland and we must always remember that the UK market is worth more than four times as much to Scotland as the EU single market.

**David T. C. Davies:** Adam Smith gave us the theory of modern capitalist economics and William Gladstone put it into practice. Would not those two fine Scotsmen be delighted by the opportunity that Brexit offers to ditch the socialist protectionism of the Scottish Government, and to implement the free trade and free markets that made the country such a powerhouse in the 19th century?

**David Mundell:** My hon. Friend, as ever, makes a robust case for the benefits of leaving the European Union. Perhaps to his list of posthumous figures from Scottish history I could add David Hume, whose essay "Of the Balance of Trade" predates "The Wealth of Nations" and provides an effective rebuttal to the so-called jealous fear of free trade among merchants at the time.

**Kirsten Oswald** (East Renfrewshire) (SNP): A hard Brexit outside the single market threatens to cost Scotland 80,000 jobs over a decade and to cost people an average of £2,000 in wages. What action will the Secretary of State personally take to keep Scotland in the single market, even if the rest of the UK leaves?

**David Mundell:** It is absolutely clear that Scotland cannot be a member of the single market if it is not a member of the EU, and the United Kingdom will not be a member of the EU. The Scottish Government accept that proposition. What is important is access to the single market and, as the Prime Minister set out yesterday, we aim to achieve the best possible access to that market.

15. [908179] **Sir David Amess** (Southend West) (Con): Has my right hon. Friend considered the effect on the Scottish economy if a further independence referendum is held?

**David Mundell:** My hon. Friend may be aware that today, in relation to labour market statistics, unemployment is up in Scotland, employment is down, and economic activity is also down. I am in no doubt that the uncertainty caused by the constant reference to an independence referendum is having an impact on the Scottish economy.

**Mr Angus Brendan MacNeil** (Na h-Eileanan an Iar) (SNP): An important part of the Scottish economy is the rural economy, particularly crofting. Yesterday I asked the Secretary of State for Environment, Food and Rural Affairs what exactly, after her careful thinking and planning, would happen to crofting after 2020. The Secretary of State for Scotland set out earlier that he thought that there would be no cuts to funding. Is it the case that we will see no cuts at all to agricultural support in Scotland post-2020? Will he confirm what he alluded to earlier?

**David Mundell:** The hon. Gentleman has already heard me answer that question. I have set out that leaving the common agricultural policy is an opportunity. The common agricultural policy has not suited Scotland, particularly those farming in less favoured areas. We now have an opportunity to do something different—we should seize it.

## PRIME MINISTER

*The Prime Minister was asked—*

### Engagements

Q1. [908225] **Kelvin Hopkins** (Luton North) (Lab): If she will list her official engagements for Wednesday 18 January.

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

**Kelvin Hopkins:** Thousands of babies who are born each year are damaged for life by alcohol consumed in pregnancy. Patients affected by alcohol put immense pressure on the national health service, and alcohol is a primary factor in domestic violence and attacks on women. Does the Prime Minister recognise the seriousness of the country's alcohol problems—the damage to lives and the billions in costs to the public purse—and will she instruct her Government now to address these problems effectively and as a matter of urgency?

**The Prime Minister:** I can certainly say to the hon. Gentleman that I recognise the problems that alcohol causes. He particularly referenced not just problems for pregnant women, but the part that alcohol often plays in domestic violence and abuse. That was why, when I was Home Secretary, we produced an alcohol strategy and worked on the issue of alcohol. The Government continue to recognise the importance of this issue and to work on it.

Q5. [908229] **Mr Laurence Robertson** (Tewkesbury) (Con): Will the Prime Minister join me in paying tribute to the NHS staff who provide us with such magnificent treatment day in, day out? Does she agree that people who miss NHS appointments without cancelling them cost the NHS a great deal of money and also take up slots that would otherwise be used by other patients? Will she consider how she might let those people know about the inconvenience that they are causing to the NHS?

**The Prime Minister:** My hon. Friend makes two important points. First, I am very pleased to join him in paying tribute to the dedication and hard work of all those who work in our national health service. Secondly, he is right to point out that if somebody misses an appointment, that is a cost to the NHS. There are a number of ways in which this is being dealt with. Some hospitals send out text messages that not only remind people of their appointment, but tell them how much it costs if they miss it.

**Jeremy Corbyn** (Islington North) (Lab): Yesterday the Prime Minister snubbed Parliament and snubbed the Brexit Committee's recommendation to bring forward a White Paper, while at the same time describing the referendum as

“a vote to restore...our parliamentary democracy”.

This is about our jobs, living standards and future prosperity; why will it not be scrutinised by this House?

**The Prime Minister:** What I did yesterday was to set out a plan for a global Britain. I set out a plan that will put the divisions of last year behind us, and that shows a vision for a stronger, fairer, more united, more outward-looking, prosperous, tolerant, independent and truly global Britain. It was a vision that will shape a stronger future and build a better Britain.

**Jeremy Corbyn:** Restoring parliamentary democracy while sidelining Parliament—it is not so much the Iron Lady as the Irony Lady.

Yesterday the Prime Minister finally provided some detail. May I urge her to stop her threats of a bargain basement Brexit—a low-pay tax haven on the shores of Europe? It would not necessarily damage the EU, but it would certainly damage this country, businesses, jobs and public services. She demeans herself, her office and our country's standing by making such threats.

**The Prime Minister:** What I set out yesterday was a plan for a global Britain, bringing prosperity to this country and jobs to people, and spreading economic growth across the country. Yesterday we learned a little more of the right hon. Gentleman's thinking on this issue. He said:

“She has said, ‘leave the single market,’ but at the same time says she wants to have access to the single market. I’m not quite sure how that’s going to go down in Europe. I think we have to have a deal that ensures we have access to the market.”

I’ve got a plan; he doesn’t have a clue.

**Jeremy Corbyn:** The Prime Minister was the one who made the threat about slashing corporation tax. If we reduce corporation tax to the lowest common denominator, this country loses £120 billion in revenue. How, then, do we fund public services?

Last year the Prime Minister said that leaving the single market could make trade deals “considerably harder” and that

“while we could certainly negotiate our own trade agreements, there would be no guarantee that they would be on terms as good as those we enjoy now”,

but yesterday she offered us only vague guarantees. Does she now disagree with herself?

**The Prime Minister:** The right hon. Gentleman might also have noticed that when I spoke in the remain campaign, I said that if we voted to leave the European Union, the sky would not fall in. Look at what has happened to our economic situation since we voted to leave the European Union.

The right hon. Gentleman talks about the future of the economy. I want us to be an outward-looking nation trading around the world, and bringing prosperity and jobs into the United Kingdom. The one thing that would be bad for the economy is the answers that the right hon. Gentleman has. He wants a cap on wages, no control on immigration and to borrow an extra £500 billion. That would not lead to prosperity; it would lead to no jobs, no wages and no skills.

**Jeremy Corbyn:** The Chancellor said after the referendum that to lose single market access would be “catastrophic”. A few days later, the Health Secretary said:

“The first part of the plan must be clarity that we will remain in the single market”.

The Prime Minister said something about “frictionless” access to the single market and a bespoke customs union deal. Could she give us a little bit of certainty and clarity about this? Has she ruled out paying any kind of fee to achieve access to what she describes as a “frictionless” market?

**The Prime Minister:** Access to the single market was exactly what I was talking about yesterday in my speech. One of the key objectives is that we negotiate a free trade agreement with the European Union that gives us the widest possible access for trading with, and operating within, the European Union.

The right hon. Gentleman talks about frictionless access. Actually, this was a separate point about frictionless borders in relation to the customs issue—a very important issue for us regarding the relationship between Northern Ireland and the Republic of Ireland. The Taoiseach and I, and all parties, are absolutely on a single page about this. We want to ensure that we have the best possible arrangement that does not lead to the borders of the past for Northern Ireland.

**Jeremy Corbyn:** The question was: will we have to pay for access to the market or not? The Prime Minister has not given an answer to that.

Yesterday the Prime Minister set out a wish list on immigration, referring to skills shortages and high-skill migration. Does she now disagree with the Secretary of State for Environment, Food and Rural Affairs, who told an employers’ conference, “Don’t worry. You can still have cheap EU labour after we leave the European Union”?

**The Prime Minister:** The right hon. Gentleman talks about access. Yes, the whole point is that we will negotiate a free trade agreement with the European Union that is about the best possible access for British business to operate in European Union member states and for European businesses to operate here in the United Kingdom. It is about sitting down and negotiating the best possible deal for the United Kingdom. That is what I am committed to, and it is what the Government are going to deliver.

**Jeremy Corbyn:** My question was about how much we are going to have to pay to have access to the market—still no answer.

Yesterday the Prime Minister talked about the pressure put on public services by migration. May I just remind her—the hon. Member for Tewkesbury (Mr Robertson) referred to this earlier—that at the moment there are 55,000 EU citizens working in our national health service, helping to treat all the people of this country? There are 80,000 care workers helping our—mainly elderly—people and there are 5,000 teachers educating our children. The real pressure on public services comes from a Government who slashed billions from the social care budget, who are cutting the schools budget, and who are closing A&E departments, walk-in centres and Sure Start centres. Instead of threatening to turn Britain into an offshore tax haven, let us welcome those who contribute to our public services and fund those public services properly so that we have the fully functioning NHS that we all need and deserve.

**The Prime Minister:** I made it clear yesterday that we value those who have come to the United Kingdom and contribute to our economy and society. There will still be people coming to the United Kingdom from the European Union when we leave the EU. The crucial issue is that it is this Government who will be making decisions about our immigration system for people from the European Union. Yet again, I say to the right hon. Gentleman that there is indeed a difference between us—it is very simple. When I look at the issue of Brexit—or, indeed, at any other issue, such as the national health service or social care—I consider the issue, I set out my plan and I stick to it. It is called leadership; he should try it sometime.

Q11. [908236] **Karl McCartney** (Lincoln) (Con): Yesterday was a day for being bold and ambitious, and I am sure that my right hon. Friend noted during her busy day that Lincoln City football club followed her lead last night, progressing to the fourth round of the FA cup.

While I warmly welcome the PM’s speech yesterday, I also note her recent comments about white working-class boys and university. In the past 10 years, half a million fewer males than females have gone to university, males’

exam results have been lower at all levels, and fewer males than females have started apprenticeships. Despite my raising this issue in a Westminster Hall debate with Education Ministers four months ago, nothing has happened. When can we expect to see practical action on closing the gender education gap?

**The Prime Minister:** I join my hon. Friend in congratulating Lincoln City on their victory last night. I think it was a fitting tribute to Graham Taylor that they won that match.

My hon. Friend raises an important point. I have indeed highlighted the issue of particularly white working-class boys, who are the group in society least likely to go to university. We are committed to making sure that every child gets the opportunity to fulfil their potential. That is about ensuring that apprenticeships are as accessible as possible. I am pleased to tell my hon. Friend that the proportion of apprenticeships started by males has increased this year to almost 50%, and also that universities expect to spend more than £800 million this year on improving access and success for disadvantaged students. We want everybody to achieve their potential, whatever their background and whatever their gender.

**Angus Robertson (Moray) (SNP):** Shortly after the Prime Minister confirmed that she wants to take the UK out of the single European market, the Scottish Parliament voted by a large cross-party majority to remain in the single European market, just as a large majority of people in Scotland voted to remain in the European Union. The Prime Minister said that Scotland is an equal partner in the United Kingdom. Does she still believe this is true or is she just stringing the people of Scotland along?

**The Prime Minister:** I refer the right hon. Gentleman to my speech yesterday, in which I reiterated my commitment to work with the devolved Administrations to ensure their voice is heard and their interests are taken into account as we proceed along the path of negotiating our exit from the European Union. I specifically referenced the Scotland plan. I understand that the Welsh Government will be producing a plan for Wales for us to look at, too. The Scotland plan will, I believe, be considered tomorrow by the Joint Ministerial Committee on European negotiations. We will be looking at it seriously and working with the Scottish Government on the proposals they bring forward.

**Angus Robertson:** Scotland's leading economic forecaster says that real wages will fall—[*Interruption.*] We have Tories jeering and cheering when the forecast for people's income is that it is likely to drop by £2,000 and that 80,000 people may lose their jobs in Scotland as a result of the Prime Minister's hard Tory Brexit plan. Does the Prime Minister believe that this is a price worth paying for her "Little Britain" Brexit?

**The Prime Minister:** I repeat what I said earlier: we will work to ensure we get the best possible deal in terms of access to the single market, and continue to co-operate in partnership with the remaining 27 member states of the European Union. The right hon. Gentleman once again talks about the possibility of a negative impact on Scotland if Scotland were not part of the

single market. His party is dedicated to taking Scotland out of the single market by taking it out of the United Kingdom.

Q14. [908239] **Richard Fuller (Bedford) (Con):** This week, directors of our larger companies have been told by investors to rein in senior executive pay, which is too often distorted by long-term incentive plans that are too complex to manage and too excessive in their rewards. Will my right hon. Friend look at such schemes as part of her corporate governance review?

**The Prime Minister:** My hon. Friend raises an important issue. I am pleased to say that the Government have already taken some action on executive pay: giving shareholders the power to veto pay policies, forcing companies to disclose the pay of their board directors and introducing tough transparency measures for banks. I want to build on that, which is why we published a Green Paper on how to strengthen shareholders' influence over executive pay and introduced greater transparency. I look forward to receiving representations from my hon. Friend on this issue.

Q2. [908226] **Kirsty Blackman (Aberdeen North) (SNP):** Will the Prime Minister provide a commitment today that no part of the great repeal Bill will be subject to English votes for English laws?

**The Prime Minister:** The hon. Lady might recognise that the great repeal Bill will deal with a number of complex issues. At its heart will be the repeal of the European Communities Act 1972. As we look at the Bill and at negotiating our way out of the European Union, we will need to look at the whole issue of reserved matters and devolved matters, but there are many aspects—[*Interruption.*]

**Mr Speaker:** Order. Members of the Scottish National party, led by the right hon. Member for Moray (Angus Robertson) on the Front Bench, who is supposed to be a statesmanlike figure, should demonstrate some calm and reserve while they are being answered by the Prime Minister.

**The Prime Minister:** The hon. Lady knows full well that if any part of proposed legislation brought before this House applies only to England, it will be subject to English votes for English laws.

**Nadine Dorries (Mid Bedfordshire) (Con):** May I congratulate the Prime Minister on her delivery yesterday of an historic, definitive, pragmatic, outward-looking speech that saw the pound rise to its highest level in two years and the FTSE up today? Does she agree that the strong and prosperous UK she has planned would be a nightmare for the Leader of the Opposition and the EU ruling class?

**The Prime Minister:** I agree with my hon. Friend. A strong and prosperous Britain is exactly what we want to build as we leave the EU. It is only a pity that the Labour party seems uninterested in doing that, but wants to do the exact opposite and bring this economy down.

### Rhondda

Q3. [908227] **Chris Bryant** (Rhondda) (Lab): If she will visit the Rhondda.

**The Prime Minister:** I always enjoy my visits to Wales, and I hope to visit Wales in the future.

**Chris Bryant:** That is not quite an answer to whether she will visit the Rhondda. I hope she will; I am happy to accommodate her—I can do bacon and eggs. More importantly, I could take her to see the best brass band in the world, the Cory band, or, for that matter, I could take her to the local food bank, based in the closed-down Conservative club. Since 2010, the Government have closed the local courts, tax office, Department for Work and Pensions office and driving centre, and now they intend to close all the tax offices in Wales and centralise them in Cardiff. We in the valleys feel ignored by the Government. May I beg her to change direction and start putting Government offices in the small towns, villages and valleys of this country?

**The Prime Minister:** The last time I looked, Cardiff was actually in Wales—the hon. Gentleman says we are taking offices out of Wales and putting them in Cardiff. The whole point of what Her Majesty's Revenue and Customs is doing is to move from outdated offices to large, modern regional centres, which will make it possible to modernise its ways of working, make tax collection more efficient and actually improve its customer service.

### Engagements

**Chris Green** (Bolton West) (Con): I welcome my right hon. Friend's speech setting out a plan for global Britain. It clearly shows that those on the Government Benches are listening to the British people. Will she commend this approach to the council leaders now considering the Greater Manchester spatial framework consultation responses, as they need to listen to the people, give us better infrastructure and protect our green spaces?

**The Prime Minister:** I thank my hon. Friend for his comments and for raising this issue. I understand that the consultation on the spatial framework closed earlier this week and that there has been huge interest among local people. I echo his comment that it is absolutely right that local leaders should take into account all the representations made.

Q4. [908228] **Ian Blackford** (Ross, Skye and Lochaber) (SNP): In the UK, we have 14 regional markets for electricity distribution, and highlanders and islanders are facing higher prices because of where we live. Electricity distribution charges for the north of Scotland are an eye-watering 84% higher than those for London. The Prime Minister talks about fairness. Will she introduce a universal market for electricity pricing and stop penalising highlanders and islanders? Those of us who live in the coldest, windiest places are discriminated against by her Government, and it must end.

**The Prime Minister:** The hon. Gentleman draws attention to the fact that geography of course has an impact on these matters. He talks about living in the coldest and windiest places, and obviously one interesting issue in Scotland is the opportunity for renewables there. I can

tell him, however, that we are looking at making sure that energy markets in the UK are indeed working properly.

**Andrew Selous** (South West Bedfordshire) (Con): I am pleased that the Prime Minister has said that she will take the necessary action on air quality to deal with the 40,000 premature deaths it causes across our country every year. I know she believes in her Government leading by example, so will she make sure that all diesel cars are removed from the Government Car Service as soon as possible?

**The Prime Minister:** My hon. Friend is absolutely right that improving air quality is a priority for the Government. We are determined to cut harmful emissions and have committed money since 2011 to supporting the take-up of low-emission vehicles. The Government Car Service is working to remove diesel vehicles from its fleet. It has so far replaced a quarter of its vehicles with petrol hybrid cars, and of course its work continues to remove those diesel vehicles.

Q6. [908230] **Mr Barry Sheerman** (Huddersfield) (Lab/Co-op): Is the Prime Minister aware that I totally agree with what she said yesterday—[*Interruption.*] Wait for it. I agree that we in this House have a real responsibility to ensure that our children and grandchildren have a bright future, but is she aware that dark clouds are looming on the horizon—intolerance, racism across Europe and the foundering and flux of many of our great institutions that have kept peace and prosperity since the last world war? I speak here of the United Nations, NATO and, indeed, the European Union. Are we fit for purpose in keeping this country safe and secure in that world?

**The Prime Minister:** I absolutely recognise the important issue that the hon. Gentleman has raised. It is precisely as we move out of the European Union that the United Kingdom will be more outward looking. We will look globally. We want to ensure that we continue to play our part in the United Nations and that the UN is able to do the job that everybody wants it to do. NATO has obviously been the most important bulwark when it comes to maintaining safety and security across the European continent. That is why we are continuing to support NATO. British troops are in Estonia, and British forces are in Poland and Romania, which shows our continuing commitment to NATO. The thrust of my speech yesterday was that we want a strong strategic partnership with the European Union. We want access to the single market through a free trade agreement, but we also want to continue to work with the EU on justice and security matters. Now is not a time to co-operate less; it is a time to co-operate more.

**Paul Scully** (Sutton and Cheam) (Con): I am delighted at the third-round FA cup replay, in which Sutton United won 3-1 against Wimbledon. However, the pressing issue—what would make us really happy—is being able to get to work on a day-to-day basis. Does the Prime Minister share my cautious optimism that a return to talks by ASLEF and Southern can provide a long-lasting solution for hard-pressed commuters?

**The Prime Minister:** As a former Wimbledon councillor, I am not sure that I quite share the enthusiasm of my hon. Friend for the defeat of AFC Wimbledon. On the point about the train strikes, yes, I do; and I hope that those sitting around the table are going to ensure that an agreement will be reached to enable passengers to be able to get on with their lives and their jobs, and not suffer the misery that was brought about by the strike in the first place.

Q7. [908231] **Siobhain McDonagh** (Mitcham and Morden) (Lab): I agree with the Prime Minister and disagree with the hon. Member for Sutton and Cheam (Paul Scully) about last night's AFC Wimbledon result.

If the Prime Minister really believes that GP surgeries should be open seven days a week, 12 hours a day, will she be my guest at a residents' meeting against a Department of Health diktat that will close the 6,000-strong Mitcham Wilson surgery? Even better, will she just tell her Government to stop cuts to GP services, which force thousands to attend hard-pressed A&Es such as those at St George's and St Helier, or is she just happy to oversee the possible collapse of the NHS on her watch?

**The Prime Minister:** I might remind the hon. Lady that she and I sat on a council together where we tried to keep Wimbledon actually playing in Wimbledon, or at least in the borough of Merton rather than moving elsewhere.

On the point about GP services, GPs are part of the solution for the NHS in the future. That is why we have seen more GPs coming into the NHS and 5,000 more are being trained and will be in place by 2020. We want to ensure that GPs are open and providing services at times when the patients want to access them.

**Anna Soubry** (Broxtowe) (Con): It was quite clear from the Prime Minister's speech yesterday that she seeks to build a Brexit consensus and to bring our country back together. I thank her for that. To that end, and indeed to strengthen the Prime Minister's negotiating hand, before article 50 is triggered, will she please at least consider publishing all those 12 objectives in a White Paper so that we can debate them here in this place on behalf of all our constituents?

**The Prime Minister:** I absolutely understand my right hon. Friend's point about Parliament's desire to be able to debate the objectives that I set out very clearly in my plan yesterday. One of the objectives and principles I set was about certainty and clarity. It continues to be the Government's intention that we will provide clarity whenever it is possible, and we will ensure that, at appropriate times, both the public and Parliament are kept informed and are able properly to consider and scrutinise these issues.

Q8. [908233] **Mrs Louise Ellman** (Liverpool, Riverside) (Lab/Co-op): While dedicated and talented staff at Royal Liverpool University hospital's accident and emergency department struggle to find beds for sick people, about 135 patients cannot be discharged solely because of Government cuts in social care budgets. When will the Government recognise their responsibilities, and not try to blame GPs for a problem of their Government's own making?

**The Prime Minister:** There is pressure on social care. I have accepted and recognised that in the House. The Government have recognised it, and have provided additional funding through the Better Care Fund and the social care precept. This year Liverpool raised £2.8 million from the precept, and it will receive more than £48 million on top of that from the improved Better Care Fund by 2019-20. However, this is not just a question of money; it is a question of ensuring that we have a sustainable social care system for the future, and that is what the Government are working on.

**Alistair Burt** (North East Bedfordshire) (Con): May I commend my right hon. Friend for what she said yesterday, and not least for her constructive tone and constructive approach to the European Union and its future? That was in marked contrast to what we have heard from others over the years, from many different quarters in the United Kingdom. Will my right hon. Friend confirm that that constructive tone will remain, as the best base for securing an agreement between us and the EU that is in our mutual interest? Will she also confirm that the default position of "no deal" will remain a default position, and that the Government will not be persuaded to make it their preferred option?

**The Prime Minister:** Absolutely. We want to get that good deal and we expect to be able to get that good deal, and, as my right hon. Friend says, it is through good will and a positive approach on both sides of the negotiations that we will achieve it.

I am very clear about the fact that the United Kingdom wants to see a continuing, strong European Union of 27 member states. We want a strong strategic partnership with that European Union, and, of course, we want to continue to work bilaterally with individual member states. I made that point to a number of European leaders yesterday when I spoke to them after my speech. I said that we wanted to approach this in a positive and optimistic fashion, because I believe that a deal that is good for the UK will be a deal that is good for the European Union.

Q9. [908234] **Louise Haigh** (Sheffield, Heeley) (Lab): This week the national auditor revealed the abject failures in the Concentrix fiasco which had resulted in thousands of people being wrongly denied their tax credit. That was not one rogue contractor, but a system designed by the Government to pursue and chase down claimants for profit. Does the Prime Minister agree with the chief executive of HMRC that payment by results has no place in our welfare system? Will she review this model, or will she wait for the next scandal to hit vulnerable people?

**The Prime Minister:** I recognise that many people received a poor service from Concentrix. This is not the first time that that has been highlighted in the Chamber. It was not acceptable, and I apologise for the worry and distress that was caused to people. We have been very clear about the service operated by Concentrix. HMRC will learn the lessons from that contract, and it remains committed to providing a high-quality service. It will not use a private sector supplier to undertake tax credit error and fraud checks again.

**Mr Kenneth Clarke** (Rushcliffe) (Con): My right hon. Friend the Member for Broxtowe (Anna Soubry) mentioned the speech that the Prime Minister made yesterday. In that speech, she confirmed her commitment to parliamentary democracy, and I assume that she therefore accepts the long-standing convention that the Executive—the Government—are continuously accountable to the House for the policies that they are pursuing. Will she clarify whether she intends to make any further statements of policy intentions to the House, and whether she expects the House to have an opportunity to vote its approval for those policies earlier than two years from now, when the whole negotiation has been completed?

**The Prime Minister:** My right hon. and learned Friend has raised a matter that has also been raised not only by our right hon. Friend the Member for Broxtowe (Anna Soubry), but by others as well. Yesterday my right hon. Friend the Secretary of State for Exiting the European Union spent two hours answering questions in the House, and there will be a further debate on matters relating to exiting the European Union later today. There have been a number of such debates already, dealing with issues that are part of the objectives that we have set.

We shall have to consider the result of the decision of the Supreme Court, which may, if it goes against the Government, require legislation. There will be an opportunity in the great repeal Bill to consider a number of issues relating to exiting the EU, but as for voting on the actual deal that we have, we cannot do so until we know what it is. That is why I said yesterday that Parliament would have a vote when we knew what the deal was.

Q10. [908235] **Dr Eilidh Whiteford** (Banff and Buchan) (SNP): The Prime Minister's passing reference to the interests of Spanish fishermen in her speech yesterday rather let the cat out of the bag that our fishing opportunities are already on the table as a bargaining chip before the Brexit negotiations have even started, so what exactly does the Prime Minister want to offer the Spanish fishermen?

**The Prime Minister:** I made the very simple point yesterday that this negotiation is not just about the United Kingdom; there will be others in the European Union who will be looking to ensure that the deal we get is good for the UK and good for the EU. But I have to say to the hon. Lady that if she in any sense thinks that continued membership of the common fisheries policy is what we should be looking for, that is certainly not the case, and it is certainly one of the things people voted against.

**Jeremy Lefroy** (Stafford) (Con): The people of Staffordshire and Stoke-on-Trent are again being confronted with the possible loss of emergency services in Stafford or Burton, when our acute hospitals are constantly under intense pressure. Does the Prime Minister agree with me, our hon. Friend the Member for Burton (Andrew Griffiths) and other local MPs that closing A&Es is no way to deal with increased real—not imagined—need?

**The Prime Minister:** The important issue is the level of service that is available to people in any particular local area. That is why the sustainability and transformation

plans that are being considered and have been published are being taken into account and being considered at a local level, so that local clinicians and local people will be able to agree what is best in their particular area.

Q12. [908237] **Gordon Marsden** (Blackpool South) (Lab): Last Friday I went to Blackpool Victoria hospital where the number of people waiting 12 hours or more in A&E doubled last year, with 100 of them aged 90 or over. Trust managers told me that the biggest factor in delays is discharging patients who cannot get community care, and my local paper said that Government cuts have eroded support for them. Will the Prime Minister stop waffling about her shared society, listen to her own budget watchdog saying that we will need £30 billion for older people in the next 10 years, and put that money not into corporation tax cuts but into local adult care and the NHS?

**The Prime Minister:** Just looking at the figures on what has happened in health in the hon. Gentleman's area, I see that there are more doctors in his NHS foundation trust and significantly more nurses, but the—[*Interruption.*] I know what the hon. Gentleman is talking about and I am about to comment on it, but the hon. Member for Ashton-under-Lyne (Angela Rayner), who is shouting from a sedentary position, might have recognised that he started off talking about the NHS, which is what I am also commenting on. [*Interruption.*]

**Mr Speaker:** Order. I am not going to allow an exchange across the Dispatch Box or across the House at this point. The Prime Minister was asked a question [*Interruption.*] Order. I require no help from the hon. Member for Birmingham, Perry Barr (Mr Mahmood), which is of zilch value. The Prime Minister will answer, and she will be heard with courtesy, including by the hon. Gentleman.

**The Prime Minister:** The hon. Member for Blackpool South (Gordon Marsden) asked me about pressures on the national health service. We are seeing more doctors and nurses in his Blackpool Teaching Hospitals NHS Foundation Trust, and health funding in the hon. Gentleman's area will be £3 billion this year, and that will be rising with a further £450 million by 2020-21.

As I have said in this House before, we are putting extra money into social care. We are giving local authorities the opportunity to raise more money and spend it on social care. But this is not just about more money; it is about ensuring best practice is spread throughout the country and it is about a long-term solution to sustainable social care for the future, an issue that has been ducked by Governments, including a Labour Government for 13 years.

**Matt Warman** (Boston and Skegness) (Con): On Friday the east coast of England faced the threat of a tidal surge that endangered tens of thousands of homes and thousands of lives. A simple change in the weather meant that flooding was averted, but will the Prime Minister join me in praising the response of the emergency services in planning ahead, involving the Army, the Coastguard, the fire and ambulance services and the police, to make sure that the best possible plans were

made? Will she further join me in making sure that the public know that in future these warnings should always be taken seriously?

**The Prime Minister:** My hon. Friend raises an important point, and I am happy to join him in commending the action of all those in the emergency services, in our armed forces and in local authorities who worked so hard to ensure that this problem was dealt with. As he said, a change in the weather took place, but it is crucial that when these warnings are given, people recognise that they are given for the very good reason that there is concern about the danger that could take place. The efforts that were put in protected tens of thousands of properties, and I am pleased to see that we have learned from the work done on previous flooding incidents. The work between the emergency services, local services and the armed forces was much better co-ordinated than has perhaps been the case in the past, so we have been able to learn from the flooding in the past.

Q13. [908238] **Meg Hillier** (Hackney South and Shoreditch) (Lab/Co-op): In response to the right hon. Member for Broxtowe (Anna Soubry), the Prime Minister talked about her desire to give clarity around our exit from the EU. Many of my constituents are European citizens who are paying tax and bringing up their families here. What assurance can she give them about their future, particularly if they change employer or are freelancers?

**The Prime Minister:** One of the objectives I set out in my speech yesterday was something I have said before about the guaranteeing of rights for EU citizens living here in the UK, but I also want to see the rights of UK citizens living in the 27 member states being guaranteed. I remain open, and I encourage others across Europe to agree with me that this is an issue we should look at as early as possible in order to give people the confidence and reassurance that the hon. Lady is looking for.

**Simon Hoare** (North Dorset) (Con): In supporting my right hon. Friend's endeavours in facing the difficult challenges in social care and the national health service,

may I invite her to endorse the concept and continuance of community hospitals in our market towns across the country? Those hospitals, including the Westminster Memorial hospital in Shaftesbury in my constituency, provide a vital piece of the jigsaw in our national health service.

**The Prime Minister:** I am sure that the Westminster Memorial hospital in Shaftesbury is providing good services for local people. The structure of local services is of course a matter for discussion at local level, and it is crucial that local clinicians and others agree that we have a safe and secure service for people and that they are provided with the NHS services that they need at the most appropriate level. I fully accept my hon. Friend's point that we often think only about the major district general hospitals and acute hospitals when actually the NHS is made up of many different parts. We need to ensure that patients are being treated at the most appropriate level for their needs.

**Hywel Williams** (Arfon) (PC): How can abandoning membership of a customs union that takes 68% of Wales's exports—including, crucially, 90% of our food and drink exports—and that supports 200,000 jobs cause anything other than "calamitous...self-harm"?

**The Prime Minister:** What we will be doing is negotiating a free trade agreement with the European Union to get the best possible access for trade with the EU, but we also want to be able to negotiate trade agreements with other countries around the world. A number of countries have already expressed interest in doing that with us. We want to do that to open up new export markets being delivered for businesses here in the United Kingdom, including the sort of trade in Wales that the hon. Gentleman is talking about. On the question of customs with the European Union, we want an arrangement that will involve the most frictionless borders possible.

## Human Rights: Burma

12.44 pm

**Paul Scully** (Sutton and Cheam) (Con) (*Urgent Question*): To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make statement on human rights in Burma.

**The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Alok Sharma)**: Mr Speaker, I know that you care deeply about the situation in Burma and have done much to foster democratic values in that country and to promote relations between the UK and Burma. I am grateful to my hon. Friend the Member for Sutton and Cheam (Paul Scully) for raising this matter. He knows Burma well and has close family connections there.

We have of course been deeply worried by the flare-up of violence in Rakhine state since an attack on police posts on 9 October by unknown assailants—presumed to be Rohingya militants. While we condemn the attack and recognise the right of security forces to carry out security operations to root out the perpetrators, we remain deeply concerned by the conduct of the army in its response. Although restrictions on media, diplomatic and humanitarian access make the facts difficult to ascertain, we have been worried by numerous reports alleging widespread human rights violations in the security response.

British Ministers have directly lobbied Burmese Ministers in response to the escalating violence. The Commonwealth Affairs Minister, my noble Friend Baroness Anelay of St Johns, raised the issue with the Burmese Defence Minister when she visited Burma in November last year. Specifically, she called for the full and immediate resumption of aid and for an investigation into allegations of human rights abuses. I repeated those calls to the Construction Minister when he visited the UK, also in November. The Burmese Government have now committed to investigating the 9 October attacks, restoring human rights access and investigating allegations of human rights abuses. In practice, however, much aid is still blocked by local authorities reporting to the military, particularly in the areas where security operations are ongoing. We will continue to monitor the situation closely.

We are also worried by the recent escalation of conflict in Kachin and Shan states, which has also led to allegations of civilian casualties, the widespread displacement of civilians and human rights abuses. We have raised our concerns about the violence in north-east Burma directly with Burmese Ministers. As I said, we continue to monitor the situation closely. The Secretary of State for Foreign and Commonwealth Affairs will visit Burma soon and will reiterate our concerns about such issues.

**Paul Scully**: I thank the Minister for that response. The first question I asked in this House was about the situation faced by the Rohingya community in Rakhine state. It is incredibly frustrating to return to the subject nearly two years later, following several worrying reports from Rakhine, northern Shan and Kachin, the last two of which have reportedly involved airstrikes and heavy artillery.

Since that first question, Aung San Suu Kyi has won a remarkable election victory. Although she has a difficult task in keeping the Government together while the military still has such a huge influence, does the Minister agree that friends such as the UK should continue to raise humanitarian issues while so many suffer due to their faith?

Tomorrow, Foreign Ministers of the Organisation of Islamic Co-operation, an inter-governmental body of 58 member states, will meet in Kuala Lumpur to discuss the situation of the Rohingya in Rakhine state. Will the Minister join me and more than 40 Myanmar-based civil society organisations in calling today for a truly independent international investigation into that situation, whereby state-sponsored attacks on Rohingya Muslim civilians have escalated in recent months? It is difficult to get accurate information about what is really happening in Rakhine, so in order to get to the truth and beyond the false reports, will the Minister call for full access for independent observers and journalists to villages and displacement camps in Rakhine state?

I have also been informed that Yanghee Lee, the United Nations special rapporteur on human rights in Myanmar, who has been on a 12-day monitoring mission to the country, has been denied access by the Government to conflict-affected areas of Shan state. Does the Minister agree that Ms Lee should be allowed to do her job and bring such issues into the open? Finally, when the Foreign Secretary visits Burma this weekend, will he raise the situation in Rakhine, Kachin and northern Shan, and will he also raise the matter with Burmese MPs and the Speaker of the House of Representatives when the Burmese delegation visits the UK next week? Will he also raise the matter with the Government of Bangladesh to see what more can be done on a humanitarian level for displaced Rohingyas on the border between Burma and Bangladesh?

**Alok Sharma**: I agree with my hon. Friend, and of course, we are deeply concerned about what is happening in Rakhine state. Yes, it is difficult to get access to verify the facts but, like him, we are extremely concerned about the human rights violations that have been reported and, of course, about the security response.

My hon. Friend raised a number of questions. He asked about UK support for an international commission—I assume a UN-type commission. A UN-led commission of inquiry can be established in one of three ways: by the Secretary-General, by the Security Council or by the Human Rights Council. Establishing an inquiry in that way would require broad international support, which we assess does not exist in the current international environment.

My hon. Friend also asked about the visit of Yanghee Lee, the UN special rapporteur, which I very much welcome. I am aware that she is currently in Burma, and for many years we have supported the annual resolution of the Human Rights Council that mandates her role. We hope that the authorities in Burma will give her full and unimpeded access so that she can conduct a thorough assessment, including of Rakhine. Like my hon. Friend, I look forward to reading her report.

My hon. Friend talked about the overall peace process and particularly about the aid that we are providing. I can confirm that we are providing aid not just in Rakhine

but to the refugees in Bangladesh. In our meetings I have urged the Bangladeshi Government not to return refugees to a situation in which they would face harm.

Finally, my hon. Friend made a plea in relation to the Foreign Secretary's visit. I assure him that the Foreign Secretary will strongly put the case on humanitarian issues from a UK perspective. As far as I am aware, he intends to meet Daw Aung San Suu Kyi, as well as the chief of the military.

**Catherine West** (Hornsey and Wood Green) (Lab): Thank you for granting this urgent question, Mr Speaker. I congratulate the hon. Member for Sutton and Cheam (Paul Scully) on securing it.

For all of us who have campaigned for years for democracy and an end to repression in Myanmar, including many in this House, it is all the more troubling to see evidence that, for all the progress that has been made, the suppression of the majority in Myanmar has been replaced, in far too many cases, with the persecution of minorities. In particular, as the hon. Gentleman said, it was shocking to hear of the recent disappearance of two Kachin Christian leaders, who have apparently been kidnapped in northern Shan state. It is incumbent on the Government, and indeed on the international community as a whole, to press the Myanmar authorities urgently to provide information on their whereabouts and to secure their immediate freedom.

We are also deeply concerned about the continuing humanitarian crisis in Rakhine state, and particularly about the recent reports from the United Nations, Amnesty International and Human Rights Watch that a raft of human rights violations have taken place in recent months, including cases of torture, rape and sexual assault, summary executions and the destruction of mosques and homes.

Upholding human rights should be the driving force of our foreign policy, and we therefore call on the Government to use Britain's influence to stand up for the rights and freedoms to which all human beings are entitled and to raise concerns with the authorities in Myanmar as a matter of urgency, including on the persecution and poverty that many people are suffering and on the need for full humanitarian access to all affected areas.

I hope the Minister can tell us today about the representations he has made to his counterparts in Myanmar, particularly on access for the UN-appointed rapporteur, Yanghee Lee, and on how he is planning to ensure that the rights of Myanmar's people are protected.

**Alok Sharma:** Having previously discussed the situation with the hon. Lady, I know that she cares very deeply about the humanitarian issues in Burma. There is consensus on these issues on both sides of the House.

The hon. Lady raises the issue of the Kachin pastors. Many Christians live in areas where there is active conflict, notably in Kachin, and we are of course deeply concerned about the disappearance of the two pastors, Dumdaw Nawng Lat and Langjaw Gam Seng. There is deep concern about their welfare. As she notes, they disappeared on Christmas eve, allegedly after taking journalists to see a recently bombed church. Like her, we urge the Government of Burma to investigate their case immediately and release them.

The hon. Lady asks about the UK Government's lobbying. I note that the Foreign Secretary will be in Burma soon. He will, of course, make strong representations on behalf of the UK Government. Apart from the representations that I and other Foreign Office Ministers have made, our ambassador has visited north Rakhine in recent months and has lobbied five separate Burmese Ministers on the issue and urged restraint in the security response.

Finally, the hon. Lady talked about humanitarian aid. As she will know, the UK Government are doing an enormous amount to provide aid to this troubled area. We have certainly been the biggest bilateral humanitarian donor in Rakhine, and since 2012 we have provided more than £23 million in humanitarian assistance, including supporting work on sanitation and nutrition for more than 126,000 people.

**Sir Hugo Swire** (East Devon) (Con): When the Foreign Secretary travels to Burma, he will no doubt wish to discuss with Aung San Suu Kyi and other leaders the role of the Tatmadaw, whether it is worth our while to continue running courses for them, the efficacy of those courses and whether the Tatmadaw is continuing to block aid from going into some areas. I urge the Minister to in turn urge the Foreign Secretary to travel to Sittwe in Rakhine to see the situation on the ground for himself, talk to the Rohingya and come back to this House to update us on whether there is now real evidence that outside forces are stirring up the Rohingya in that part of Burma.

**Alok Sharma:** My right hon. Friend is an expert, having been a Minister with responsibility for this part of the world when he was at the Foreign Office. I have already set out the key individuals whom the Foreign Secretary plans to meet, and we all look forward to his response when he returns to the House.

My right hon. Friend talks about the training we may be doing with the military in Burma, and I make it clear that any training we undertake has nothing to do with combat training; it is to do with humanitarian work and English language training. Our assessment is that building those links is a worthwhile thing to be doing.

On the Tatmadaw, my right hon. Friend knows full well that Aung San Suu Kyi has a position in the Government but that the army has a role to play. Clearly it is the army that is acting in the areas where there are humanitarian issues.

**Alex Salmond** (Gordon) (SNP): I congratulate the hon. Member for Sutton and Cheam (Paul Scully) on securing this important urgent question. The Minister has expressed concern about the disappearance of the two ethnic Kachin Baptist leaders who were apparently forcibly disappeared over Christmas, and he has also called for unfettered access for the United Nations special rapporteur. Can he confirm that both those matters have already been specifically raised with the Burmese ambassador in London, and that the Foreign Secretary will raise both specific matters in his talks in Burma next week?

The Minister rather sidestepped the question on action through the UN by saying that the Government's opinion is that there is not sufficient consensus at the present

[Alex Salmond]

time to take forward such action. Can he go further? When the special rapporteur returns and reports to the UN, will he undertake on behalf of the Government to use every possible effort to build consensus on an urgent and independent United Nations commission as a result of the special rapporteur's visit? Will the Government commit to trying to build that consensus, as opposed to merely remarking that it does not exist?

**Alok Sharma:** The right hon. Gentleman talks about the UK Government's representations to the Burmese Government. As I noted, we have made representations at both ministerial and ambassadorial level. He talks about the representations that the Foreign Secretary will make. I will ensure that the Foreign Secretary is aware of what is said in this House, as I am sure he already is. He cares very deeply about Burma, and the fact that he is going out there very soon should give the right hon. Gentleman a great deal of comfort.

The right hon. Gentleman talks about the UN, and I stated the position on that: we support the UN special rapporteur. He will know that we have also been supportive of the Human Rights Council, but this is about building multilateral support for actions, and that is where we seek to work together with other partners.

**Sir Edward Leigh** (Gainsborough) (Con): Years ago, during the time of the Labour Government, I organised a debate in Westminster Hall about the persecution of the Karen people, which has been a long-standing serious situation. Those people gave us unstinting loyalty during the second world war, and they have been repaid with persecution ever since. What further steps can the Government take on that persecution, to ensure that the human rights of the Karen are protected?

**Alok Sharma:** Collectively in this House, we all care deeply about human rights, wherever they may be being affected. If my hon. Friend would like to write to me, I would be happy to take up that specific issue, but I make the general point that human rights absolutely matter to this House, to the Government and to the British people, and will continue to be at the forefront of everything the Foreign Office does.

**Joan Ryan** (Enfield North) (Lab): Undoubtedly there is reason for concern at the military crackdown on the Rohingya Muslim minority. I understand that Aung San Suu Kyi has made it clear that she welcomes the international community's support and efforts in seeking peace and stability, and in building better relations with communities. I hope the Foreign Secretary will focus on that during his visit. The UN special rapporteur, Yanghee Lee, is on her fifth information-gathering visit, so does the Foreign Secretary intend to speak to her?

**Alok Sharma:** On whether the Foreign Secretary will be speaking to the special rapporteur, I will make sure he is aware of the right hon. Lady's request. On our ongoing dialogue, she will know that the Advisory Commission on Rakhine State, which is led by Kofi Annan, was put in place last year and is due to produce a report in August. I have had a number of conversations with Kofi Annan about the work that is ongoing, so I

hope she will appreciate that that is a clear example of what the British Government are doing to engage with the international community and others in Burma.

**Sir Desmond Swayne** (New Forest West) (Con): Given the scale of abuse by the Tatmadaw and a particularly uncharacteristically militant form of Buddhism, does the Minister accept that the unwelcome radicalisation of the Rohingya is only a question of time, that that time is short and that this needs to be treated with the appropriate sense of urgency?

**Alok Sharma:** We of course bring a sense of urgency to all the work that we try to do, particularly on human rights, but this process has, sadly, been ongoing for some time. It is about continuing to work together with international partners, non-governmental organisations and others in Burma, and continuing to make those representations. As I said, the Foreign Secretary hopes to meet the chief of the army when he is in Burma, and I hope we will have an opportunity to make our points clearly to the Tatmadaw then.

**Mark Durkan** (Foyle) (SDLP): I welcome the Minister's indication about the Foreign Secretary's visit. Will the Foreign Secretary make it clear when he is in Burma that the interest of this House extends to seeing not only a continued transition in rule, but a real transformation in rights? The best way for that to begin is through a credible investigation at an international level, with reliable adherence to any robust recommendations that that investigation brings.

**Alok Sharma:** On the investigations, I have said that the commission established and led by Kofi Annan will, we hope, set out clearly its thoughts. It is an independent commission and we support it.

**Mr David Burrowes** (Enfield, Southgate) (Con): May I impress upon the Government the need to give attention to the unfolding tragedy in Kachin, with reports last week of 4,000 internally displaced people fleeing for their lives, particularly women and children, who have been moved on before and who need to get unfettered access to humanitarian aid? May I also draw attention again to the situation of the two Baptist pastors? Ministers surely must do all they can, with the UN special rapporteur there, to get the information that the family members need and not to accept the apparent approved response, with the absence being described as "enforced disappearance", which is contrary to all international human rights.

**Alok Sharma:** My hon. Friend is a great champion of human rights, particularly those of minorities around the world. He puts his point about the pastors eloquently, and we will continue to make representations. On specific aid, I mentioned that the UK has provided £18 million in essential humanitarian and healthcare assistance, which of course has been in Kachin and the north Shan state, over the past four years.

**Tracy Brabin** (Batley and Spennings) (Lab): Will the Minister confirm what discussions he and his Department have had with other Governments about getting medical assistance into the area? Will he update us on that?

**Alok Sharma:** On discussions with other Governments, our ambassador of course has discussions locally in Burma with counterparts. On the support we are giving, I talked about some of the numbers on the amount of money we are spending and what it is being spent on. We seek to work with NGOs and others on the ground to make sure that funds are getting through to where they are needed in these troubled areas.

**Kevin Foster (Torbay) (Con):** I am sure the Minister will agree that the progress in seeing improved human rights has been painfully slow in Burma since the elections, which we had hoped would bring far more, given the flawed constitutional position that still exists. I welcome the Foreign Secretary's visit. Will the Minister update the House on what engagement we are having with regional partners to try to build the type of international consensus we need for further action through the UN?

**Alok Sharma:** As I have said on a number of occasions, we discuss these matters with a range of actors, including international partners. Right now, Kofi Annan's independent commission is leading work in this area. We will continue to have a dialogue with Mr Annan and we look forward to his report.

**Mr John Spellar (Warley) (Lab):** I join the Minister in paying tribute to your interest in and work on behalf of the Burmese people over many years, Mr Speaker. We all welcome Burma moving out from the long dark years of military dictatorship, but we also hoped it would put behind it communal and religious conflict, too. Will the Minister therefore make it very clear to the Burmese authorities that their welcome re-entry into the international community will not be helped if they fail to protect minorities, particularly the Rohingya community?

**Alok Sharma:** The right hon. Gentleman of course makes a number of important points. On the work that is going on and what has happened since the election, he will be aware that the new Burmese Government released 300 political prisoners, began the abolition of draconian laws, initiated the peace process that I talked about and established the Advisory Commission on Rakhine State, led by Kofi Annan. We have to give a huge amount of credit to Daw Aung San Suu Kyi for the work she has done in leading Burma to this stage. I agree with him that we need to keep pressing on humanitarian issues and to make sure that the rights of minorities are respected. However, as he will know, the military remain heavily involved in Burmese politics and they wrote the 2008 constitution, which grants them 25% of seats in Parliament, unelected.

**Rehman Chishti (Gillingham and Rainham) (Con):** On having an independent UN investigation into this matter, the Minister said initially that there needs to be a consensus. Then he said he would work together with others for a consensus. Can he go a step further than the answer he gave to the right hon. Member for Gordon (Alex Salmond) and say that rather than working with others, the UK will lead the way in building that consensus, as a permanent member of the UN Security Council?

**Alok Sharma:** May I give a specific example of the UN work we are doing and supporting? Several UN mechanisms are already in place, including, as I said earlier, the Human Rights Council resolution, which we

support. It mandates the role of the UN special rapporteur on Burma, who is currently visiting the country, and we look forward to her report. As I have said already, we call for full and unimpeded access for her so that she can carry out her work.

**Ms Tasmina Ahmed-Sheikh (Ochil and South Perthshire) (SNP):** Given the range of access issues that UN staff and missions have had in recent times, what discussions has the Foreign and Commonwealth Office had with its counterparts in the Security Council to ensure that UN staff are given full and proper access to areas of concern, wherever in the world they may be?

**Alok Sharma:** We discuss issues of access to humanitarian rights with counterparts in the UN, as well as on a more bilateral basis. I assure the hon. Lady that we keep these issues at the forefront of our work, and will continue to make representations of the type she is pressing for.

**Richard Fuller (Bedford) (Con):** Parliament was rightly moved by the house arrest of a single exceptional lady, but as it has not been mentioned during this urgent question, may I mention the situation of the Rohingya people? Hundreds are being attacked and many are being murdered. Their villages are being systematically burned or destroyed. Many are being sold into slavery with the complicity of Burmese authorities—the very authorities that treat the Rohingya as a non-people. My hon. Friend the Minister has avoided the challenges of the right hon. Member for Gordon (Alex Salmond) and my hon. Friend the Member for Gillingham and Rainham (Rehman Chishti), who said that it is not sufficient for the Government to co-operate; they need to lead UN support if the reports are true. So, for the third time, will the Minister say whether, if the reports are true and the Foreign Secretary comes back from Burma validating all that has been said, the Government will take up leadership at the UN to ensure that there is broad support and a resolution to follow?

**Alok Sharma:** I pray forgiveness if I have given the impression that I am dodging the questions, because that has not been my intention at all. The point I have been making is that we have to work together with partners to achieve an outcome. That is what we seek to do in this particular case, and I assure my hon. Friend that we will continue to do that.

**Stephen Timms (East Ham) (Lab):** My hon. Friend the Member for West Ham (Lyn Brown) and I have been approached by constituents who want to provide help directly to Rohingya communities that need it, in both Burma and Bangladesh. The Minister has talked about access for NGOs; what routes are currently open for the delivery of help where it is needed, and what advice can he give to those who want to help people who are currently suffering such extreme problems?

**Alok Sharma:** I thank the right hon. Gentleman for that question. The area we are discussing is very troubled, and the humanitarian help that is getting through has been quite limited in some parts. If he would like to meet outside of the House to discuss the specifics and who his constituents are, I would be very happy to see whether we can take the matter forward.

**John Pugh** (Southport) (LD): In response to a written question from my right hon. Friend the Member for Carshalton and Wallington (Tom Brake), the Foreign Office revealed that it had spent £300,000 and more on training the Burmese army. Would that money not be better spent on exposing and verifying human rights violations?

**Alok Sharma:** This question has come up before, but I can again confirm to the hon. Gentleman that the Ministry of Defence does not provide combat training. The UK is providing educational training to the Burmese military in the form of programmes delivered by the Defence Academy of the United Kingdom on the role of the military in a democracy, with leadership and England language training. We really do continue to believe that that is a useful thing to do to engage the next generation of the Burmese army.

**Wes Streeting** (Ilford North) (Lab): Like other Members, I have been contacted by constituents who are deeply concerned about the treatment of the Rohingya community, which is often described as the world's most persecuted religious minority. They struggle to understand why, after years of persecution, the brutality continues. The Minister talked about the importance of building consensus in the United Nations; will he elaborate on the barriers to consensus and what our diplomatic efforts with partners around the world can do to break them down?

**Alok Sharma:** Successive UK Governments have raised many long-standing humanitarian and other issues around the world, and we will of course continue to raise this one. I return to the point I made earlier: at the end of the day, this is also about engagement in Burma, particularly with the armed forces and armed services, and the Foreign Secretary hopes to meet the army chief. We can provide humanitarian support and support to the elected Government, and we can continue to have conversations, both in Burma and through our multilateral partners, to ensure that we keep this matter at the forefront, not only internationally but in Burma.

**Jim Shannon** (Strangford) (DUP): I commend you, Mr Speaker, for your interest in this subject and for bringing it to the forefront of our minds each and every day inside and outside the House.

The Minister will be aware that in the past few months the Burmese Government have introduced four new laws on race and religion. Those laws were made to protect but, unfortunately, instead of protecting they have built insurmountable hurdles for conversions and mixed marriages. Does the Minister agree that the disappearance of the two pastors is just the latest indication of the daily horrors faced in Burma? What representations have been made on behalf of Christians who fear uttering the very name of Jesus himself?

**Alok Sharma:** A few weeks ago in the House, I responded to a debate on human rights in which the hon. Gentleman made some powerful interventions. I know that he cares very deeply about minorities, and particularly the Christian community. As I have said, we continue to make the case, not only to the Burmese Government but internationally, that these matters are vital and that we must ensure there is no persecution of Christians or any other type of minority in that country.

We will keep doing that. It is important that we have debates such as this in the House, because it shows the international community that the whole House cares very deeply about this matter.

**Imran Hussain** (Bradford East) (Lab): The Burmese Government's commission to investigate the violation of Rohingya human rights found insufficient evidence of such violations, which I find shocking given the fact that they continue to be one of the most persecuted communities. What direct conversations has the Minister had with the Burmese Government to challenge the accuracy of that ridiculous report?

**Alok Sharma:** I agree with the hon. Gentleman. The Government have also noted the interim report that has been produced by the investigation commission, which, as he intimated, indicates that no human rights abuses have taken place. That of course goes against the weight of testimony from a range of human rights sources; frankly, it is not credible. We call on the commission to demonstrate over the coming weeks the commitment made by the Burmese Government to an impartial investigation. We will of course wait to see what the final report says, but I agree with the hon. Gentleman that it needs to be credible for anyone to take it seriously.

**Margaret Ferrier** (Rutherglen and Hamilton West) (SNP): First, I will not be in the Chamber tomorrow, Mr Speaker—I know you will miss me—but I know it will be your birthday, so may I take the opportunity to wish you an early happy birthday?

Minister, since the Burmese security forces started their campaign in October, it has been established that around 65,000 Rohingya Muslims have fled the country. According to reports, the minority group has been subject to arson, rape and murder at the hands of the military. Such allegations are incredibly serious, so I ask the Minister—I believe for the fourth time—whether he will continue to call for the establishment of an independent investigation into the claims?

**Mr Speaker:** Thank you.

**Alok Sharma:** Mr Speaker, may I, too, wish you a happy birthday for tomorrow? [*Laughter.*]

**Sir Desmond Swayne** (New Forest West) (Con): May you live forever!

**Alok Sharma:** I mean that most sincerely.

In response to the hon. Lady, I hope I have made it clear today that the UK is pursuing a huge number of avenues to get humanitarian aid in and make the case for minorities. We are making it clear that we care deeply about these matters, and we will keep doing that. Going back to the approach from a UN perspective, the UN is already engaged in several areas, and we will continue that work and to make the case, because we want to ensure that there is resolution in this very troubled area.

**Mr Gavin Shuker** (Luton South) (Lab/Co-op): Will the Minister say what discussions he has had, or will have, with the Government of Bangladesh about the

refugee status of the Rohingya people who, in many cases, have fled the most obscene violence in Rakhine state?

**Alok Sharma:** I raised the issue of the Rohingya in Bangladesh with representatives of the Bangladesh Government before Christmas. The important point that I made was that they should not be looking to return people who are seeking refuge back into danger. On the aid that we are providing, the UK is the largest provider of food aid to the 34,000 Rohingya refugees already living in official camps in Bangladesh. Since 2014, the UK has provided nearly £8 million to address the humanitarian suffering of Rohingya refugees and the vulnerable Bangladeshi communities that host them.

**Danny Kinahan (South Antrim) (UUP):** I apologise for not being in the Chamber at the beginning of the urgent question. I was meant to be in Burma this week with the Westminster Foundation for Democracy. When we were briefed the other day, we were told that the visit had been delayed till May. The foundation indicated that, in addition to the two main parties, there are 92 other parties. Will the Minister consider how someone like me who has experienced the difficulties in Northern Ireland can help some of those parties to work together and to learn to respect the military so that we find a way forward? Such advice would be a great help for the Westminster Foundation for Democracy.

**Alok Sharma:** I am very happy to speak to the hon. Gentleman after this debate about the work that he is doing with the Westminster Foundation. On the discussions that we are having, it is Aung San Suu Kyi who is effectively leading the Government, and we have contact with her. My right hon. Friend the Foreign Secretary will meet her very soon on his visit to Burma. We continue to engage with all the actors, particularly through our ambassador. As I have said during this debate, the key thing is engagement with the military. At the end of the day, it is the military that is leading some of the issues over which we have some concerns, and it is vital that we continue to engage with it.

## Promotion of Israeli-Palestinian Peace (United Kingdom Participation)

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

1.22 pm

**Joan Ryan (Enfield North) (Lab):** I beg to move,

That leave be given to bring in a Bill to require the Secretary of State to promote the establishment of an International Fund for Israeli-Palestinian Peace to support coexistence projects and civil society programmes; and for connected purposes.

As the House knows, recent weeks have seen a flurry of activity on the Israeli-Palestinian conflict: a UN Security Council resolution; a major speech by the US Secretary of State John Kerry; and a further peace conference in Paris last weekend.

The barriers to a two-state solution are well known. As a strong friend of Israel, I admit freely, but with great regret, that these include the expansion of settlements on the west bank. Settlement building is wrong. It threatens the viability of a future Palestinian state—the case for which is unarguable. It does immense damage to Israel's standing in the world, and, over time, it will put at risk that which is most precious about Israel's character: its Jewish and democratic character.

However, as Secretary of State Kerry stated clearly, this is not to say

“that the settlements are the whole or even the primary cause of this conflict.”

There is also the incitement tolerated, and, in many cases, perpetrated by the Palestinian Authority. I am talking about the payment of “salaries” to those convicted of terrorist offences, and the naming of schools, streets and sports tournaments after so-called martyrs, thereby glorifying their violence. Then there is the greatest barrier of all: the rejectionist, anti-Semitic ideology of Hamas, Hezbollah and Iran, which denies Israel's very right to exist, and the terrorism that inevitably flows from it.

My Bill today is not intended to downplay the importance of those barriers, although it will help to address some of the pernicious consequences arising from them. Instead, my Bill recognises that, as the example of Northern Ireland taught us, any peace process needs a political dimension, an economic dimension and a civil society dimension. Coexistence projects that bring together Israelis and Palestinians to advance the cause of mutual understanding, reconciliation and trust represent that civil society dimension. The world has paid it too little attention, investing only around £37 million a year in people-to-people projects for Israel and Palestine—that is less than £4 for each Israeli and Palestinian person each year.

Britain exemplifies this problem. From spending a pitiful £150,000 on coexistence projects in 2015-16, the Government, despite repeated warm words to the contrary, appear to have cut this funding altogether in the current financial year. I am pleased that the Secretary of State for International Development seems keen to right that wrong.

The absence of strong constituencies for peace in Israel and Palestine is one of the results. Polling by the Israeli Democracy Institute and the Palestinian Centre for Policy and Survey Research last summer underlined

[Joan Ryan]

the scale of the problem. Although 59% of Israelis and 51% of Palestinians still support a two-state solution, these already slim majorities are fragile, threatened by fear and distrust between the two peoples. Thus 89% of Palestinians believe Israeli Jews are untrustworthy; a feeling that is reciprocated by 68% of the latter. At the same time, 65% of Israeli Jews fear Palestinians and 45% of Palestinians fear Israeli Jews.

We should not place our hopes in the optimism of the young. After all, this is the generation that has no memory of the optimism engendered by the Oslo accords, but whose formative years have instead been marked by suicide bombings, the second intifada and perpetual conflict between Israel and Hamas in Gaza. Even if the peace process were in better health, these would hardly be the most solid foundations on which to build a lasting peace. However, we should recall that the seeds for the Good Friday agreement were sown at a similarly inauspicious moment during the height of the troubles, when the International Fund for Ireland was created. Over the past 30 years, it has invested £714 million in grassroots coexistence work in Northern Ireland. In all, more than 5,800 projects have been supported since it was established to promote economic and social advance and to encourage contact, dialogue and reconciliation between nationalists and Unionists throughout Ireland. That investment has helped to provide the popular support that has helped to sustain the Good Friday agreement over nearly two decades.

With that example in mind, my Bill requires the Government to promote the establishment of the proposed international fund for Israeli-Palestinian peace. This has been designed by the Alliance for Middle East Peace, a coalition of more than 90 organisations building people-to-people co-operation and coexistence. The fund aims to leverage and increase public and private contributions worldwide, funding civil society projects and joint economic development that promote coexistence, peace and reconciliation. It is envisaged that the \$200 million-per-year fund—four times the current level of international support for people-to-people work in Israel and Palestine—would receive contributions of approximately 25% each from the US, Europe, the rest of the international community including the Arab world, and the private sector. The fund is not, I should emphasise, intended to receive support that otherwise would be provided directly to either the Palestinian Authority or to Israel.

We know that the coexistence projects in Israel and Palestine work. After two decades, there is now a significant body of evidence, based on academic and governmental evaluations, indicating the impact that coexistence projects can have. That impact, moreover, has been achieved in the face of considerable challenges. According to the United States Agency for International Development, those participating in people-to-people programmes report higher levels of trust, higher levels of co-operation, more “conflict resolution values”, and less aggression and loneliness. Evaluation of individual programmes underlines that impact.

Middle East Entrepreneurs of Tomorrow—MEET—is a truly inspiring project that brings together young Israelis and Palestinians to learn about technology and entrepreneurship. It found a 60% increase in the number of students who value working with someone from the “other side” after just one year on the programme. The Parents Circle Families Forum, an organisation of more than 600 Palestinian and Israeli families who have lost a family member in the conflict, found that 70% of all participants had increased trust and empathy and that 84% were motivated to participate in peacebuilding activities in their communities.

I would ask, too, whether the Department for International Development can point to anything in its current funding that has moved the conflict closer to resolution. If coexistence work is to be held to a standard that demands that it demonstrate how it helps solve the conflict, surely other strategies that have not by themselves moved the ball forward should be held to the same standard.

Support for a renewed effort to promote coexistence work is strong and growing. It crosses international boundaries and political parties. The Quartet’s most recent report recommended a focus on civil society work for the first time since its founding. The Vatican, Jewish organisations and politicians on both left and right in Israel have all raised their voices in support. On Capitol Hill, two US Congressmen—Jeff Fortenberry and Joe Crowley—have worked across party lines, introducing a Bill in support of the international fund in the best traditions of US global leadership.

In this House, 56 of my Labour colleagues signed an open letter to the Secretary of State for International Development last month endorsing the fund, and I am delighted today to have the support of Members from the Conservative and Liberal Democrat parties. I am particularly pleased that the right hon. Member for Brentwood and Ongar (Sir Eric Pickles), chairman of Conservative Friends of Israel, is listed as one of the supporters of the Bill.

The late Shimon Peres, one of Israel’s founding fathers and most indefatigable peacemakers, once said:

“The way to make peace is not through governments. It is through people.”

He knew that, even in the most challenging of times, we must never give up on the search for peace. By supporting my Bill, the House can underline its support for that search.

*Question put and agreed to.*

*Ordered,*

That Joan Ryan, Ian Austin, Mrs Louise Ellman, Stephen Kinnock, Catherine McKinnell, Stephen Twigg, Chris Davies, Sir Eric Pickles, Will Quince, Paul Scully, Craig Tracey and Mr Alistair Carmichael present the Bill.

Joan Ryan accordingly presented the Bill.

*Bill read the First time; to be read a Second time on 24 March and to be printed (Bill 126).*

## Leaving the EU: Security, Law Enforcement and Criminal Justice

*[Relevant documents: Third Report from the European Scrutiny Committee, Chapter 29—Establishing a roadmap for a Security Union, HC 71-ii; Eighth Report from the European Scrutiny Committee, Chapter 19—Cross-border law enforcement cooperation—UK participation in Prüm, HC 71-vi; Eighth Report from the European Scrutiny Committee, Chapter 20—Preventing radicalisation and violent extremism, HC 71-vi; Twenty-fifth Report from the European Scrutiny Committee, Chapter 11—Enhancing security in a world on mobility, HC 71-xxiii; Eighteenth Report from the European Scrutiny Committee, Chapter 14—Establishing a Security Union: first progress report, HC 71-xvi; Twenty-first Report from the European Scrutiny Committee, Europol; opt-in Debate, HC 71-xix; Third Report from the European Scrutiny Committee, Chapter 27—Information systems to enhance EU border management and security, HC 71-ii; Seventh Report from the House of Lords European Union Committee, Brexit: future UK-EU security and police cooperation, HL Paper 77; oral evidence taken before the Home Affairs Committee on 6 December 2016 on EU policing and security issues, HC 806; oral evidence taken before the Justice Committee on 10 January on the implications of Brexit for the justice system, HC 750.]*

1.33 pm

**The Minister for Policing and the Fire Service (Brandon Lewis):** I beg to move,

That this House has considered exiting the EU and security, law enforcement and criminal justice.

I am pleased to introduce today's debate on security, law enforcement and criminal justice—one of a number of debates that we will be having about our exit from the European Union. It is important that Members have the opportunity to discuss and debate leaving the EU. The Prime Minister underlined the importance of Parliament's involvement in exit negotiations in her speech yesterday. This afternoon, Members have a chance to debate an area of our relationship with the EU that is crucial, not only to our negotiations but to the continued safety of both Europe and ourselves—citizens across Europe and the United Kingdom.

This debate will focus on how we work with the EU on security, law enforcement and criminal justice now and how we will work with our EU partners in the future. Co-operation in the fight against crime and terrorism was one of the Government's core negotiating objectives. The UK is leaving the EU, but as we have been clear, we are not leaving Europe. We are committed to strong co-operation on security, law enforcement and criminal justice now and when we leave. We will work with our European partners to find solutions that promote security across Europe and beyond.

The decision of the British people to leave the European Union does not alter the duty that we and all member states share collectively to keep our citizens safe and to protect our democratic way of life and the rule of law. In the face of the common threats that we face from terrorism, cyber-attacks and hostile foreign actors, maintaining strong EU-UK security co-operation is vital to our collective success in keeping citizens safe. It is difficult to see how it would be in anyone's interests

for exit negotiations to result in a reduction in the effectiveness of security, law enforcement and criminal justice co-operation.

**Keith Vaz (Leicester East) (Lab):** I disagree with nothing that the Minister has said so far. We are leaders in Europe as far as co-operation on security and justice is concerned. Does the Minister agree that one of the most important aspects of the issue is information sharing? Access to ECRIS, the European criminal records information system, should be one of the key elements of our negotiations. We need to be able to reach the criminal records of those who have committed offences in the rest of Europe and to share information about those who commit offences in our country.

**Brandon Lewis:** I appreciate the right hon. Gentleman's agreement with my position so far. He makes an important point. I will come specifically to the issue of data sharing. As we all understand, we live in a world of global work; people are working across borders, particularly when it comes to criminality. We need to be well equipped to deal with that.

Criminality and terrorism are increasingly transnational. International organised crime groups exploit vulnerabilities such as inadequate law enforcement and criminal justice structures. Threats that we now face, such as cybercrime, which is moving ever more quickly, or online child sexual exploitation, are by definition international in a technologically interconnected world. The UK National Crime Agency's most recent public estimate suggests that more than 6,000 organised crime groups are seeking to operate in the United Kingdom.

**Mr David Hanson (Delyn) (Lab):** Will the Minister give me some reassurance on the issue of the European arrest warrant? Before the last election, during a debate in this House, the current Prime Minister, then Home Secretary, fought hard to get the warrant through the House in the face of some opposition from some Members. Will the Minister say whether we will secure the powers of the warrant post Brexit?

**Brandon Lewis:** As the right hon. Gentleman will be aware, we are at the start of negotiations. I cannot predict where we will end up. However, I will come specifically to the European arrest warrant and its implications for us in a few moments.

Criminal networks are driving migrant smuggling; Europol estimates that more than 90% of migrants travelling to the EU used facilitators—provided, in most cases, by criminal groups with an estimated turnover of €3 billion to €6 billion in 2015 alone. We are at the beginning of a complex process to agree a new relationship with the EU. This is new territory for both sides, and it is way too early to say exactly what that relationship will look like. I am sure there will be many and varied views expressed from around the Chamber today and in the months ahead, but I am also confident that nobody will argue against the importance of fighting cross-border crime and of defending security across Europe.

**Robert Neill (Bromley and Chislehurst) (Con):** To reinforce that point, will the Minister concede that what we are talking about is a system of European criminal justice co-operation? Much of this is about practical

[Robert Neill]

co-operation and information sharing and does not largely touch on the substantive criminal law of the states. Sometimes it extends beyond member states of the European Union. Does not that reinforce the importance of the point about practicality?

**Brandon Lewis:** As ever, my hon. Friend makes a really important point, and he is absolutely right. Some members of and countries involved with organisations such as Europol are not part of the European Union, highlighting that they see the importance of ensuring that we share information efficiently and proactively to fight crime. It is absolutely right that we work to protect that ability. Whatever shape our future relationship with the EU takes, I hope that we can all agree that it should not compromise the safety of people in the UK or, indeed, the rest of Europe.

**Mr Dominic Grieve** (Beaconsfield) (Con): The Minister will be aware that one consequence of leaving the European Union, as the Prime Minister has indicated, is that we withdraw from, as she puts it,

“the jurisdiction of the European Court of Justice”.

But many of these justice co-operation functions ultimately come under the jurisdiction of the European Court. I find it difficult to understand what arrangement the Government envisage to address that issue—perhaps they wish to have a separate tribunal system set up to apply the rules—because, even for states outside the EU, the ECJ’s rulings on these key areas of security co-operation are very important.

**Brandon Lewis:** I appreciate my right hon. and learned Friend’s point. One piece of work we will do during the negotiations is to ensure that we get something bespoke for the United Kingdom. One temptation is to look at what other countries have done. As I mentioned earlier, there are countries who work with Europol—the United States is a good example—that are not members of the EU and have found ways to make it work. We can look at those examples, but we actually need to develop a bespoke solution for the United Kingdom.

**Liam Byrne** (Birmingham, Hodge Hill) (Lab): Will the Minister give way?

**Brandon Lewis:** I just want to make a bit more progress.

The Prime Minister set out in her speech yesterday the Government’s negotiation objectives for Brexit, explaining that this Government plan to make Britain “stronger” and “fairer”, restoring “national self-determination” while becoming

“more global and internationalist in action and in spirit.”

We have a long record of playing a leading role, within Europe and globally, to support and drive co-operation to help to protect citizens and defend democratic values, and we have been leading proponents of the development of a number of the law enforcement and criminal justice measures that are now in place across the European Union. The Prime Minister reiterated yesterday that although June’s referendum was a vote to leave the EU, it was not a vote to leave Europe. We want to continue to be reliable partners, willing allies and close friends with the European countries.

On a practical level, there has been no immediate change to how we work with the EU following the referendum, as the recent decision just before Christmas to seek to opt into the new legislation framework for Europol, the EU policing agency, demonstrates. The UK will remain a member of the EU with all the rights and obligations that membership entails until we leave. The way in which we work with the EU, of course, will have to change once we leave and we must now plan for what our new relationship will look like. The views that hon. Members express here today will be helpful in that regard, including, no doubt, that of the right hon. Member for Birmingham, Hodge Hill (Liam Byrne).

**Liam Byrne:** I just want to follow up on the incredibly important question posed by the right hon. and learned Member for Beaconsfield (Mr Grieve). We are the proud authors of human rights in Europe. It is a tradition that dates back to Magna Carta. Will the Minister confirm that when the Government bring forward their proposals on a British Bill of Rights, nothing in the draft for discussion will propose that we leave the European convention on human rights or the European Court of Human Rights?

**Brandon Lewis:** The right hon. Gentleman tempts me to give a running commentary and to prejudge the outcome of the negotiations and work in the couple of years ahead, but I will resist. However, I will say that while we remain a member of the EU we recognise the jurisdiction of the European Court of Justice over the measures that we have opted into. It is too early to speculate on exactly what our relationship with the European Court of Justice will be after we leave the EU. That work will be done as we go forward.

I have already spoken to several counterparts in Europe, as have the Home Secretary and many of my colleagues across Government. In my conversations with colleagues across Europe, I have been encouraged by their view that it is essential to find a way for our shared work on security to continue, but we do have questions about how that should happen in practice and we need to work through answering them. This will be complex and subject to negotiation. We are committed to finding a way forward that works for the UK and the European Union. The Home Office is working with Departments—such as that of the Minister of State, Department for Exiting the European Union, my right hon. Friend the Member for Clwyd West (Mr Jones), who will be closing the debate—across Whitehall to analyse the full range of options for future co-operation.

We are liaising closely with our colleagues in the devolved Administrations as it is crucial to ensure that we find a way forward that works for all of the UK. We are drawing on the invaluable frontline experience of operational partners such as the National Crime Agency and the Crown Prosecution Service, and I am grateful for the ongoing contributions of all those organisations. The work is being drawn together with the support of our colleagues in the Department for Exiting the European Union and will form part of our wider exit negotiation strategy.

**Mr Hanson** *rose*—

**Joanna Cherry** (Edinburgh South West) (SNP) *rose*—

**Brandon Lewis:** I will make a bit of progress before I give way again.

Our current model of EU co-operation centres on a number of legal agreements or tools. Broadly speaking, the tools provide the frameworks for practical co-operation arrangements and information-sharing mechanisms, as hon. and right hon. Members have mentioned, as well as establishing minimum operating standards to support cross-border judicial and law enforcement co-operation. They include measures such as the European arrest warrant, Europol, the European criminal record information system, prisoner transfer agreements and the Schengen information system. They are designed to protect the rights of defendants and the vulnerable across borders, facilitate mutual co-operation and support practical processes for fighting cross-border crime and delivering justice.

Over the years, we have been leading proponents of the development of a number of security measures within the EU, backed by proportionate safeguards. Leaving the EU does not mean that we are walking away from that close co-operation with our nearest neighbours.

**Mr Hanson:** I am looking at Europol's website, which states:

"We do this by assisting the European Union's Member States in their fight against serious organised crime".

If we are not a European Union member state, what are the negotiating terms for us still to access Europol?

**Brandon Lewis:** If the right hon. Gentleman looks further into Europol's website, he will see that there are already associate member states, such as the United States, which form a very large contingent in Europol. That is just one example, and I will mention Europol specifically in a few moments.

The EU law enforcement and criminal justice toolkit has evolved over many years in response to changes in the nature of the EU, international security threats and the increased movement of people across borders. The justice and home affairs opt-out decision in 2014 gave us the opportunity to consider the value of certain pre-2014 measures to the UK. Although that decision provides a useful reference point, it is important to be clear that the situation following the outcome of the EU referendum means that the context is now different. To state the obvious, we will no longer be a member of the EU so, unlike the 2014 decision, the question now is not whether we wish to seek to re-join certain measures as a member state. Instead, we have to consider how we should interact with the EU security, law enforcement and criminal justice toolkit from outside the EU.

We are considering the full range of possible options. We are looking at existing arrangements for third country co-operation with the EU, which can inform discussions, but it is important to be clear that we are not looking to replicate any other nation's model. We are at a unique starting point with a strong history of working closely with the member states as partners and allies. As I mentioned, we will make a key contribution to security and justice in Europe and globally, and will seek an agreement with the EU that recognises the unique position we hold.

**Mr Pat McFadden** (Wolverhampton South East) (Lab): Further to the question of the right hon. and learned Member for Beaconsfield (Mr Grieve), the Prime Minister said in her speech yesterday that we will not be hanging on to "bits" of the EU. Europol is an EU agency and the European arrest warrant is an EU crime and safety measure. Is not a reasonable—in fact, the only—interpretation of the Prime Minister's speech about not hanging on to bits of the EU that we will no longer participate in either of those?

**Brandon Lewis:** It is worth the right hon. Gentleman looking at the Europol website that the right hon. Member for Delyn (Mr Hanson) mentioned. He will see that there are associate members of Europol that are not members of the European Union, such as the United States. I also point out that Europol existed as a non-EU institution before the EU was involved with it. Therefore, it is important to recognise that we will look to develop a unique and bespoke position for the country.

**Yvette Cooper** (Normanton, Pontefract and Castleford) (Lab) *rose*—

**Brandon Lewis:** I will give way to the Chair of the Home Affairs Committee in a moment.

I appreciate that some Members will question the benefit of our participation in some of the EU tools. However, as the Minister responsible for policing, I have had a chance to see the regular, real-life examples of what those tools do and why they matter, as I will outline once I have given way to the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper).

**Yvette Cooper:** The Minister will know that although several countries have operational and strategic partnerships with Europol, they do not have a say in the overall direction of Europol and, in many cases, do not have access to all its databases—the most crucial aspect. Is he ruling out trying to remain a member of Europol, and is he aiming to have access to all Europol's databases?

**Brandon Lewis:** I am not ruling anything in or out; I am looking to make sure that we get the bespoke deal that is right for this country. I am not going to prejudge the outcome of the negotiations over the next couple of years. It is clear, though, that Europol is an EU agency supporting law enforcement activity, based in The Hague, to which we are a huge contributor. In fact, the current chief executive, who is an excellent lead for that organisation, is a British national.

**James Berry** (Kingston and Surbiton) (Con): While my right hon. Friend does not want to prejudge negotiations, does not his decision to opt into the recent Europol directive—the hon. Member for West Ham (Lyn Brown) and I served on the European Committee in which he laid out his case for doing so—show that the UK is willing to be an active participant in Europol for many years to come?

**Brandon Lewis:** My hon. Friend makes a good point. As I clearly outlined in the Committee, the decision to opt in was made in the context of our being a member of the European Union, and at the moment, and over the next couple of years, we are still a full member of the European Union. It is important to make sure that

[Brandon Lewis]

we take the opportunity to play a full and strong part in that. We want to continue to play a very strong role as a partner for our colleagues across Europe, and indeed globally, particularly in law enforcement.

The prime objective of Europol is to strengthen and facilitate co-operation in preventing and combating serious organised crime and terrorism, in which we have a clear interest in playing an important part. I have yet to meet a senior police officer across our country who does not value our membership of Europol. By providing a platform for members to share intelligence and information, and through a strong analysis function, it offers unparalleled opportunities to prevent serious crime and to protect EU citizens, including those here in the UK. Concretely, this means that 86,629 suspected criminals were identified on the Europol information system in 2015 alone—up by 40% on the year before. There were 1,800-plus decisions for referrals of terrorist and extremist online content between July and December 2016 alone, with 1,600-plus removals, and numerous ongoing large-scale organised crime and trafficking cases. Indeed, the UK staffs one of the largest national desks in the organisation and is one of the biggest contributors of information to Europol systems.

Another mechanism that we have at the moment is Eurojust, which supports the fight against transnational, serious organised crime by co-ordinating multinational investigations and prosecutions. It works through a co-located network of national liaison desks staffed with prosecutors and investigators from across the EU. Later this year, we will start operating the EU's Prüm system for the exchange of DNA, fingerprints and vehicle registration data, following this House's overwhelming vote in December 2015 to join it. In 2015, we conducted a pilot of Prüm, exchanging DNA profiles with four other member states. This gave us an impressive number of hits, many against suspects who would not have been identified otherwise, and enabled the police to arrest people for a number of serious offences, including burglary and attempted rape.

Since 2015, we have taken part in the second-generation Schengen information system, which circulates law enforcement alerts around the EU in real time. This ensures that vital intelligence is shared internationally to help prevent threats from across the world. Joining has seen us arrest and extradite wanted people including drug traffickers, murderers and paedophiles whom we would not otherwise even have known about.

**Ben Howlett (Bath) (Con):** The National Crime Agency has said that joint investigation teams are incredibly important to the UK. Will my right hon. Friend join the National Police Chiefs Council and the Met police in agreeing that Eurojust is hugely valuable and that co-operation agreements must be guaranteed as soon as we leave the EU?

**Brandon Lewis:** When I talk to the Association of Police and Crime Commissioners and the National Police Chiefs Council, they are clearly uniform in their desire to make sure that we keep as many toolkits as we can actively working for the benefit of our residents. The work that we have to do in the years ahead must reflect the fact that we have been very clear that, as the

Home Secretary and the Prime Minister have said, when people voted on 23 June last year they did not vote to be any less safe.

The European arrest warrant, which has already been mentioned, facilitates the extradition of individuals between participating countries to face prosecution for a crime they are accused of or to serve a prison sentence for an existing conviction. We have managed to extradite some 7,000 people as a result of that. The European criminal records information system provides a secure electronic system for the exchange of information on criminal convictions between authorities of participating countries. It ensures that UK authorities are made aware when our own nationals are convicted in any EU country. That means that we can secure criminal records information on EU nationals so that when UK courts are making sentencing decisions they can take into account previous offending behaviour abroad.

**Anna Soubry (Broxtowe) (Con):** My right hon. Friend is actually making a very good case for why we ought to stay in the EU, but we are where we are. He says that the Government's intention is, in effect, to negotiate a bespoke deal to secure all this into the future, and to achieve that within two years. What happens if we do not get that bespoke deal within the next two years?

**Brandon Lewis:** I have been very clear about this, as has the Prime Minister: the country has voted to leave the EU and we are leaving the EU, so all this is set in the context of working to get the bespoke deal that my right hon. Friend mentions. I have every confidence not just in the Home Secretary and the team at the Home Office, but the Prime Minister and the team at the Brexit Department, to negotiate to get the deal that is right for our country in the period ahead.

I want to touch briefly on the fight against terrorism. We are, and always have been, clear that national security remains the sole responsibility of EU member states. That principle is set out in EU law.

**Sir William Cash (Stone) (Con):** Does my right hon. Friend agree that of course matters relating to all the important questions he has raised regarding crime, terrorism, security and fingerprinting are not, by any means, confined to the region called the European Union but apply internationally, and that therefore, just as other countries such as the United States have their arrangements, we will have ours?

**Brandon Lewis:** My hon. Friend makes an important point in that the work we have done across Europe—we have been a leading country in working to get this information—we are also continuing to do with countries around the world to make sure that we are able to do everything we can, in every context, to keep our country and our citizens safe.

For example, we work bilaterally and through the Counter Terrorism Group to combat terrorism effectively in Europe, and that work retains our local sovereignty. It includes working with European partners on information sharing, tackling foreign fighter flows, law enforcement co-operation, tackling radicalisation, and countering the narratives of terrorist groups. That group sits outside the EU, and we will therefore continue to be a member of it. Furthermore, as my hon. Friend rightly points

out, our EU co-operation is of course just part of a wider landscape of international counter-terrorism work, which includes co-operation through relationships such as those with Interpol and the “Five Eyes” countries, and bilateral work with individual countries and NATO.

**Robert Neill:** I am glad that my right hon. Friend makes that point. May I make a point in relation to the intervention by my hon. Friend the Member for Stone (Sir William Cash)? The evidence given to the Justice Committee was very clear that although there are other means of international co-operation with countries outside the EU, the current mechanisms are much more efficient, as they very often have to be conducted on a bilateral basis rather than as part of a joined-up system. It is therefore desirable, as my right hon. Friend says, that we do all we can to stay in them.

**Brandon Lewis:** My hon. Friend makes a very good point in that there are different agreements in different parts of the world with different partners around the world. It is important that we work to improve all those arrangements and get the benefits that we have seen from some of the work we have done and agreements we have secured across Europe more widely. Key partners in Europe have already assured us, as a Government, that they value our close co-operation on counter-terrorism matters as well.

We are very clear that effective co-operation with EU member states on security and policing in order to combat terrorism will continue to be a top UK priority. Looking ahead, our EU-level relationships will, of course, have to change, but our shared goal of assuring and enhancing the security of our citizens will not. It is important that we can find a way forward that works for the UK and the EU jointly, for mutual benefit. We will approach the negotiations from the perspective of what is best for the safety of all our citizens, and what is worst for those who seek to cause serious harm to innocent people and democratic values.

During negotiations, we will look to maintain the excellent co-operation that currently exists with our European partners. We fully recognise that the nature of our future relationship can be decided only in negotiations with member states and EU institutions. We are confident, however, that all citizens will be safer if we continue to work together and co-operate. We recognise the challenges involved in negotiating a new relationship, but we are committed to finding innovative solutions that enable us to continue to work together for the collective security of Europe and all the citizens of the United Kingdom.

2 pm

**Lyn Brown (West Ham) (Lab):** The official Opposition welcome this debate. In the run-up to the referendum in June last year and the months since, we have heard much about how our decision to leave the European Union will affect Britain’s economy. We have debated what it means for our businesses, our trading relationships, our nation’s finances and, most importantly, the personal finances of individuals and households throughout our country. That is all of deep concern to me and many other Members.

Of perhaps even greater significance is the threat to our national security that could come from our leaving the European Union and, in particular, the effect that

doing so will have on the ability of our police to protect our citizens. Today, as we turn our focus to those issues, the Government need to provide stronger assurances that our nation’s security will not be compromised by our decision to leave the EU. I say gently to the Minister that while his long speech was strong on analysis and strong on detail about the institutions, we did not really hear anything about how we were going to do the things that he wants us to effect.

Some hon. Members lament the fact that in the 40-plus years since we decided to join the common market, it has become far more than simply a trading arrangement. Given the nature of the threats that we face, however, it is unsurprising that European countries have found it convenient to co-operate in other areas, including the field of justice and home affairs. Quite simply, it was in our national interest to do so, because the security threats that we face are not confined to our national borders. Whether we are fighting international terrorist networks, tracking down fugitives from justice, obtaining crucial information on the activities of suspects abroad or maintaining effective border controls, it simply makes more sense to act together. Those issues are paramount to our country and to the security of our citizens. Whatever our personal view on the EU referendum, we urgently need reassurance from the Minister that our national security and our ability to combat crime within our borders will not be compromised by the decision to leave. Many hon. Members have issues that they want to raise this afternoon.

**Danny Kinahan (South Antrim) (UUP):** Does the hon. Lady agree that for us in Northern Ireland, it is especially key that we keep our relationships with Ireland and the way in which we work together, and that we improve work on counter-terrorism? Only eight out of 110 extradition requests have been granted. There is still a great deal of work to be done, and we have to build on that.

**Lyn Brown:** The hon. Gentleman is absolutely right. There are three main issues on which the Opposition seek answers this afternoon: our ability to participate in the common arrest warrant; our future relationship with Europol; and our access to Europe-wide crime prevention databases, including the Schengen information system.

I will come to each of those things in turn, but first there is a general point to be made. As many in the House remember, our optimal relationship with the European Union in the field of security and justice was comprehensively debated during the previous Parliament. We opted out of all provisions relating to police and criminal justice so that we could have a fresh debate about which initiatives we wanted to be part of, and then opt into them again. That initiative was negotiated with European member states by the previous Labour Government and continued by the subsequent coalition. The process consisted of two years of negotiation and debate in this House, in government and in Brussels, and it culminated in Britain deciding to opt back in to 35 specific measures that we considered to be in our national interest.

Those measures included the European arrest warrant, Europol and access to the Schengen information system—the three things that I am concerned about today.

[Lyn Brown]

I know that our Prime Minister is also concerned about them because it was she, as Home Secretary, who put it to the House on 7 April 2014 that we should opt back into the measures. It is so nice to have confidence that there will be unanimity in the Chamber this afternoon on this oft-contentious subject. However, the opt-in happened before the referendum, and now, in this post-referendum world, the Government need to tell us how they will ensure that we still have access to those measures, which we so recently decided that we needed to keep our citizens safe.

We do not have time today to rehearse the two years of debate that led to a decision to co-operate in each of the 35 areas that we decided to opt back into, so I will focus on our main concerns. There is no doubt that the European arrest warrant is a crucial tool in the fight against crime in the UK. Introduced in 2004, it provides a mechanism whereby crime suspects who have left the country—fugitives—can be surrendered back to the UK automatically by another European member state. It means that suspects who have fled can be returned in a matter of weeks or days. Crucially, it means that suspects can be returned to the UK even if the legal basis for the crime that they are suspected of committing is different from that under the law that applies in the country to which they have fled. That is because the European arrest warrant is underpinned by the principle that European Union countries agree to respect the decisions of each other's criminal justice systems, even if they differ.

**David T. C. Davies** (Monmouth) (Con): I think that the hon. Lady has just made the point that I wanted to raise, which is that that principle means that we have to accept that justice systems across the rest of the EU are as good as ours. Does she have confidence that that is the case?

**Lyn Brown:** I have confidence that the European arrest warrant is far more powerful than any other extradition process anywhere in the world, and we would be stupid if we let it go.

Since the European arrest warrant was introduced in 2004, the UK has used it to bring 2,500 individuals from outside the UK to face justice. Let us not forget that it was the mechanism that ensured that Hussain Osman was brought to justice after he fled to Italy after a failed suicide bombing in London in 2005. The problem that we face is that the European arrest warrant is available exclusively to EU members. We will have to overcome considerable hurdles if we are to maintain the current arrangements and we are not in the European Union. In fact, as a recent briefing from the Centre for European Reform think-tank states, if, having left the EU, the UK wanted to get a similar deal,

“it would need to convince its partners to change their constitutions. In some cases, this would trigger a referendum.”

Do we really think that countries would hold such a referendum because we have decided to leave the EU?

Some countries outside the European Union have attempted to negotiate access to the common arrest warrant system. Norway and Iceland, for example, have concluded a surrender agreement with the EU that represents an attempt to get the same benefits, although

it has not yet come into force. That agreement is weaker in two ways. First, it requires the alleged offences to be the same in both countries, thus losing the flexibility that comes from the agreement of member states to respect the decisions of each other's criminal justice systems. Secondly, it allows countries to refuse to surrender their own nationals, which would make things tricky if a national of an EU country were to commit an offence on UK soil, for example.

On top of that—as if that were not bad enough—the agreement took 15 years to negotiate, and that was for countries in both Schengen and the European economic area, but as the Prime Minister made clear yesterday, there are no plans for us to be members of either. The alternative is that we fall back on previous extradition treaties that are far more cumbersome and will, in some cases, require EU countries to change their own laws in respect of the UK.

It is hard to see how any of those options are preferable to the current arrangements. I find it particularly hard to understand how this fits with the Prime Minister's pledge yesterday to “work together more” in response to threats to our common security. While it is not difficult for an individual who has broken the law in Britain to hop on a cheap flight to another European country, I fear that it will be very hard indeed, without the European arrest warrant, for us to get them back again. For that reason, Labour calls on the Government to ensure that the current arrangements are maintained.

I turn to our second concern. This House approved regulations confirming our opt-in to Europol only a few weeks ago, and we did that because it is vital to our national security. Europol—the European Police Office, to give it its proper title—exists to combat serious international organised crime by means of co-operation between the relevant authorities of member states, including those tasked with customs, immigration services, borders and financial policing. As we know, Europol is not able to mandate national forces to undertake investigations, but it provides information and resources that enable national investigations to take place.

In the words of the British director of Europol, Rob Wainwright, whose previous career was in UK security institutions, our decision to opt into Europol is:

“Good for Britain's security, great for police cooperation in Europe.”

Indeed, the Minister for Policing and the Fire Service confirmed on 12 December during a debate in a European Committee that Europol provides

“a vital tool in helping UK law enforcement agencies to co-ordinate investigations involving cross-border serious and organised crime”.

He also said:

“About 40% of everything that Europol does is linked to work that is either provided or requested by the United Kingdom.”—[*Official Report, European Committee B*, 12 December 2016; c. 5-7.]

However, when pushed about whether we can maintain our membership of Europol, the Secretary of State for Exiting the European Union, speaking in this House last year, was able to say only that the Government will seek to:

“preserve the relationship with the European Union on security matters as best we can.”—[*Official Report*, 5 September 2016; Vol. 614, c. 45.]

When my hon. and learned Friend the Member for Holborn and St Pancras (Keir Starmer) asked him the same question about Europol yesterday, we got no more information about how that could be done.

**Joanna Cherry:** Is the hon. Lady aware that Rob Wainwright said last year that negotiating security pacts from outside the bloc of Europol, in the event of Britain leaving the EU, would be a “damage-limitation exercise”? Does she agree that what we need to hear from the Government is not a eulogy about how great Europol is—we all know that already—but an indication of how they are going to limit the damage caused by leaving the European Union and agencies such as Europol?

**Lyn Brown:** The hon. and learned Lady is absolutely right. I agree with her that this simply is not good enough.

Although Europol has arrangements for third-party access, they raise serious questions. The Government stated in a policy paper that was published last year:

“There are a number of important differences between what Europol provides to third country operational cooperation partners with which it has agreements, and EU members”.

In particular, they highlighted the inability directly to submit data and conduct searches within the Europol databases, the need to conclude a separate bilateral arrangement to connect to Europol’s secure information exchange network application, and the inability to sit on Europol’s management board, which sets the organisation’s strategy. That tells us that Mr Wainwright is highly unlikely to stay in his post. In summary, to borrow the words of David Armond, deputy director general of the National Crime Agency, any alternative arrangement to full membership would be

“sub-optimal, not as good as what we’ve currently got”.

Frankly, that does not feel comfortable to me.

Our third concern is about access to pan-European databases, which are important for the routine work of our police forces. Let me give some examples. Access to European criminal records data—the European criminal records information system—is limited exclusively to EU member states. The common European asylum system includes a fingerprint database known as Eurodac that prevents individuals from reapplying for asylum once a claim has been rejected. We currently have access to the Schengen information system, despite not being a member of Schengen, and that contains information on lost identity documents and, importantly, wanted persons.

The Minister’s permanent secretary stated in his foreword to the Home Office’s most recent annual report that strengthening data exchanges with our European allies was essential to combating terrorism. I would be grateful to the Minister of State, Department for Exiting the European Union, if he confirmed whether we will still have access to these databases outside the European Union and, if so, whether that access will come at a financial cost.

**Keith Vaz:** My hon. Friend is making an impressive and powerful speech on this issue. Some of us may not now need to speak, but I am sure that that will not stop us. At the moment, on ECRIS, if a German citizen is arrested in London, we are able to know within three minutes exactly what their previous convictions are. We

will want an arrangement that is just as good if we are no longer to have our existing access.

**Lyn Brown:** My right hon. Friend is absolutely right. We are simply not getting any guarantees from our Government that that is what they will be able to provide, or that they will even negotiate for it.

There is a more general problem about accessing the data we need to combat crime and keep us safe. Even if we, outside the EU, have access to European databases, we might not be able to use them. European data protection law is clear that no information can be handed to a third country—we will be such a country—that does not adhere to EU laws on privacy. Although our Government have said that they will apply EU data protection law at least until the point of Brexit, we do not yet know if they intend to do so afterwards. However, we certainly know what happens if our data laws do not adhere to European privacy rules: the European Court of Justice will simply invalidate any data sharing agreement, as it did on the so-called safe harbour agreement between the EU and the US. What guarantees will the Government give that the information that our police and security agencies need from European Union databases will not also be turned off when we leave?

In conclusion, we have deep concerns that it will be harder for us to protect our citizens when we leave the European Union. We need the Government to reassure us that they intend to reduce or eliminate this risk through their Brexit negotiations. It is one thing to have our prosperity under threat from the complexities of maintaining access to the single market—frankly, that is bad enough—but it is quite another if our security and the very lives of our citizens are under threat because the complexities of maintaining cross-border co-operation with our police and security services were not properly considered before leaving. To quote the Centre for European Reform again, justice and home affairs

“is not like trade, which creates winners and losers: the only losers from increased co-operation in law enforcement are the criminals themselves.”

My question to the Minister is simple: what guarantees will he give that Britain’s security will not be compromised by our leaving the European Union?

**Madam Deputy Speaker (Natascha Engel):** I now have to announce the result of the Division deferred from a previous day. On the motion relating to local government, the Ayes were 299 and the Noes were 6. Of those Members representing constituencies in England, the Ayes were 280 and the Noes were 6, so the Ayes have it.

*[The Division list is published at the end of today’s debates.]*

2.20 pm

**Sir Nicholas Soames (Mid Sussex) (Con):** If I may say so to the hon. Member for West Ham (Lyn Brown), whose speech I listened to very carefully, I am for my own part completely content that these matters should be left in the very safe hands of the Minister of State, my right hon. Friend the Member for Great Yarmouth (Brandon Lewis), who in my view knows exactly what needs to be done.

[*Sir Nicholas Soames*]

I am most grateful for this opportunity to say a few brief words following my right hon. Friend the Prime Minister's excellent, bold and comprehensive speech yesterday, and to set out a few thoughts on wider security and co-operation after Brexit. In the Brexit negotiations, it will be necessary for us to set out the basis of our future relationship, as is described in article 50. I believe it is in our national interest to sustain, and to carry forward into the future, the highest possible degree of joint action on justice, home affairs, security and co-operation, scientific research and innovation, and many other areas of common and important interest.

I congratulate my right hon. Friend the Prime Minister on the clear and concise way in which she set out the Government's position. I was a staunch remainer, but I absolutely accept the verdict of the referendum and the need for the Government to now get on with it. As Churchill once said, "If there is a bear in your bedroom it is not a matter for speculation". So at the same time as these very difficult and complex negotiations on trade and all the other myriad issues take place, this is an important time for us to set out, as the Prime Minister did in her speech, a clear case for a very close partnership and a new relationship of co-operation between members of the European Union and the UK. In my view, it should be as close as any sovereign country can be in military affairs, free trade and security co-operation.

That type of work with our friends—Germany, France and other countries—is of the first importance. In my view, our initiatives would be widely welcomed in Europe, running in parallel with the rather more complex and tricky negotiations on the article 50 transaction. That is where Britain can bring something positive, useful and of proven worth to the table. Thus, in my judgment, we should aim to maintain our excellent co-operation on security and enhance it further, including during the discussion of the new settlement. On many issues, we will continue to have an important interest in shaping EU policies after we leave, but clearly the United Kingdom is an important influence on the European security agenda. Our influence will remain considerable given our position as NATO's most capable and willing European power. The recent deployments of Typhoon aircraft to Romania, army personnel to eastern Poland and, most importantly, a full armoured infantry battalion of 800 men to Estonia all serve to underline our profound commitment.

Inevitably, once the UK exits the EU it will become harder for us to translate that undoubted and important commitment into political influence. It is thus even more imperative that our partners and friends understand that we intend to continue the closest possible relationships in those areas, to our mutual interest. As the Prime Minister rightly said yesterday, she wants Britain to be the best friend and neighbour to our European partners, and a country that reaches out beyond the borders of Europe too. It is my fervent hope that our European friends will understand that it is our strongest wish that we play from the outside what role we can in making sure the EU succeeds.

**Danny Kinahan:** Does the right hon. Gentleman agree that we need to put all the pressure we can on President Trump to make sure that NATO stays in place and that

we build on our security around that? There is a real fear that he may not want that, in which case the pressures will change.

**Sir Nicholas Soames:** I very strongly agree with the hon. Gentleman. That is very important. I have high hopes that the Prime Minister, when she visits President Trump, will make those points clearly. I hope President Trump will say something in his inauguration speech that will clarify what he meant by "obsolete" in relation to NATO. I am not offended by that. I was discussing it with the Chairman of the Select Committee on Defence, my right hon. Friend the Member for New Forest East (Dr Lewis), and I do not think that President Trump meant it as an insult. It is true that there is much about NATO that is highly unsatisfactory and obsolete, not least because many countries do not pay their fair whack. It is very slow to transform and is not equipped for the new asymmetric hybrid versions of warfare that we will have to contend with, or as advanced as Russia, as has been seen in its unbelievably bad behaviour in Crimea.

**Dr Julian Lewis** (New Forest East) (Con): Before my right hon. Friend gets back to his main oration, I would like to draw attention to the context in which President Trump was reported. He said that NATO is extremely important to him. He seems to be using the word "obsolete" in the sense that NATO needs to be not abolished but modernised to face new threats. We should not read too much into the nuances of the individual words he speaks, because nuance does not seem to be his style.

**Sir Nicholas Soames:** My right hon. Friend is spot-on, and I am sure these matters will play out. If one looks at the wonderful success of the security architecture designed by those wise men and women after the last great war, one sees how well it has served the world in peace, and in good times and bad times. This does not seem to me a sensible time to do anything other than support it.

With the threats to our common security becoming even more serious and in many ways more insidious, our response surely cannot be to co-operate with one another less, but must be to work together more. As the Prime Minister said in her speech yesterday:

"I am proud of the role Britain has played and will continue to play in promoting Europe's security. Britain has led Europe on the measures needed to keep our continent secure—whether it is implementing sanctions against Russia following its action in Crimea, working for peace and stability in the Balkans"—

an extraordinarily important piece of work right now—  
"or securing Europe's external border. We will continue to work closely with our European allies in foreign and defence policy even as we leave the EU itself."

I hope the Minister will agree that it is important that we demonstrate, even during the inevitable heat of the negotiations, our absolute determination to be good partners, allies and friends to Europe, and the fact that we are, as my right hon. Friend the Prime Minister so rightly said, leaving the European Union but most emphatically not leaving Europe.

2.28 pm

**Joanna Cherry** (Edinburgh South West) (SNP): It is a pleasure and an honour to follow the right hon. Member for Mid Sussex (Sir Nicholas Soames). I am sure we could find much on which we disagree, but his experience

and erudition in these matters shines through. I also compliment the hon. Member for West Ham (Lyn Brown) on her very fine speech. There was much in it that we agree about.

This debate takes place against the background of the Prime Minister's speech yesterday, which of course was made not to this House but to an invited audience. Although we had an opportunity to question the Secretary of State for Exiting the European Union yesterday, this House has yet to debate the plan for leaving the European Union. It is of the utmost importance that we are debating today the implications of Brexit for security, law enforcement and criminal justice, but it is even more important that we are soon allowed to debate the overall plan for Brexit, which was finally laid before us yesterday.

Scotland did not vote for the direction of travel set out in the Prime Minister's speech yesterday. We do not believe that that is in our national interest. We believe that decisions in relation to the European Union are being driven not by the rational best interests of the whole of the UK, but by the obsessions of the hard right of the Tory party. We strongly believe that the best way to build a prosperous, equal, safe and secure UK is to be a full member of the EU, or, failing that, to be a member of the single market and to co-operate widely on such matters as security, law enforcement and criminal justice. That is why the Scottish Government put a plan to the whole UK before Christmas suggesting a compromise whereby the whole UK might stay in the single market and continue to co-operate on matters such as those under discussion today. It seems clear from what the Prime Minister said yesterday that she is not interested in that option, so our fall-back position is to ask the British Government to consider allowing Scotland to stay in the single market and to continue to co-operate on those matters.

The UK Government should not try to lull people into a false sense of security in thinking that continued co-operation on these matters will be easy in the event of a hard Brexit. That is not just my opinion; it was the opinion of the House of Lords European Union Committee, which published a report on Brexit and the future of UK-EU security and police co-operation. It noted that the

"UK and the EU-27 share a strong mutual interest in sustaining police and security cooperation after"

Brexit, but warned against that understanding of "mutual self-interest" leading

"to a false sense of optimism about how the negotiations"

in this area might proceed. That raises questions already alluded to about the extent to which the UK could continue to benefit from the same level of co-operation outside the EU. It has already been pointed out in relation to Europol that associate members do not have access to the same data sharing information.

Data sharing is central to this debate. In practice, there will be limits to how closely the UK and the EU27 can work together if we in the UK are no longer accountable or subject to the oversight and adjudication of the same supranational EU institutions, including—and perhaps most importantly—the EU Court of Justice. We saw just before Christmas that the Court of Justice took rather a dim view of the provisions for data collection and retention in the Investigatory Powers Act 2016, as many of us warned would occur when the

Act was going through the House. If the UK does not comply with EU law on data sharing and privacy protection, our former partners will not be able to share information with us under the laws by which they are bound.

This is not just about the protection of civil liberties; it is crucial to security and law enforcement. Much is made in the general debate about leaving the EU of the opportunities for the UK beyond Europe. It is sometimes suggested that we should focus more on our security arrangements with, perhaps, the "Five Eyes" countries, including the United States, and it is true that some countries, such as the USA, have set precedents for bilateral agreements on the transfer of data, but those do not offer the quick fix that some suggest. Those agreements have taken many years to negotiate and, in some cases, are not enforced. Why withdraw from a system we have so painstakingly contributed to for years, in order to seek something else that is far from guaranteed? As a matter of security, we cannot afford an operational break in our access to EU cross-border tools, because they are part of the day-to-day work of the police force. We have only to look at the figures and stats produced by the Home Office and the Scottish Government to see how important Europol and the European arrest warrant are.

It is sometimes also suggested that our partnerships with other countries, such as our "Five Eyes" partners, will somehow replace or supersede what we have in place with the EU, but that will not work either, because the "Five Eyes" partnership, important though it is, does not cover all aspects of our security. For example, it does not cover all aspects of day-to-day policing. In fact, the National Crime Agency has said that one concern for it and its "Five Eyes" partners is the impact that the absence of the UK from Europol will have on the other "Five Eyes" countries' relationships, because they often use the UK as a proxy for getting work done at Europol when the UK is working with it. Such difficulties are the reality of the situation, and it is not just the SNP or the Labour party highlighting them; as we have heard, they have been highlighted by the NCA, Rob Wainwright and the House of Lords Select Committee that has looked into these matters in some detail.

The need to meet EU data protection standards so that we can exchange data for law enforcement purposes means that if the UK leaves the EU, the UK will need to subject itself to data protection laws that it will have no role in shaping. Is that what Government Members really want? I realise that they have concerns about how laws are made in the EU, and it is pretty obvious that they do not like the Court of Justice very much, but if we, as a Union of nations, want to continue to operate with our EU partners on security and law enforcement, data sharing will be key. As I said, we will have to subject ourselves to data sharing rules made by the other 27 member states into which we will have no input. If we insist on going our separate way, as we have done with the Investigatory Powers Act, and going beyond what EU law sanctions, the other 27 member states will not want to share information with us, because, as I said earlier, it would breach their own laws on data sharing and data protection.

Those are very real concerns. As I said in my intervention on the hon. Member for West Ham, we heard a very good speech from the Minister earlier about the advantages to the UK of Europol and other EU institutions, but we

[Joanna Cherry]

did not hear how he proposes to preserve those advantages in the event of the hard Brexit we heard about in some detail for the first time yesterday. We need to hear this afternoon not the UK Government's wish list but the mechanics of how they intend to continue the level of security protection and law enforcement information sharing that we currently enjoy with the other 27 member states, if they are intent on the task the Prime Minister set out yesterday. We have heard nothing so far, except that they want a bespoke deal. We shall wait with bated breath to hear more about that when the Minister sums up.

2.38 pm

**Robert Neill** (Bromley and Chislehurst) (Con): It is always a pleasure to follow the hon. and learned Member for Edinburgh South West (Joanna Cherry). She is a distinguished, practical lawyer, and I agree with her on some of the practical issues that arise, to which I shall return in a moment.

I endorse the views of my right hon. Friend the Member for Mid Sussex (Sir Nicholas Soames) in relation to our mutual situation—we both fought to remain in the EU, but, having lost, we both accept the verdict of the people. I also endorse his comments commending the Prime Minister for her realistic, practical and determined approach to this issue and on the importance of our NATO relationships. He is much more of an expert on those than I, but I endorse what he said, although I add one thing: we must not only strengthen our NATO relationships but maintain the best possible relationships with our colleagues who happen to be members of both the EU and NATO, not least our nearest neighbour, France, the other great military power of Europe. It is a nuclear power, a significant military power and a member of the UN Security Council. I am sure the Minister, being the diligent Minister he is, will gently remind his ministerial colleagues that we have a long history with France and were actually on the same side in the second world war.

That said, let me return to the specific issue of law enforcement and criminal justice co-operation. That has concerned me during my years at the criminal Bar and is also an issue on which the Justice Committee took evidence only in the last week or so—and we shall publish our report soon.

Unlike the hon. and learned Member for Edinburgh South West, I do not expect the Minister to reveal the mechanism by which we achieve our objectives, because we are at the beginning of a process. The Prime Minister was right to set out the plan, and I expect there will be a lot more detail that we will have to think about. In my short contribution I want to flag up some of the issues that I hope the Minister and his colleagues will bear in mind when we look at the negotiations and how we put the plan into reality.

The Minister of State at the Home Office, my right hon. Friend the Member for Great Yarmouth (Brandon Lewis), started by talking about the importance of the European arrest warrant. That is recognised by the Prime Minister. She is right that we must do all that is necessary to remain within the European arrest warrant, which involves some compromises. As for the purity of any break, I personally would be prepared to make

some compromises, as I would in relation to other matters, to achieve the practical objective of keeping our country safe. They are critical. As I said to the Minister of State, many of these issues are not about our domestically determined criminal law being overweened or superseded by some international system. These are matters of practical co-operation, tracking down suspects and arresting them, the exchange of information and the enforcement of court judgments to everybody's mutual advantage.

All member states of the European Union have varying degrees of approach to their criminal justice systems. Ours is particularly different because of our common law system, of which we are immensely proud, but that does not mean—I hope people would never suspect that it does—that the systems of other European member states should automatically be regarded as inferior to ours. Some of us in this country are occasionally a bit too sniffy about the quality of the justice systems of other European member states. I have no hesitation whatever in commending the integrity of the justice systems of France, Germany, Italy and many others, as I would in respect of Scotland, Ireland or Northern Ireland, for that matter.

**David T. C. Davies:** My hon. Friend is making some good points, but would he concur, given that we are fellow members of the Council of Europe, that some of the prison systems that he and I have probably both visited simply do not come up to British standards? I would mention Greece in particular.

**Robert Neill:** I thought that that issue might be raised, and I was going to say that that does not alter the importance of criminal justice co-operation and, secondly, that where this has been relevant as a criticism of the arrest warrant in the past—in the Symeou case, for example—that is essentially history. What is not often sufficiently recognised are the very important amendments made to the European arrest warrant in 2014. We heard evidence from both the criminal lawyers society and the Criminal Bar Association, who strongly concurred that the amendments of 2014 had removed the risks that had put the unfortunate Mr Symeou in his position.

**Keith Vaz:** It is a great pleasure to serve under the hon. Gentleman's chairmanship of the Justice Committee. The point made in the intervention by the hon. Member for Monmouth (David T. C. Davies), which is a cause of concern to me, is that sometimes countries in the EU issue their European arrest warrant for very minor offences. One example is an individual who had a warrant issued against him because he had stolen a bicycle. It is important that individual countries focus on the reasons why they take out their arrest warrants. I have always regarded it as very serious when a European arrest warrant is issued; it is not appropriate for the minor offences that some countries use it for.

**Robert Neill:** I accept that that is a significant issue, but the two amendments achieved two things. First, they removed any risk of extradition before commencement of proceedings; and, secondly, they introduced in the UK a proportionality filter. It would be better if all other countries that use the European arrest warrant had a proportionality filter, too. From the evidence we heard from Professor Wilson of the Northumbria

University's centre for evidence and criminal justice studies, it seems that even Poland, which has resisted a proportionality filter in the past, is now moving in that direction. The situation is improving there.

The fact that we have those two important safeguards is significant, and it is also important that the European arrest warrant system is a court-driven system, which is subject to judicial supervision rather than being an executive act of extradition. That is why it would be undesirable for us to lose the advantage of the European arrest warrant and have to fall back to the 1957 extradition convention, which was a purely administrative act, carried out through diplomatic channels, without the protection of court intervention or review. It was also much more cumbersome.

**Richard Arkless** (Dumfries and Galloway) (SNP): It is indeed a privilege, as mentioned by others, to serve on the Justice Committee under the hon. Gentleman's chairmanship; he is making a fine speech. Will he respond to some of the comments made by my hon. and learned Friend the Member for Edinburgh South West (Joanna Cherry)? Notwithstanding her clear desire to stay within the European arrest warrant, there will be difficulties as a result of different data-sharing regimes in the European Union and the UK. How is it possible to reconcile the two, following the UK's leaving the EU?

**Robert Neill:** It is certainly clear from the available evidence that the Government will need to take that necessity on board. We will have to adhere to European standards of data protection for other member states to be able to share the information with us, according to their law. We may also want to share information with other third-party countries, so both we and they will have to be prepared to adhere to international standards. As my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve) rightly said, that might involve some form of international adjudicative process to deal with disputes between member states. I am not going to tie anyone down on how best to solve that, but there are serious issues that we will have to bear in mind from day one of our negotiations.

Equally, when we talk about involvement with some of the other agencies—we referred to ECRIS, the European criminal records information system, to Prüm and to a number of other valuable tools—we need to recognise that there is a financial cost to the development of the databases. I would certainly encourage the Government not to be afraid to continue to make a financial contribution to the development and maintenance of them. That would be a small price to pay in view of the advantage of protection for the British public. I think there is common ground on the objective of the European arrest warrant. I just wanted to raise some of the practical issues that we will have to grasp if we are to succeed in achieving our continued full access to it as a non-EU member state.

I want to refer to other matters of concern—co-operation between the courts, which involves our continued membership or association with Eurojust. There is a precedent for non-member states continuing to co-operate with Eurojust. Norway has a co-operation agreement and has liaison prosecutors based at Eurojust. If we leave the EU as it stands, we would have to move from being national college members, but we could have a

Norwegian-style status. Perhaps we should be bold and try to argue that we should remain as national college members on some sort of basis if the constitution permits it. That would be preferable.

**Joanna Cherry:** I hear what the hon. Gentleman says about Norway, but is he aware that the Prime Minister, in her former role as Home Secretary, was very disparaging about the abilities of Norway and Switzerland, outside the EU bloc, because they do not have access to all the tools and have to come under the jurisdiction of the European Court of Justice, without having the same input into the law-making process?

**Robert Neill:** Prior to the referendum, neither the hon. and learned Lady, the Prime Minister nor I would have wished to be in the conundrum in which we now find ourselves. However, I accept the verdict of the British people, so we must find a practical means of achieving the objective that we want. It would be better to find something that is beyond Norway. That is why I have suggested starting as a negotiating point with the idea that we should be national college members rather than associates of Eurojust. If we are ambitious, we lose nothing from pressing for that from the beginning.

In April last year, the Prime Minister as Home Secretary referred to the whole of the European criminal record system—financial intelligence units, the prisoner transfer unit, Schengen Information System II, joint investigation teams and Prüm—in the context of seeing them as practical measures that promote effective co-operation between different European law enforcement organisations. If we are not part of them, Britain will be less safe. As Francis FitzGibbon, the chairman of the Criminal Bar Association, told the Select Committee, that would be a pretty good starting point for bringing this whole area to greater prominence, and a pretty good starting point, I would suggest to the Minister, for our negotiation objectives. Witnesses to the Justice Committee repeatedly said that this is part of a mutually reinforcing system of justice co-operation.

We may concentrate on the arrest warrant, but the information exchanges, the ability to enforce court judgments and the ability, for example, to seek a European information order to obtain evidence from abroad are all part of the same process. That is why it is critical for us to set our objectives at the highest possible level when it comes to seeking our continued engagement with these matters.

This is an important debate because it concerns an immensely important topic. Those of us who now want to move on constructively from what, according to any view, has been a bruising experience for this country will want to do so on the basis of an ambition to protect the country, while also recognising that both our judicial system and our police force are immensely highly regarded, not just in Europe but internationally. We have something to bring to the table as well. I hope that the Minister will take those points on board in a bold and ambitious negotiation, and I wish him and his colleagues well.

2.50 pm

**Yvette Cooper** (Normanton, Pontefract and Castleford) (Lab): It is a pleasure to follow my fellow Select Committee Chair, the hon. Member for Bromley and Chislehurst (Robert Neill). I agreed with many of the points that he

[*Yvette Cooper*]

made about the importance of continued European co-operation. Like him, I voted for article 50 to be triggered by the end of March, because although, like him, I wanted us to remain in the European Union, I believed that we should respect the referendum result, and that means getting on with the detailed and hard work of establishing how we can get the best possible deal for Britain outside the EU.

I also agree with the hon. and learned Member for Edinburgh South West (Joanna Cherry) that we should be cautious about assuming that it will be easy for us to get the detail right, particularly in respect of the important law enforcement issues. If we do not have the right kind of legal basis for the co-operation that we want to see, we shall simply not be able to use the information or intelligence that we have to lock up those who have committed crimes and to keep people safe.

I hope that there is considerable consensus about the objectives that we should have—not just consensus across the House about our objectives in co-operating to keep Britain safe, but consensus across Europe, where co-operation between Britain and other European countries has saved people's lives and protected us from terror threats and serious crime. The Prime Minister was right to say yesterday:

“With the threats to our common security becoming more serious, our response cannot be to cooperate with one another less, but to work together more.”

So far, however, we have heard very little from the Home Secretary, and, although I have the great respect for the Policing Minister, I am disappointed that she has not come to the House today.

Given the seriousness of these issues, and given that the Prime Minister highlighted the importance of parliamentary sovereignty, I think that we need to hear more from the Home Secretary in Parliament. We will be calling on her to come before the Home Affairs Committee to provide further detail. It is also disappointing that the Policing Minister has now departed, which means that no Home Office Minister is present for a debate on an issue that will have huge repercussions for our security operations for many decades to come. Obviously, the work on security will form part of the Government's wider plan for securing the best possible Brexit deal and Brexit settlement.

Yesterday the Prime Minister talked particularly about trade. She pledged to secure tariff-free trade, and a better overall deal for British jobs that was outside the single market and the customs union. As the Government will know, there is considerable concern about whether ditching a long-established trade and customs deal will really deliver a better deal for jobs, employment protection and environmental standards here in Britain, and Ministers will need to provide a great deal more evidence to show that they can actually deliver a better deal for our manufacturing and services, as well as for the social and economic standards that matter so much.

Ministers will also need to say more about the Government's approach to immigration. I am one of those who have believed for some time that we need to change the arrangements for free movement, and I think there are particular concerns about unrestricted low-skilled migration. We shall need to engage in a sensible debate about how to get the best deal for

Britain on both jobs and immigration, so that we benefit from international talent and from economic trade as well.

There is some confusion and there are some questions as a result of mixed messages received from the Government. It would be helpful if the Minister clarified the position, as he represents the Department for Exiting the European Union. Some are suggesting that immigration will not form part of the discussions and negotiations about trade and that those issues will be kept separate in the negotiations, while others say that debate about future immigration rules will be dealt with alongside the trade negotiations. It is important for us to understand whether the negotiations about the customs union and the single market are stand-alone trade negotiations, or whether there will be a wider debate on options relating to both immigration and trade.

**Keith Vaz:** I congratulate my right hon. Friend on all the excellent work that she is doing as Chair of the Home Affairs Committee. Does she know whether we are to have a debate on leaving the EU and immigration and Home Office policy, especially with regard to the rights of EU citizens to stay here, or whether we are supposed to discuss all those matters during today's debate about Home Office and justice matters?

**Yvette Cooper:** I thank my right hon. Friend for what he has said, and commend him for his many years of fantastic work on the Home Affairs Committee. I do not know what the plans are for further debates about immigration. Perhaps the Minister can enlighten us, because it will clearly be one of the central issues to be discussed. If it is included in the debate, that will affect the kind of deal or agreement that we secure, so it is important for us to have some clarity about what those plans are.

**James Berry:** The right hon. Lady will be well aware that there are a number of different options for immigration from EU member states. I am sure she will not miss this opportunity to advertise the Home Affairs Committee's “big conversation”. The Committee is travelling around the country to discuss the issue. It is also encouraging Members to contribute, and to urge their constituents to do so as well.

**Yvette Cooper:** I am glad that a fellow member of the Home Affairs Committee has reminded me to say that people across the country need to become involved and have their say about what the right immigration options should be for Britain. We know that immigration is important for our future, but we also know that it needs to be controlled and managed in a way that is fair, and people have different views on how that should happen. My view is that there is rather more consensus than people may think, given the polarised debates on immigration that sometimes take place. We do indeed believe that all Members of Parliament should have their say as part of the process. We shall be holding regional hearings and evidence sessions around the country, and also urging Members to consult their constituents on what they want to happen as part of the future arrangements.

The Policing Minister set out a very broad-brush approach to security. My hon. Friend the Member for West Ham (Lyn Brown), the shadow Policing Minister, gave a forensic response, posing a thorough and detailed set of questions that were not really addressed in the

Policing Minister's initial outline of the position. He rightly talked about the value of our relationships and the importance of joint working, but we need much more reassurance from the Government that they are taking three crucial issues—Europol, the European arrest warrant and the databases—immensely seriously, because they will have huge implications for our security if we do not get this right.

There is no precedent for a non-EU member to be a member of Europol, but I should be grateful for confirmation from the Minister that there is also nothing in the treaties that would rule that out. If we are looking for a bespoke arrangement, perhaps he could confirm that there is nothing to prevent us from asking to continue our existing Europol membership, given the crucial role that Britain has played in shaping Europol in the first place, and in raising the standards of policing and cross-border policing in other countries across Europe to meet the standards that we have here in the United Kingdom.

As the Minister will know, the UK uses Europol more than almost any other country in the EU. We provide more intelligence, and play a leading role as well. Operation Golf, involving the Met and Europol, rescued 28 children who were being exploited by a Romanian-organised criminal gang network. Operation Rescue investigated the world's largest online child abuse network and led to 12 arrests in the UK, safeguarding 230 children. That kind of work between British police forces and Europol is immensely important. I therefore urge the Government to pursue full membership of Europol, or at least something that looks, sounds and smells like it, so that it delivers exactly the kind of security arrangements we have at the moment.

We also need something that looks, feels, sounds and smells, and pretty much is the European arrest warrant, instead of reinventing something from scratch or having to renegotiate, as other countries including Norway and Iceland have done. It has taken them many years to do so, and the length of time involved in renegotiating those extradition agreements, whether with the rest of the EU or with individual countries, can cause huge delays and considerable legal uncertainty.

The Government are well aware of the importance of the European arrest warrant. Indeed, it was part of our discussion of justice and home affairs concerns over the past few years. I hope we will continue to make sure that we can respond to the up to 1,000 EAWs each year, which involve us being able to deport to other countries their suspected criminals, who would otherwise be able to find greater sanctuary here.

The most challenging area of all was raised by the police who gave testimony and evidence to the Select Committee: access to information and databases, and to that shared information across Europe. The temporary deputy assistant commissioner of the National Police Chiefs' Council said:

"If we are curtailed in our ability to access intelligence systems that our overseas partners have put in place, we may risk people hurting children or committing harm because we cannot put that picture together. My response to you is yes, it increases the risk."

My hon. Friend the Member for West Ham gave a thorough account of the databases and the challenges they face, including the European criminal records information system, to which my right hon. Friend the Member for Leicester East (Keith Vaz) referred; the

second generation Schengen information system; the passenger name record directive; and the Europol information system. On that latter system, some of Europol's co-operation partners can store and query the data in the centre, but cannot have direct access, which is what is so important.

If we are outside the EU and trying to set up a new bespoke arrangement, the European Commission will be forced to make an adequacy assessment. So once we trigger article 50 and are setting the new arrangements from outside the EU, we will expect an adequacy assessment by the European Commission under its current legal arrangements. However, as the hon. and learned Member for Edinburgh South West pointed out, there are some challenges with getting that data adequacy assessment in place. While that ought to be solvable given our shared objectives and security and intelligence co-operation, it another reason why it takes time to get this issue right and why we cannot simply assume that, because we have the same shared objectives, it will all be solved and it will all just come out in the wash.

If our objectives are to stay in Europol and the EAW and to keep access to those crucial databases, it would be helpful if the Government said that, rather than simply make broad-brush statements that we want to continue with co-operation around security. That would give greater certainty to our police and law enforcement officers about what they should be focusing on and planning for. The Minister will know that, if we are not able to do that, it will be important to have transitional arrangements in place. Frankly, if we do not have that, people's lives will be at risk.

Let me leave the Minister with a final thought about the way in which the negotiations take place. I have raised my concern about the Home Secretary and Home Office Ministers not being present, and because there is shared agreement on the objectives both in the House and across Europe, I am concerned that this matter will be treated as a lower priority in the negotiations. It is not as controversial an issue as some others, which we will all row about. It will not therefore be one of the main things on which the Prime Minister will continually keep her attention. However, it must be taken immensely seriously, otherwise it will just slip between people's fingers and we will end up with the details not being ready in time and it therefore not being sorted out.

My other concern is that this issue must not be used as a bargaining chip in the wider negotiations. There will be all kinds of rows, debates and trade-offs across Europe around trade, immigration rules and so forth, but we should not have trade-offs around security. It would be better if issues around security co-operation could be treated as a separate part of the negotiations, and could be dealt with as rapidly as possible to get some early security and show that the Government are giving the matter sufficient attention. Our Select Committee will hold further evidence sessions, and I am sure other Select Committees and Members will also be scrutinising this subject in detail.

Britain voted to leave the EU, but nobody voted to make Britain less safe. I know the Government will take safety and security seriously, but they need to be taken sufficiently seriously to make sure that we do not inadvertently get a gap in our security arrangements which ends up putting lives at risk. In the end, we are

[Yvette Cooper]

talking here about terror, security and cross-border crime, so this is about any Government's first duty: to keep their citizens safe.

3.6 pm

**James Berry** (Kingston and Surbiton) (Con): It is a pleasure to follow the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper), the Chair of the Home Affairs Committee, on which I sit, especially as I agreed with pretty much everything she said.

Security did not feature especially prominently during the referendum campaign. I understand why that was: a lot of what we have been talking about is very complex and does not fit easily into a brief soundbite, and much of our security co-operation is not done through our membership of the EU. Our security against military threats from other countries is protected by our membership of NATO, other alliances and bilateral relationships. Our security in terms of terrorist threats is largely dealt with on a bilateral basis, country to country between intelligence agencies, as well as through multilateral agreements such as the "Five Eyes" intelligence alliance comprising Australia, Canada, Great Britain, New Zealand and the USA.

Those relationships are entirely separate from our membership of the EU and are in no way compromised by this country's decision to leave. To that extent, I never subscribed to the claims of some on my side of the referendum campaign—the remain side—that we would suddenly become a very dangerous place in the event of a vote to leave, or indeed to the ridiculous hyperbole that ISIS would be delighted by a leave vote. Indeed, Mark Rowley, the assistant commissioner for specialist operations at the Met police and the UK's most senior counter-terrorism officer, reported that there has actually been an increase in co-operation between European member states' police and intelligence agencies since the vote to leave the EU. This ad-hoc co-operation was no doubt due to, and necessitated by, intelligence shortcomings before some of the recent terrorist atrocities in Europe.

To focus on the military and high-level intelligence co-operation and counter-terrorism that takes place outside the EU architecture is to ignore the many policing and criminal justice measures inside the EU structures, which make the police's practical work of keeping us safe easier and more efficient. I have spoken to a number of police officers—in my previous work as a barrister, I acted for and against the police regularly—and I know many police officers, both locally and outside my own area. Some voted to leave and some voted to remain, but all share a clear desire for our existing EU police and criminal justice co-operation to stay the same, or to be replicated as closely as possible.

Just last night I was speaking to the president of the Police Superintendents Association of England and Wales, Gavin Thomas, at an event at which a number of Members were present. He cited the example of how access to European Union DNA databases has allowed checks that previously took days or weeks to be performed within 15 minutes. He is a full supporter, as are the leads of many other police staff associations and senior police officers, of maintaining our current policing and criminal justice relationships with the EU.

**Robert Neill:** My hon. Friend makes a powerful point. Is he aware that similar evidence exists in relation to the Schengen information system? The National Crime Agency has stated:

"Loss of access to SIS II would seriously inhibit the UK's ability to identify and arrest people who pose a threat to public safety and security".

**James Berry:** I entirely agree with my hon. Friend. In fact, I do not think that a single senior police officer or police organisation takes a view counter to the one he has just outlined.

Beyond the police—apart from some concerns about the European arrest warrant, which I do not share—I do not detect any desire among members of the public for any rowing back on our policing and criminal justice co-operation with the EU. I do not detect any such appetite within this place either. Certainly since I have been here, the only pushback—particularly on these Benches—has been on the requirement to submit to the oversight of the European Court of Justice. I will come back to that matter shortly, but to take it out of the equation for the moment, I doubt that there will be a voice of dissent in this place relating to the panoply of policing and justice co-operations we currently enjoy. Time does not permit me to go through each and every one of them, so I shall focus on just four.

Europol exists to assist law enforcement agencies in member states to tackle cross-border crime. It focuses on gathering, analysing and disseminating information, rather than on conducting actual investigations. The UK has 12 liaison officers at Europol's headquarters in The Hague, which I was able to visit with colleagues on the Home Affairs Committee last year, including the right hon. Member for Leicester East (Keith Vaz). It is a very impressive operation indeed. It is important to note that Europol also has representatives from non-EU countries such as Norway and the US. We had a long conversation with representatives from the US and the Department of Homeland Security, who have a significant presence there. It was not immediately clear from that conversation that they were significantly worse off for not being a member of the EU. However, they certainly do not have the automatic right of access of EU member states to the Europol information system. There is a specific provision for them to have access on a case-by-case, supervised basis.

We were also able to meet online counter-radicalisation officers from the European Cybercrime Centre, an initiative very much championed by our Prime Minister when she was Home Secretary. The Europol information system is a central database with information on suspected criminals and objects associated with crime, such as vehicles. If a vehicle is suspected of being connected to a crime in Kingston, for example, British police officers can search the EIS to find out whether there is any information on that vehicle, or people associated with it, anywhere in the EU. In 2015, the UK sent and received 37,000 alerts through Europol channels, half of which related to high-priority threats such as child sex exploitation and firearms. As crime and criminals respect state borders less and less, the role of Europol in supporting cross-border co-operation will only increase and become more vital. It must be retained, with British involvement.

I shall move on to the Prüm convention. Like the EIS, Prüm allows and facilitates member states to search

each other's databases for fingerprints, DNA profiles and vehicle registration details. The UK has not yet fully implemented Prüm, although I believe that it will do so later this year, but we ran a pilot for DNA profile exchange in 2015. As I mentioned, I heard from a senior police officer yesterday that that has allowed checks that would previously have taken hours or days to be performed in 15 minutes.

**Keith Vaz:** The hon. Gentleman is the Chamber's resident expert on Prüm. Does he agree that it is important that we continue to implement the terms of the agreement, irrespective of our decision to come out of the European Union, because it provides important data sharing on DNA and fingerprints? Does he agree that, having made the decision, we should continue with that process pending the negotiations?

**James Berry:** Pending the negotiations, we should continue down the path of integration in all these policing and criminal justice measures. We have already done that in respect of Europol in a decision that was approved by the House last month.

I shall move on to another important measure: the passenger name records directive. This was explained to members of the Committee at Copenhagen airport. It is a common system for collecting and processing data held by airlines, including names, travel dates, itineraries, seat numbers, baggage and means of payment. These data are vital in tracking criminal and terrorist movements to prevent and detect crime. It is important to note that the EU has bilateral data sharing arrangements for passenger name records with the US, Australia and Canada. It is also negotiating an arrangement with Mexico, so there is no good reason why a non-EU country cannot participate in what is clearly a system that has mutual benefits.

The European arrest warrant has had a transformative effect on the ability of the police and prosecuting authorities to get those who need to face justice in the UK—whether relating to a prosecution or a prison sentence—back to the UK to do so. It bypasses the fiendishly complicated extradition rules that apply with respect to some other countries, because countries that are part of the European arrest warrant arrangements cannot refuse to extradite their own citizens, and there are legally mandated time limits during which extraditions have to take place. In 2015-16, 2,102 individuals were arrested in the UK and deported on European arrest warrants. Those were people we plainly did not want in this country. We have been able to repatriate more than 2,500 individuals from EU countries since we have been a member of the European arrest warrant system, including some well-known terrorists, serious criminals and paedophiles. There is a list of high-profile cases, but I will not go into it now. I agree with the hon. Member for West Ham (Lyn Brown) that this is the most effective extradition system in the world, and it would be madness if we were in a situation in which we had to leave it.

**Dr Julian Lewis:** I am not an expert on this subject, but there is concern that, under the European arrest warrant, UK citizens could find themselves extradited to other EU countries in which the justice system falls far short of what we would regard as adequate. Does my hon. Friend have any concerns about that?

**James Berry:** I am sure we will hear my right hon. Friend's expertise in the defence field in a few moments. The starting point of the European arrest warrant system is that any country in it has a legal system that will give a British citizen a fair hearing, just as citizens of that country would have a fair hearing here. That is the starting assumption, and that was why the House approved our membership of the system. I accept that some people hold the view that my right hon. Friend describes—I mentioned that fact earlier—but, on balance, the majority of people in the House and in the country think that being a member of the European arrest warrant keeps us safer.

**Robert Neill:** Perhaps my hon. Friend would like to know that that was the view of the Criminal Solicitors Association, whose members largely represent defendants, and of the Criminal Bar Association. They agree that, on balance, membership of the European arrest warrant system is an advantage because it is a court-led system that involves judicial oversight, unlike the classic extradition system, which is an Executive process.

**James Berry:** I thank my hon. Friend for his helpful intervention.

There are many other measures that I could mention: ECRIS; the Schengen II information system; the system for providing enforcement alerts, including for those wanted on European arrest warrants, which includes more than 70 million live alerts; and the European image archiving system, which is a database of genuine and counterfeit ID documents and travel stamps. In all those fields, I agree with the right hon. Member for Normanton, Pontefract and Castleford, that we should be aiming for full membership, or the closest possible approximation to it.

Turning to the UK's position since the general election, the Government have put us in a good position to take forward policing and justice co-operation with the EU. First, in December 2015, we decided to opt into Prüm II. Secondly, in December 2016, we decided to opt into new regulations governing Europol, and I was pleased to sit on the European Committee that unanimously approved that decision. Thirdly, the Prime Minister set out yesterday how a global Britain will continue to co-operate with its European partners in the fight against the common threats of crime and terrorism. She made it clear that she wanted our future relationship with the EU to include practical arrangements on matters of law enforcement and the sharing of intelligence material with our EU allies. That came as no surprise because she personally led several such initiatives during her many years in the Home Office.

Clearly it is up to the European Union and others to decide whether to allow the UK to remain part of the policing and criminal justice architecture that we are debating today, but the case for the EU and EU member states to do so is clear. It is probably clearer in this area than in any other area of EU co-operation, not only because it affects the security of each citizen of every EU member state, but because the UK is at the forefront of each and every one of these criminal justice measures. For example, 40% of contributions to Europol's shared intelligence come from the UK—we are behind only Germany—and the UK is the main contributor of intelligence in several of the most important areas.

[James Berry]

It would not be in the interests of any EU member state, or the EU as whole, to shut itself off from access to that vital intelligence in pursuit of some lofty EU principle or ideal—this is a matter of practicality. If the tables were turned and another country that contributed 40% of Europol's intelligence—this intelligence helps British police officers to fight crime—were leaving the EU, I would be the first to call on our Government to do everything possible to maintain access to that intelligence and to preserve our co-operation with that country. Without wishing to labour the point, it would be an act of self-defeating nihilism for the EU to seek to shut the UK out of policing and criminal justice co-operation measures.

How could we co-operate outside the EU? We could either be allowed to remain a member of such measures, which would require EU legislation to be rewritten, or we could be given informal or bespoke access, which the US already has with Europol. Once any legal hurdles are overcome, the two main sticking points will be money and judicial oversight. As for money, I am clear that we should pay to play. If we are to benefit from Europol, for example, which has an office and staff in The Hague, there can be no question but that we should expect to pay. On judicial oversight, I understand that oversight of the European Court of Justice is a sticking point for many Members and for many members of the public who voted to leave, but that must be dealt with on a case-by-case basis, looking at each measure on which there is co-operation. When we enter multilateral agreements with other countries on issues such as extradition, there is often an international court that arbitrates, such as the International Criminal Court.

I do not believe that we immediately became less safe because we decided to leave the EU. The measures we are discussing are hugely beneficial to law enforcement. The police and the public want us to continue with them, and I am pleased that the Prime Minister agrees. The litmus test for me on this and all other EU co-operation is simple: if we were not currently a member of the EU, is this something in which would we be looking to get involved because it would benefit British people? For all the measures we are debating today, the answer is a resounding yes.

There will undoubtedly be legal hurdles to overcome, but it is clear beyond peradventure that our side is willing. I hope that the EU will respond in kind and that the starting point for any negotiations will be not whether we should do it, but how we should do it. Some Members have demanded guarantees and more information, but given the consensus in this area, it falls on everyone in this House, particularly those with expertise and legal training, to contribute on the question of how we assist the Government to ensure that we maintain this vital co-operation in policing and criminal justice for the benefit of all our constituents in Britain, and of citizens in Europe as a whole.

3.24 pm

**Hilary Benn** (Leeds Central) (Lab): This is a very important debate and, as it comes the day after the Prime Minister's very important speech, I want to begin by reflecting briefly on what we learned yesterday about the Government's objectives in the forthcoming negotiations. It is now clear that Ministers will seek transitional

arrangements and that Parliament will have a vote at the end of the process, both of which the Select Committee on Exiting the European Union called for in our report. I should observe that it was published on Saturday and that the Prime Minister adopted these proposals three days later on Tuesday—somewhat faster than the normal Government response to Select Committee recommendations. With that standard having been set, the members of the Committee who are in the Chamber today hope that it will continue.

The most significant of the announcements was that we will be out of the single market and partly out of and partly in the customs union. In such decisions—this is the link to today's debate—lies our future economic success and security. However, despite the Prime Minister's speech yesterday, it is in trade and our relationship with the customs union that the greatest uncertainty still exists. Why do I say that? The Government have made it clear that, one way or another, they want to secure continued tariff and barrier-free access for UK businesses to European markets—they could not have been clearer about that. It is an objective that the Select Committee supports and one that was also supported by the vast majority of businesses that gave evidence to us.

However, there is no guarantee that this will be achieved. There is no guarantee that the EU will be prepared to give us what it may well regard as the best of both worlds: free trade with Europe and the right to set our own common external tariff and to negotiate new trade deals. The Government may therefore be confronted down the line with a rather uncomfortable choice between remaining in the customs union and once again seeing tariffs and bureaucratic obstacles rising between British businesses and their largest market. What would be the consequences? One way to answer that question would be to look at the Government's workings. In oral evidence to the Exiting the EU Committee, the Secretary of State said that the Department was

“in the midst of carrying out 57 sets of analyses, each of which has implications for individual parts of 85 per cent of the economy.”

In our report, we acknowledged that the Government were looking at different options for market access and said:

“In the interests of transparency, these should be published alongside the Government's plan in so far as it does not compromise the Government's negotiating hand.”

Now that we have the plan—the Prime Minister's speech from yesterday—will the Minister assure the House that those economic assessments will be published, so that the Select Committee, Parliament and the public can see for themselves the basis on which the Government reached their view both on leaving the single market and on changing our future relationship with the customs union?

I turn to the broader issues of security and foreign policy. We live in an age in which our very interdependence makes us more vulnerable to crime, terrorism and threats to peace and security. However, that same interdependence is the best means we have to deal with those threats. During the referendum campaign I did not come across a single person who said, “Well, I'm voting leave because I really object to the United Kingdom and its European neighbours co-operating on policing, justice, security, foreign policy and the fight against terrorism.” Continued co-operation in all those areas is therefore not about trying to hold on to bits of membership as we leave.

On the contrary, it is about ensuring that we continue working together in our shared national interests at a time of—let us face it—great instability and great uncertainty. We only have to look around the world. The middle east is still reeling from the Arab spring and the consequences of people seeking more security, more of a say and better governance, and from the response of those who were or still are in control. That response was, in many cases, very violent and brutal—think of Syria, think of Libya and think of the resulting flow of refugees, including those who have come to the shores of Europe.

The conflict that has dominated global politics for 50 years, Israel-Palestine, remains unresolved. In passing, I welcome the Government's support for UN Security Council resolution 2334, which rightly has some strong things to say about the threat from Israeli settlements to the prospects for a two-state solution. We all want a safe and secure Israel living alongside a Palestinian state. Given the number of countries, including European countries, that sent Ministers to the conference in Paris last Sunday to discuss a way forward, the Foreign Secretary should have been there instead of appearing to undermine the conference by not attending.

Across Europe, of course, we face a shared threat from Islamist terrorism, as the people of Germany and Turkey have tragically experienced in recent weeks, and as the families of those who were murdered in Sousse, Tunisia are now reliving as the inquest takes place. We know that North Korea is trying to develop long-range nuclear missiles, and we know that China is seeking to establish a presence on rocky outcrops in the South China sea in its disputes over territorial waters. We know that Russia, resurgent, is seeking respect in the world—"uvazheniye" is the word in Russian—although seizing Crimea, invading Ukraine, bombing civilians and hospitals in Aleppo and engaging in cyber-attacks is a slightly strange way of going about getting it.

In the United States of America, we will witness on Friday the inauguration of a new President who, to say the least—notwithstanding what the right hon. Member for New Forest East (Dr Lewis) said in his intervention—appears to be sceptical about the international rules-based system and the institutions, such as the EU, NATO, the World Trade Organisation and the United Nations, that we created precisely to give the world greater security. I was astonished to hear him describe Angela Merkel's decision to provide shelter to 1 million refugees as a "catastrophic mistake...taking all of these illegals",

as if he were completely unaware of America being a country built on providing a welcome to those seeking shelter. That is best expressed in these famous words:

"Give me your tired, your poor,

Your huddled masses yearning to breathe free"—

words forever associated with the Statue of Liberty.

Like the right hon. Member for Mid Sussex (Sir Nicholas Soames), I do not regard NATO as an outdated institution, although of course there are things that could be reformed. Nor, incidentally, do Latvia, Estonia and Lithuania, because they see NATO, as well as their membership of the European Union, as absolutely fundamental to their future security.

All the things that I have described affect Europe, and they all mean that co-operation in Europe—we are leaving the institutions of the European Union, but we

are not leaving Europe—is in our shared interest. That is why it is essential that we find a way in the forthcoming negotiations to continue working closely with our neighbours on foreign policy, security and defence, which I know the Government support. But there are some practical questions. We will no longer be attending the Foreign Affairs Council, so how exactly will that continued co-operation work? Will the Government press for what I have called a common foreign policy area—a new structure to bring together EU and non-EU member states to discuss shared concerns about foreign policy?

We already have the special deal that allowed us to opt into certain arrangements on policing and security co-operation, but my right hon. Friend the Member for Normanton, Pontefract and Castleford (Yvette Cooper)—the Chair of the Home Affairs Committee—and others have asked what exactly will happen after we leave. That point was put forcefully by my hon. Friend the Member for West Ham (Lyn Brown).

The Secretary of State for Exiting the European Union told the House that one of the Government's main aims during exit negotiations will be

"to keep our justice and security arrangements at least as strong as they are."—[*Official Report*, 10 October 2016; Vol. 615, c. 55.]

That was a very specific pledge to the House, and the question is, how are we going to achieve it? As we have heard in this debate, replicating what we have at the moment represents a significant challenge. We have heard about the practical benefits of the Schengen information system, because it is really important to know who is wanted, who is a suspected foreign fighter and who is missing. How will we ensure that we continue to receive that information after we have left? We have heard about the Prüm decisions, and being able quickly to search DNA, fingerprint and vehicle registration databases is really important in combating cross-border crime and terrorism. We have also heard how being part of Europol gives us access to its databases and expertise. I could give many other examples, and the challenge for the Government will be to replicate those things once we have left.

We have heard about the issue of data sharing. As I understand it, some of the current instruments make no provision at all for sharing information with third countries, with the European criminal records information system being one such example. Others expressly prohibit the transfer of data to third parties, with the Schengen information system being an example. Existing models of third country co-operation with Europol do not allow direct access to Europol's extensive information systems. As I understand it, the Home Office has carried out a review of EU law enforcement and security co-operation measures, and it would be helpful if the Minister told us what conclusions it reached, particularly on the options available to the Government to secure the continued participation that every Member who has spoken in the debate thus far wishes to achieve.

Will the Minister also tell us whether the Government's negotiating objectives specifically include retaining access to those data and that information? Will he confirm the extent to which the UK's data protection laws will need broadly to replicate EU laws if information sharing is to be able to continue to the same or a similar extent once we leave? That point was raised by the hon. and learned Member for Edinburgh South West (Joanna Cherry).

[Hilary Benn]

The former Attorney General, the right hon. and learned Member for Beaconsfield (Mr Grieve), asked how we will negotiate agreements without accepting a degree of oversight from some court, be it the ECJ or another court. Will the Minister confirm that in this area, as in others, the Government will seek transitional arrangements to make sure that there is no interruption to the flow of information?

The process on which our country is about to embark will inevitably involve uncertainty until such time as matters are resolved by agreement, but if the Government are to honour their pledge to keep our justice and security arrangements at least as strong as they are now—that is a very high test—the security and safety of our communities is one area in which we simply cannot afford there to be any uncertainty whatever. We also cannot afford an outcome in which there is no deal at all. The Prime Minister said yesterday that

“no deal...is better than a bad deal”.

In the case of security, no deal is and would be a bad deal, and we simply cannot afford to allow that to happen.

3.38 pm

**Ben Howlett (Bath) (Con):** It is a pleasure to follow the right hon. Member for Leeds Central (Hilary Benn), and may I commend him on his work, the early start his Committee has made and its first report? I read that report with interest on Saturday, and it certainly showed that the Committee has hit the ground running. I hope it made some impact in relation to yesterday's speech, too.

I am going to keep my remarks short, as I am not an expert on security issues—ask me about the NHS and I would be absolutely fine. However, this is a big issue of great importance to my constituency. There have been a number of instances where intelligence reports have been put out in the newspapers and this has caused a lot of concern to my constituents, so it is important that I speak in today's debate.

I shall focus on two particular issues. I could, of course, discuss many others, some of which have already been mentioned—for example, Eurodac, Europol, the European arrest warrant, the Schengen information system and the European criminal records information system—but I shall just pick up on a couple that relate to cross-border security and the sharing of intelligence, subjects that have been covered by several hon. Friends and other Members so far.

As my right hon. Friend the Minister outlined earlier, the maintenance of the UK's current strong security co-operation with the EU will obviously feature heavily in the forthcoming Brexit negotiations, as was outlined yesterday. Nevertheless, there should be absolutely no doubt that many of the tools and institutions that currently underpin security and police co-operation are vital for the safety of our nation. That is ever more true, given the current security concerns.

I welcomed the Prime Minister's commitment in her speech yesterday that the Government will continue to co-operate with our European partners in important areas such as crime and terrorism. I particularly welcomed her saying:

“With the threats to our common security becoming more serious, our response cannot be to co-operate with one another less, but to work together more.”

I agree that there is a good opportunity for us not only to maintain the current co-operation but to extend it. We should not give up on the opportunities provided by this significant debate—one that we have not necessarily had for a long time.

We all face the challenges of cross-border crime and deadly terrorist threats, which certainly do not respect borders. As the Prime Minister outlined so clearly yesterday, with the threats to our common security becoming more serious, our response needs to be enhanced. The political arrangements on matters of law enforcement and the sharing of intelligence materials with our EU allies has never been more important, as my right hon. Friend the Minister said earlier.

Before Members ask why on earth I am mentioning the European convention on human rights and the protection it gives to individuals in our criminal justice system, I should say that I raise it because I still think that while we are having these debates a lot of people in the country either confuse the convention and the European Union and think one is interchangeable with the other, or worry that the debates we are having about the ECJ and our exit from the EU will at some point have an impact on the convention.

If Madam Deputy Speaker will indulge me for a second, I still think that our leaving the EU will make it much easier for us to bring ourselves out of the European convention on human rights. Although it is a topic for another day, I have no doubt that it will be debated for a serious amount of time, in both this place and the other place. I am concerned that our potential withdrawal will limit the rights on which those in the criminal justice system could rely, so such debates are crucial. When he responds to the debate, will the Minister assure me that the Government will put the protection of human rights at the forefront of their agenda, when governing both inside and outside the EU?

There is considerable consensus among UK law enforcement agencies on the tools and capabilities that we must retain if we are to keep the British people safe. One of those tools is the European arrest warrant, which was mentioned earlier. The EAW facilitates the extradition of individuals between EU member states to face prosecution for a crime of which they are accused or to serve a prison sentence for an existing conviction. Since 2004, through the EAW the UK has extradited more than 7,000 individuals accused or convicted of a criminal offence to other member states, and brought 675 suspected, convicted or wanted individuals to Britain to face justice—that is no small number. Ultimately, we need to think about that number and how many different individuals in society have been affected over the years.

The European arrest warrant has been used to get terror suspects out of the country and to bring terrorists back here to face justice. An important example is when in 2005 Hussain Osman, who tried to blow up the London underground on 21/7, was extradited from Italy in just 56 days. Before the warrant existed, it took 10 long years to extradite Rachid Ramda, another terrorist, from Britain to France. It is crucial that we replicate it or ensure that something similar continues in its place, because I do not want to see us return to the days when it took years to extradite citizens.

**Sir William Cash:** On the issue of the European arrest warrant, which was debated extensively in previous Parliaments, may I mention that there are a number of instances in which British citizens have been subjected to complete failures of justice under that system? I will leave it at that, but that is a point that my hon. Friend needs to take on board.

**Ben Howlett:** I thank my hon. Friend for intervening. The Prime Minister said yesterday in her speech that this is about not just maintaining our current system, but enhancing the system that we have. If that means having debates on the European arrest warrant to ensure that the system works to stop exactly what he mentions, then that is what we should do, and this is the prime opportunity to do so.

I turn now to cross-border intelligence sharing, which has been instrumental to the safety of our nation. In particular, I am talking about the mechanisms, data gathering and analysis executed by Europol—the agency that supports the law enforcement agencies of the EU member states by providing a forum within which member states can co-operate and share information. Will the Minister assure me that we will continue to have access to Europol after our departure from the European Union? There is no doubt that every hon. Member will be saying that over the next few hours.

**Alex Chalk** (Cheltenham) (Con): Does my hon. Friend agree that UK intelligence agencies, including individuals working in my constituency in Cheltenham, protect not just British lives, but European lives as well? As part of any future arrangement, we want to ensure that they continue to do the vital work both within our shores and beyond.

**Ben Howlett:** My hon. Friend is a great champion of the security services, particularly those that are in his constituency, and of his constituents who work at places such as GCHQ. Those agencies protect people not just in the European Union, but in the wider world with associate members. That must be at the fore of the Government's thinking. This is about not just British domestic interest, but international interest at the same time.

There is no doubt that the UK's participation in criminal and policing capabilities and intelligence sharing, such as the European arrest warrant and Europol, have resulted in a safer United Kingdom. The UK has always taken a lead in European security matters, managing the relationship between the European Union and the United States and taking the lead in producing EU policies on counter-radicalisations. The EU action plan on terrorism was drafted during a UK presidency. May I press on the Minister the importance of this continued co-operation long after we exit the European Union?

Like other hon. Members, I must highlight the need for as much clarity as possible on this issue. My constituents and the British public put security and law enforcement very high up the agenda, so I am very pleased that the Government have enabled this debate to take place today. People are rightly concerned that we should be giving them more confidence that, whatever relationship we have with the European Union in the future, we maintain the highest level of security.

3.47 pm

**Tristram Hunt** (Stoke-on-Trent Central) (Lab): It is a great pleasure to follow the hon. Member for Bath (Ben Howlett). I rise to speak in this debate and to make my final contribution in this House before I leave to take up the post of director of the Victoria & Albert museum, the world's greatest museum of art, design and performance. It has been a profound privilege to represent Stoke-on-Trent Central in this Chamber for six and a half years, and I wish to place on record my thanks to Mr Speaker, the Clerks of the House, the doorkeepers and, perhaps above all, the Library staff, who I fear will now face quite a drop in demand for their services.

It perhaps seems particularly perverse to leave the House now—let me apologise to the political parties and to the people of Stoke-on-Trent for inflicting a by-election on them—just as this place is about to enjoy the largest return of powers since the Act in Restraint of Appeals, not least in terms of security, law enforcement and criminal justice.

As power and sovereignty are returned to the UK Parliament, the question for us today and into the future is whether we will see a Britannia unchained that will forge a new Elizabethan era of free trade, cultural exchange and innovation. Or is it the case, as my right hon. Friend the Member for Leeds Central (Hilary Benn) has suggested, that we live in a world that is so interconnected in economy, security and political power that we have, in leaving the European Union, exposed ourselves to international headwinds that will batter rather than benefit us? At this stage, we have no answer to that.

The Prime Minister's speech left no doubt about the strategic direction in which the Government are heading, but let me say that I welcome the tone of it: the need to end division and heal some of the anger surrounding our decision to exit the European Union is a vital task of political leadership. The saddest and bleakest moment of my time in this Parliament was hearing the news of the murder—the political assassination—of my friend Jo Cox: the brilliant, gifted and beautiful Member of Parliament for Batley and Spen. It remains a devastating loss for the Labour movement and humanitarian affairs. We should not forget that her killing took place amid some of the ugliest and most divisive rhetoric in the lead-up to the referendum. I pay tribute today to the enormous dignity and resilience of her widower Brendan Cox and her close family.

Amid the Brexit debate, I continue, before I am perhaps seduced by a Crown office, to represent a constituency that voted 70:30 to leave the European Union. Week in and week out, I campaigned with colleagues for us to remain in the EU. I remember some days not meeting anyone in the potteries who wished to stay inside the EU. Like many Members in the House, I accept the result, but the division of opinion between the official Labour party position and many of our heartland voters has served only to highlight some of the deep-seated challenges that centre-left parties are facing. From Greece to the Netherlands, Sweden and France, the combination of austerity, globalisation and EU policy has hammered social democratic politics.

The challenge that my right hon. Friend the leader of the Labour party faces is not unique to him. All parties are coalitions, but what Brexit has done is exacerbate

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the divergence of priorities between, say, the Labour voters of Cambridge and those in Redcar, Grimsby or Stoke-on-Trent. Keeping a metropolitan and post-industrial coalition together is no easy task.

In Stoke-on-Trent, my voters wanted to leave the European Union for three reasons: sovereignty and a return of national powers to this Parliament; a reaction against globalisation and a political economy that they thought had shut down the mines and steel industry and eliminated 80% of jobs in the potteries; and immigration. The concern about immigration was not racism. It was about the effects of large-scale migration on public services and wage levels in an already low-wage city.

I often put the case that the EU was a bulwark against the ripcords of globalisation, and vital for policing and national security. I said that 50% of our pottery exports went to the EU, that EU investment had assisted regeneration in north Staffordshire and that our great universities of Staffordshire and Keele both benefited from EU funding. It made no difference. Now we need a Brexit that delivers for Stoke-on-Trent and other communities feeling left behind by globalisation and rapid socioeconomic change.

Again, the question is still out: will presaging judicial and immigration control be detrimental to economic growth? Is that the society we want: probably poorer, but more equal—Sparta, rather than Rome? I continue to have great concerns about leaving the single market and the effects on British business and prosperity, but as we leave the European Union, there is also a moment for progressive reform.

My right hon. Friend the Member for Wolverhampton South East (Mr McFadden) has made the case for a Marshall plan for parts of the midlands and the north to equip them for contemporary challenges. The House could think creatively about industrial strategy, freed of state aid rules, revolutionising our skills and training with a new focus on vocational education and building a new internationalism. The tension on the Government Benches is, as I read it, between a national popular politics—a post-liberal vision of Government action and redistribution—and a vision of Britain as a low-tax more deregulated state in the Singapore-Hong Kong model. It will be interesting to see how those approaches play themselves out.

I will watch developments from my new post at the Victoria & Albert. The museum is European in heritage; Prince Albert of Saxe-Coburg was instrumental in its foundation as he felt that Britain needed to follow the German model of design, education and technical skills. Where have we heard that before? The V&A's heritage is also proudly global, with a collection drawn from across the empire and the wider world. Its current lead exhibition, which explores the life and legacy of John Lockwood Kipling, a sculptor and potter from Burslem in Stoke-on-Trent who went to Bombay but missed north Staffordshire so much that he named his son Rudyard after a local beauty spot just north of Stoke, speaks to exactly that mix of European and imperial influences.

The V&A, along with other national museums, now stands at the hub of our creative industries sector. If we are concerned, as we are in this debate, with security, we should reflect on the need for economic security. The UK's

creative industries are now worth some £85 billion a year to the UK economy. The creative industries sector is the fastest growing sector of the UK economy with the capacity to deliver further jobs and growth, and it is a major component in soft power. Museums are sources of inspiration, innovation, creativity and synergy. The UK's museums are global leaders in their fields and great drivers of British culture and identity right around the world. At the V&A, curators have introduced the brilliance of David Bowie's designs and Alexander McQueen's fashion right around the world.

When it comes to Brexit, the V&A and other museums will continue to build their connections in China, India, the Gulf and elsewhere, but their success is also a European success. The story of British art and design is also a story of European culture and our place within it. More than that, so many who work in our cultural sector are EU citizens. I welcome the Prime Minister's recognition of the urgent need for a reciprocal arrangement with the EU on its nationals working in the UK and on British citizens currently employed in the EU. Similarly, trade negotiations with the EU will need to recognise the importance of the digital sector to the British economy.

There is a broader Brexit issue for our leading cultural institutions. It seems to me that when there is this growing sense of disparity between the winners and losers of globalisation, museums and other cultural institutions need to help to lessen the division. In an age when art, design, the humanities and culture are so important for our competitiveness and quality of life, we cannot have London detaching itself from the rest of the UK. This is a chance to think more creatively about education provision, as art and design are under real pressure in our schools. We need to build stronger connections between national and regional museums, and wider support for our creative industries. In short, Brexit demands a stronger connection between South Kensington and Stoke-on-Trent. I will try, as director of the V&A, to do just that.

The father of my right hon. Friend the Member for Leeds Central, Tony Benn, famously said that he was "leaving parliament in order to spend more time on politics".

I am not quite doing that, but I do think that museums have a responsibility, as places of learning, discourse and inquiry, to interrogate, in a non-partisan way, the big challenges of the day. I hope to do just that and I hope to see many hon. Members there.

Finally, let me place on record my thanks to my personal staff. Within this palace, there work thousands of people writing, researching, prepping and advising, and for five long years, Mr Alan Lockey and Ms Carrie Martin have helped me in my job enormously. I put on record my debt to the people of Stoke-on-Trent for sending me here—the greatest privilege of my life—and I thank the Speaker for his indulgence in my speech this afternoon.

3.58 pm

**Sir William Cash** (Stone) (Con): It is an enormous pleasure to follow the hon. Member for Stoke-on-Trent Central (Tristram Hunt). He is pretty well my next-door neighbour and we talk regularly. We were even on a Radio 4 programme that he organised only a week ago on Asa Briggs and all the matters to which he referred.

I regard him not only as an hon. Member, but as a good friend. The valedictory comments that he just made were rather reminiscent of a maiden speech. I simply wanted to put on record that he has performed a great service to this House and to his constituents before I get into the more substantial questions before us.

**Paul Farrelly** (Newcastle-under-Lyme) (Lab): I thank the hon. Gentleman, who is my constituency neighbour, for giving way. Does he agree that my hon. Friend the soon to be departed Member for Stoke-on-Trent Central (Tristram Hunt) has, since 2010, been a truly class act in north Staffordshire and the potteries, not least in his efforts to save the Wedgwood collection for the nation?

**Sir William Cash:** Absolutely. We are indebted to the hon. Member for Stoke-on-Trent Central for that. We have all taken an active part in trying to do what we can regarding the museum, and it is marvellous not only that that collection is still there, but that it is now in secure hands under the aegis of the director of the V&A himself. I do not know whether he has taken up his contract yet, but he is getting close to it. I thank him very much for everything he has done in that context, and for our area and region.

The hon. Gentleman questioned whether, under Brexit, there would be a “*Britannia unchanged*”. I can assure him that there will be a “*Britannia unchained*”. That, to me, is the most important question of all, to which I have devoted the best part of 30 years of my political life. I believe very strongly that we will benefit enormously from this. It has been a long journey, and a very interesting historical journey, as people will discover one day when they get the full measure of what has actually taken place. It will benefit not only my constituents, 65% of whom voted leave, but the 70% of leave voters in Stoke-on-Trent Central.

The hon. Gentleman referred to sovereignty as one of the main issues before his constituents. That is connected with the question of trust which, as I said yesterday on a programme on Sky after the Prime Minister’s speech, is at the heart of the issue not only in this country, but across the whole of the European continent, which happens to be, largely speaking, within the European Union. This vote is not against Europe but against the European Union—that is what the discontent is about. There is a lack of trust between the member states, and between the citizens and the institutions and elites within the member states who have implemented these arrangements, which simply have not worked. They have generated monumental degrees of unemployment—up to 60% in some countries, including Greece and Spain. The problems that come from an over-dominating Germany have had a detrimental effect on stability in terms of the progress and evolution of the European Union. The situation has recreated the very insecurity and instability that people wanted to deal with in the aftermath of the second world war, in which my own father was killed fighting against the *Waffen-SS* Panzer division in 1944, winning the Military Cross, of which I am very proud.

I voted yes in 1975. I wanted to see a situation that could work but, unfortunately, the manner in which this has developed has become dysfunctional. In the discussion on the statement yesterday, I noticed that a sense of realism was bearing down on many Members because we know that we have to make this work. This is not

anti-European. It is not anti-European to be pro-democracy. I know that there are some good and honest remainers who are still worried about the outcome, but I say to them, “*Have confidence. Have trust in the people*”—as Lord Randolph Churchill said in the 19th century. This is not a 19th-century problem, however; it is a 21st-century problem. This is not Euroscepticism in a negative sense; it is about trying to ensure that we have proper democracy, and that when we get on to the great repeal Bill, we will be able to achieve the reaffirmation of Westminster’s jurisdiction.

What does that actually mean? It means that we will be implementing in this Chamber the decisions taken by the electors in general elections, for which the people of this country fought and died. That is a crucial issue for the future of Europe as well; it does not just apply to us, but we were the first to have the opportunity to do something about it, because we had the referendum, for which some of us fought for a very long time.

At a conference at the European Parliament the other day, we discussed matters of security, terrorism and all the rest. In front of about 300 chairmen of various parliamentary committees from all over the European Union, the chairman of the Constitutional Affairs Committee of the European Parliament, Elmar Brok—I have parried and fought with him for the best part of 20 years in various forums of the European Union—accused the United Kingdom of cowardice in holding a referendum. I replied that holding the referendum was an act of courage, not an act of cowardice, because we have seized the opportunity to defend the necessity of having a proper democratic system in the United Kingdom, and we will now be able to implement it.

With respect to this business of justice and home affairs, and all that goes with it, my European Scrutiny Committee held an inquiry in April or May last year—before the referendum—into the manner in which decisions are taken in the Council of Ministers. I am prepared to bet that there are people in this Chamber who do not know that virtually no votes are taken in the Council of Ministers. As a result of the European Communities Act 1972, decisions taken by the Council of Ministers—quite often stitched up behind closed doors—come straight down to this Chamber and we are under an obligation to implement them. Such decisions are often on matters such as those we are discussing, and they are of direct relevance to the whole question of security, terrorism and crime.

If people do not know that that is how the system functions, I strongly advise them to speak to me privately, when I can provide them with further information—I will not go into it in the Chamber today, but it is vital to democracy. Such decisions are not taken on a democratic basis, as people have imagined, and that is a reason in itself for our getting out of the European Union. I was absolutely delighted by what the Prime Minister said yesterday. As I said during our proceedings on the statement, her speech was “*principled, reasonable and statesmanlike*.”

Justice and home affairs was intended to be intergovernmental. It was never meant to be governed by majority voting and all the rest; it was meant to be a separate pillar. I say to the hon. Gentlemen and Ladies of Labour that they, under Tony Blair, collapsed the

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pillar so that the matter became part of treaties subject to the European Court of Justice. That was never the original intention.

In this debate, we are engaging in an element of *déjà vu*, but we are also giving ourselves the opportunity to indicate the extent to which we will move forward after Brexit into a different environment in which decisions on all these incredibly important matters will be dealt with by this House on the basis of votes cast by the voters of the United Kingdom and nobody else.

I drafted the repeal Bill in May last year and submitted it to various people. As a result of a process that I do not need to go into in detail, it was accepted in principle by the Government. I have no doubt that the wording will be slightly changed—or somewhat changed—but that does not matter. I set out five principles, which I will not go into now, other than to say that they meant that we would withdraw from the European Union and transpose all legislation currently within the framework of the EU's jurisdiction into our own Westminster jurisdiction, and that thereafter we would deal with it as we went forward.

I apologise for not being in the Chamber earlier, Madam Deputy Speaker. I was here for the opening speeches, but with my colleague my hon. Friend the Member for Somerton and Frome (David Warburton) and others, I have been cross-examining my right hon. Friend the Member for Aylesbury (Mr Lidington), who was the Minister for Europe and is now the Leader of the House. We had important questions to put to him, and we got some interesting answers.

The repeal Bill will require careful attention. As a result of the Bill, we will be able to reintroduce a proper democratic system into this House. We will have to accept some things as a matter of policy, and we heard some of them in my right hon. Friend the Prime Minister's brilliant speech yesterday, but we cannot absorb the European Court of Justice. The issue of the Court is raised in debates on this subject matter probably as much as it is on any other subject matter within the framework of the European Union.

The Prime Minister's speech yesterday made it clear that the UK will continue to co-operate with its European partners in important areas such as crime and terrorism once we leave the EU. She said that, faced with common security threats,

“our response cannot be to co-operate with one another less, but to work together more”—

subject, of course, to the question of the European Court of Justice—and to ensure that the UK's future relationship with the EU includes

“practical arrangements on matters of law enforcement and the sharing of intelligence material with our EU allies.”

She went on to make it clear that

“we will take back control of our laws and bring an end to the jurisdiction of the European Court of Justice”.

As Chairman of the European Scrutiny Committee, I and my colleagues, such as my hon. Friend the Member for Somerton and Frome—my wife is from his constituency, so I should be able to remember its name—continue to see a raft of EU initiatives in the sensitive area of law enforcement and security co-operation. The Government tell us that while the UK remains a

member of the EU, all rights and obligations of EU membership remain in force, which is true, and that they will

“continue to negotiate, implement and apply EU legislation.”

I say quite explicitly, however—I put this to the Leader of the House this afternoon—that during the period in which we are engaged in the negotiations, it is absolutely essential that we have proper explanatory memorandums on matters relating to security and terrorism and to justice and home affairs, because we must examine such matters properly and form a judgment about the extent to which we will actually implement them. When, on a matter requiring unanimity, we are in a position to vote against it, we must do so, and when a matter is subject to qualified majority voting, we must insist on a vote, rather than allow an agreement to be stitched up behind closed doors.

As my Committee recommended, we must at the same time give reasons for what we are doing, to increase transparency and accountability. Some of these matters to do with the question of terrorism and all that goes with it are so important to our security that if we do not believe that what the EU is proposing is in our national interest, we must take a stand. In my opinion, there is an absolute requirement on the Government to make sure that the reasons for that are put on the record.

Although the generalisation that we want to achieve a degree of co-operation is important, if we do not like things that are proposed—things that are not in the UK's interest and that we would never contemplate accepting post-Brexit—we must not allow them to go through by consensus in un-smoke-filled rooms. Indeed, if we had had our wits about us, we would never have accepted such things in the first place. The European scrutiny process therefore needs to be considered, and my Committee is looking into it very closely.

As the House will recall, the coalition Government decided that it was in the UK's national interest to rejoin 35 EU police and criminal justice measures that were adopted before the Lisbon treaty took effect and were subject to the UK's 2014 block opt-out decision. They included Europol, Eurojust, the European arrest warrant, joint investigation teams, important data sharing instruments—EuroDac and so on—the Schengen information system, the European criminal records information system and the so-called Swedish initiative, which provides a simplified mechanism for the exchange of law enforcement information and intelligence. Since then—the Prime Minister was then the Home Secretary—the Government have rejoined the Prüm measures, which provide for the rapid automated exchange of information on DNA profiles, fingerprinting and vehicle registration data. The United Kingdom also participates in the European investigation order, which will take effect in May this year, and many other criminal justice measures.

On the new EU justice and home affairs proposals, there appears to be inadequate recognition in the explanatory memorandums that the context in which the UK will continue

“to negotiate, implement and apply EU legislation”

has changed profoundly because of Brexit. To quote the Prime Minister, the UK is leaving the European Union. The Government cannot continue with business as usual within COREPER and UKRep. I trust that Sir Tim Barrow will, as the new UK representative, carry on in a

way that will be entirely consistent with what is required in relation to COREPER and UKRep. We cannot continue with business as usual in the handling of sensitive EU justice and home affairs proposals in COREPER, the Council and the trilogue negotiations with the European Parliament. Given that the UK is under no obligation to participate in most new EU justice and home affairs proposals, the Government must explain on the record in each case how a decision to opt in would be in the national interest and consistent with taking back control of our laws, as the Prime Minister said, and ending the jurisdiction of the European Court.

Since last June's referendum, the European Scrutiny Committee has pressed the Government to clarify how the measures in question will be affected by the UK's decision to leave the EU and how they envisage managing security and law enforcement co-operation post-Brexit. Under the repeal Bill and otherwise, there will need to be significant adjustments to how that is handled. What sort of relationship do the Government intend to establish with Europol and Eurojust? Will they seek an agreement to enable the UK to continue to apply a new arrangement regarding the European arrest warrant? We cannot have it both ways. We cannot be out of the jurisdiction of the European Court and yet have all the laws interpreted by the judges in the European Court in Luxembourg. That just cannot happen, and that has to be taken on board.

What assessment have the Government made of the operational value of EU data sharing instruments? Would access to those instruments require the UK to comply with EU data protection laws in practice, even if it was no longer under a legal obligation to do so? Answers to those questions are absolutely fundamental, because otherwise we will not be able to implement the commitment to

“take back control of our laws and bring an end to the jurisdiction of the European Court of Justice”.

As I said in an intervention, we also have to take into account the fact that justice, home affairs, terrorism and security—all the problems that have accumulated in the 21st century—are not exclusive to the European Union. They apply across the whole world. The fact that the European Union exists and has developed a body and a framework of law does not give it any absolute value. This House and its predecessors have been legislating for 400 years or more. We do not need to be told how to do this. Yes, we want to co-operate with other countries, but for heaven's sake let us take on board the fact that we can work out what is in the interests of our own citizens in accordance with the decisions they take in general elections. We will bring in our own immigration Bill, not have one imposed on us through deals done behind closed doors, and it will do exactly what the British people want, because they will have voted for it.

We are talking about important matters arising from the decision taken by the British people, and I pay tribute to them; I do not, however, pay tribute to the campaigns. I thought that the “Project Fear” campaign was a disgrace, and I said so in the House at the time. I do not think there was any treaty change, either, although the Prime Minister kept on telling us there was—I challenged him on that and even put the matter to Mr Speaker. That was around the middle of June, and the Prime Minister was gone by the end of the month.

The bottom line, however, is that neither side of the campaign covered itself in glory, and there were things I deeply regretted.

For that reason, I did my own campaign in my own area, and I am glad to say that in the area in which my constituency and that of the hon. Member for Stoke-on-Trent Central are situated, we notched up votes of between 65% and 72% in favour of leaving. He was quite right: it was about sovereignty and the very matters I am talking about. It was about whether we could run our own country in our own fashion through our representation in this House. It was as fundamental as that. Everything else pales into insignificance compared with democracy, if it is properly conducted. It is absolutely sure that the current EU is undemocratic, and it is as well that we are getting out of it.

Our Committee has issued a press release regarding another matter that I doubt has been mentioned so far—whether UK nationals will need authorisation to travel to the Schengen area post-Brexit. The UK is not entitled to contribute to the proposal being drawn up, as it is not a Schengen country, but the Government will have to monitor the negotiations closely. In that regard, my Committee has some questions. What are the main differences between the model proposed by the Commission for visa-free entry to the Schengen area and the full Schengen visa regime? Do the Government intend to seek visa-free access to the Schengen area for UK nationals post-Brexit? Do they intend to press for an exemption from the new travel authorisation for UK nationals, or will they seek instead to minimise the cost and complexity of the application process? If they cannot secure an exemption, would they wish to introduce a reciprocal travel authorisation system for EU nationals travelling to the UK after Brexit? All those matters are in the press release that was presented to the media this afternoon, and I sincerely trust that they will give it the attention it deserves.

This is a vital debate on the best example of a policy area that impinges directly on citizens. Elsewhere in the EU massive resistance to EU proposals is building up among citizens, but we have had our referendum and the people have decided that we should get out. That is what we are doing. Let us get on with implementing that decision.

4.23 pm

**Tulip Siddiq** (Hampstead and Kilburn) (Lab): First, I would like to pay a personal tribute to my hon. Friend the Member for Stoke-on-Trent Central (Tristram Hunt). He grew up in the best constituency in the world and went to school in the best constituency in the world, Hampstead and Kilburn. I also thank him for sending me a long handwritten letter after my maiden speech, which was much appreciated by a newbie.

I am in danger of breaking the rules again, so I will come to the debate at hand. The problem with being so low down the pecking order is that everything has already been said and articulated very well by others, but I thought I would speak about the worries of my constituents, 75% of whom voted to remain in the EU. As such, they voted in support of continued security co-operation with our European partners, as indeed they did on many of the other matters raised in today's important debate. As Londoners, the strength of feeling over the upcoming renegotiations on security protection

[Tulip Siddiq]

should come as no surprise. London residents are obviously not alone in their experience of the devastation inflicted by terrorism, but they are particularly clear-minded when it comes to the value of EU-wide security arrangements in bringing people to justice.

The hon. Member for Bath (Ben Howlett) has already referenced a time when the European arrest warrant played a crucial role in allowing the police to do their jobs, help keep Londoners safe and bring offenders to justice. He cited the famous example of 2005, when the failed bomber, Hussain Osman, was brought to justice in just a few weeks because of our access to the European arrest warrant.

Other agencies and conventions, such as Europol, which has been mentioned several times this afternoon, and the European Criminal Records Information System help to combat crime across borders through international co-operation and the sharing of forensic data. For a global city such as London, where my constituency is, abandoning European security co-operation could compromise our effectiveness in confronting a number of issues beyond terrorism, including human trafficking, intellectual property crime, money laundering and mobile organised crime groups.

I believe that my friend, the Mayor of London, was absolutely right to demand that London has a seat around the table, alongside the devolved nations, in ensuring that continental security apparatus is kept intact. It was extremely disappointing to see no direct reference to London's additional law enforcement needs in the Prime Minister's statement yesterday.

The Government's decision in December to opt into new Europol regulations was a welcome one, and in principle, would appear to back up the Prime Minister's words on maintaining a continental approach when gathering criminal intelligence and producing threat assessments. Londoners—not just in my constituency, but everywhere—will want to know whether the Europol regulations we have adopted will outlast the EU negotiations, and whether the Government will develop alternative frameworks of co-operation on policing and security matters, including on the matters I have outlined. Only when we have such answers will my constituents be reassured that their security needs and those of fellow Londoners are being considered with the utmost care by this Government.

Beyond continued co-operation and information sharing with our European partners, it is clear that Brexit will pose financial challenges to the economy. One area that we shall scrutinise is, of course, the money spent on policing, particularly the current spend. In arranging any post-Brexit settlement, the Home Office must fully recognise London's position as a major global capital. It is no surprise to know that this city incurs extra security costs in trying to keep the large population safe when policing major events and in protecting our most famous landmarks, such as this Parliament in which we sit today. At present, these extra needs cost £300 million a year, but London receives funding from the Government only for barely half this amount. So in addressing our post-Brexit security and law enforcement needs, making sure that the capital has the money to protect itself will be of the utmost importance. We want answers from the Minister on this issue.

I have a few other questions that I want the Minister to answer. Will he ensure that the Home Office gives the Met the full amount it needs through the national and international capital cities grant? There is currently a more than £100 million shortfall, which threatens the police's ability to protect Londoners. Will the Minister make it clear where our future lies in respect of our relationship with Europol? This will be vital for accessing criminal records information systems, yet we know the EU's deputy chairman has already made it clear to Denmark that it

“should not be under any illusions”

about its ability to negotiate a parallel agreement to membership.

Finally, there is the question that everyone has asked over and over again. What will be our future relationship with the European arrest warrant? In November, the Director of Public Prosecutions said that up to 150 essential extraditions would not have been possible without the European arrest warrant system and our relationship with it, and the former director general of MI6 has warned that losing abilities such as that provided by the arrest warrant would make the UK “less safe”.

I hope that the Minister will make it clear how we can continue to protect our citizens and to protect London, where my constituency is. I urge him to address these practical security questions: that might even earn the Government some good will from those who will be sitting on the other side of the negotiating table. As I am sure the Minister will recognise, the No. 1 priority of any Government is to ensure the security of their civilians, but it is not entirely clear to me at present how this Government intend to do that.

4.30 pm

**David T. C. Davies** (Monmouth) (Con): I think that, in the aftermath of the 11 September attacks, it was recognised that something had to be done to speed up extradition processes and reduce the amount of bureaucracy involved. That, in addition to the fact that some career criminals seemed to be using countries such as Spain—the so-called Costa del Crime—as a permanent home, meant that I was happy to give the then Government the benefit of the doubt. I have always supported the principle of a European arrest warrant, and we have heard many important speeches in support of it today. However, although I do not disagree with the principle of what has been said, it cannot be denied that there are cases that have given rise to concern.

The European extradition warrant makes the assumption that standards of justice are the same in all EU countries, that standards in prisons are the same, and that bail conditions will be the same as well. In short, it assumes that human rights are respected in exactly the same way throughout the European Union. My hon. Friend the Member for Bromley and Chislehurst (Robert Neill), the Chairman of the Justice Committee, said that he had no doubt that standards of justice in Germany and France were exactly the same as they are in the UK, and I do not really have any doubt about that either, but I do have concerns about the overall standards of justice in other parts of the European Union.

Some of the cases that concern me have already been mentioned briefly. There was the case of Andrew Symeou, who spent nearly a year in prison, having been denied bail, because he was not a Greek resident. In other

words, he was extradited because he was a European, but was unable to get bail because he was not actually Greek. He served time in some pretty awful places. Both my hon. Friend the Member for Bromley and Chislehurst and I are members of the Council of Europe. I do not know what visits my hon. Friend has made, but I have certainly seen a Greek detention centre, and, having served as a special constable, I would say that the conditions were illegal under any European rules and regulations.

We were shown a room that was probably not much more than a quarter of the size of the Chamber. It contained 30 or 40 people who were being held in those conditions for up to a year for various immigration infractions, and who, as far as I could tell, were given very little time out. That was totally unacceptable. It would have been unacceptable to hold anyone in conditions like that for 48 hours in a UK police station. It comes to something when people are actually begging to be sent to a Greek prison because their existing conditions are so bad.

There was the case of Gary Mann, who was tried for and convicted of an affray-type offence within 48 hours of being arrested. He had not, in fact, been involved. He was released, but there was subsequently a demand for him to return to Portugal to serve a two-year sentence. He was not given access to facilities that we take for granted, such as translation facilities, which are extremely important.

There have been other such cases. There was, for instance, the case of Edmond Arapi, about which I read on the Fair Trials International website and of which I had not been aware before. Apparently he was convicted of murder in his absence, despite the fact that at the time the murder in question took place he was working, or studying, in the United Kingdom. There were numerous witnesses to say that he had been in the UK on the day and nowhere near the country in which the murder was supposed to have taken place, yet he went through years of hell because of the strong possibility that he would be extradited to Italy to serve, I think, a 19-year sentence.

It could at least be said that, in those instances, the motivation was to reduce crime and to deal with straightforward criminality, even if we think that the standards applied were simply not good enough. Other cases are now beginning to emerge that have a more worrying motivation, and I want to pay particular attention to what the Romanian Government are doing at the moment. They have indicated that they may serve an arrest warrant against an award-winning Sky journalist, Stuart Ramsay, and his team, who put together a documentary about gun-running in Romania which the Romanian Government did not like. I do not know whether the claims made were accurate, but he is an award-winning Sky journalist and I have no reason to doubt them. If Governments do not like journalists' stories about them, they have the right to rebut them, but it is simply unacceptable for Governments to start issuing arrest and judicial proceedings against journalists who have upset them. That would never be acceptable in this country.

There is another ongoing case that I find particularly worrying: the extradition warrant served against Alexander Adamescu, also by the Romanian Government. He is becoming a bit of a cause célèbre at present. His father runs a newspaper in Romania which has been highly

critical of the Romanian Government. The Romanian Prime Minister at the time said he was corrupt and had him arrested, and he was found guilty in a short space of time. There are all sorts of reasons why one might question the court case but it is not really for me to do so here. The point is that when his son, who is a UK resident and an aspiring playwright, filed charges against the Romanian Government, he was served with an EAW and was arrested on the streets of London on his way to speak to the Frontline Club about the importance of journalistic freedoms. There was also an attempt to kidnap his wife by masked men, which still has not properly been dealt with, and nobody has been found.

These are very worrying cases as they give rise to the concern that, rather than trying to have people arrested to resolve criminality, some Governments—on the basis of those two cases the Romanian Government are one that worries me—seem to be using the EAW to send out a message that anyone who questions them or tries to hold them to account will run the risk of being taken off the streets of the country in which they are resident, arrested and sent back to Romania or elsewhere for trial.

**Sir William Cash:** There is another problem that the European Scrutiny Committee has looked at in the past, when we had the Fair Trials team in to give us evidence: some of the judges are politically appointed.

**David T. C. Davies:** My hon. Friend makes an important point.

I have listened with great interest to what has been said in this debate. I was of course a supporter of Brexit, but that in no way means I oppose the EAW or the principles behind it.

**Kelly Tolhurst (Rochester and Strood) (Con):** Does my hon. Friend agree that the EAW has benefited some of our constituents? Four days before Christmas a father in my constituency was reunited with his son who had been abducted and taken to Poland. He was recovered on the issuing of an EAW.

**David T. C. Davies:** I do not deny that for one moment; the EAW has led to some very important results for us, where we have had terrorists and other serious criminals either extradited out of or back to the UK. As my hon. Friend knows, I served as a special constable for eight or nine years, so there is no question but that I will always support any Government in wanting to bring about stricter measures against criminality. But the issue here is that there is a price to be paid, and we pay it in the human rights of citizens in our own country. If we are prepared to allow countries which apply a lower standard of justice, of fairness in court, or of access to bail to extradite our citizens or residents of this country in order to keep the bureaucracy running smoothly, everyone who is living in this country is paying a price in terms of their human rights in order to reduce bureaucracy and improve an extradition procedure. We need to think very carefully about that price.

Brexit offers us an opportunity. I have no problem with the countries my hon. Friend the Member for Bromley and Chislehurst mentioned—Germany or France—or indeed many other European countries, but if it becomes the case that some countries are not giving people bail, are holding them in pre-trial detention for

[David T. C. Davies]

an unacceptable length of time, or are using the EAW as a means to silence criticism of them through the press, it is absolutely right that we use Brexit as an opportunity to renegotiate the whole system, and to work with countries that apply our systems of justice but to state with the utmost respect that we are unwilling to sacrifice the human rights of people such as Alexander Adamescu in order to maintain membership of the EAW. I hope that a Justice Minister will meet me to discuss this case on a subsequent occasion.

4.40 pm

**Stuart C. McDonald** (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): It is a pleasure to follow the hon. Member for Monmouth (David T. C. Davies), even if I do not always agree with everything he has to say. I should also like to extend my best wishes to the hon. Member for Stoke-on-Trent Central (Tristram Hunt) as he starts a new chapter in his career. I am pleased to take part in this important debate, in which there is an unusually wide degree of consensus, although not unanimity.

Participation in EU schemes brings value, and the Government should be doing all they can to keep the UK as closely involved in them as possible. If Brexit is to happen, we on these Benches believe that it is utterly essential that we do everything open to us in the negotiations to preserve our involvement to the maximum degree achievable. However, as my hon. and learned Friend the Member for Edinburgh South West (Joanna Cherry) said, success in that ambition cannot be taken for granted. As the Minister said, it is in the interests of the other EU member states that the UK is involved, and it is undoubtedly true that the UK contribution to these institutions is significant and very much valued. Indeed, it is no doubt a matter of huge regret that a member state that has been hugely influential in shaping initiatives such as the European arrest warrant, Europol, passenger names records and so on has now put its ongoing participation in these schemes at risk. However, nobody should be complacent in thinking that securing meaningful ongoing participation will be straightforward, because all the evidence shows that there are significant political and legal hurdles to overcome. That point was well made by the shadow Minister, the hon. Member for West Ham (Lyn Brown), in her opening speech.

Justice and home affairs are areas of shared competence, so agreements on participation may well need approval from the EU institutions and individual member states. In some of those states, that could involve parliamentary ratification or even a referendum. All of that will be made more complex still if the Government are going to set out clear red lines that could make those hurdles even more difficult to overcome. That includes the Prime Minister's obsession with escaping any aspect of the jurisdiction of the European Court of Justice. The right hon. and learned Member for Beaconsfield (Mr Grieve) was right to make that point at the start of the debate.

Let me turn to a couple of the schemes and institutions in which it is vital we seek to preserve a role for the UK. The introduction of the European arrest warrant has resulted in a step change in how quickly suspects and criminals can be repatriated to face justice. Other Members

have already made this point, and I will not repeat all the benefits of the system that have already been highlighted. Last May, the then Home Secretary told the Home Affairs Committee that if we were not in the European Union, we would almost certainly not have access to the European arrest warrant. On the basis of evidence submitted to the Committee so far, that seems almost certain to be correct. This would create one of the biggest headaches for the Government. The then Home Secretary also noted the length of time it had taken for Norway and Iceland to negotiate access to something not even as comprehensive as the European arrest warrant system. Sixteen years on from the start of negotiations, an agreement is not yet in force. She also noted that such deals often contain massive loopholes that the European arrest warrant does not. For example, some states will simply not extradite their own nationals, and will insist on any trial taking place in their own courts.

Do the Government accept that it will not be possible to negotiate a single deal for one procedure with the European Union as a whole, or are they going to make an attempt to do so? Or are they resigned to negotiating 27 different agreements, as Lord Carlile, the former independent reviewer of terrorism legislation, has suggested will be required? In the likely event that work on either of those options cannot be completed within two years, will the Government be seeking a transitional arrangement? Otherwise, as the Chair of the Justice Committee suggested, we will revert to the 1957 Council of Europe Convention on Extradition. In those days, it took an average of 18 months to extradite someone; now, under the European arrest warrant, it takes 15 days in uncontested cases or 45 days if contested. Police officers everywhere will be interested to know what planning will be done so that law enforcement agencies can cope with a more expensive and complicated procedure.

The Home Affairs Committee visited Europol last year—we have already heard about some of the other benefits of that institution—and all its members were impressed by the work that has been done under the leadership of Rob Wainwright. On that visit, as the hon. Member for Kingston and Surbiton (James Berry) highlighted, we noted the presence of US liaison officers. Indeed, 14 third countries have negotiated operational partnerships with Europol. Although some such arrangement could probably be agreed within two years, that status is just not as good as what the UK currently enjoys as a full member. Before the referendum, Mr Wainwright warned that the UK would become “a second-tier member of our club”

if it left the EU and that, like Iceland and Norway, it would be denied direct access to Europol data and, of course, would not have direct influence on the overall direction of the agency, which has proved so beneficial in recent years. Those are not trivial matters and could mean that a request for information on missing or wanted persons takes days rather than hours, which could be crucial for those involved. That is why the NCA's David Armond has called on the Government to seek something more than the operational partnership enjoyed by other states.

There could be problems with our relationship with Europol, in particular the all-important access to data, if the Government move away from EU data protection standards, as other hon. Members have mentioned. We have heard that the ECJ has struck down the EU-US

safe harbour agreement on similar grounds. Under the new Europol directive, we will also need to seek approval from the European Parliament, which has refused to back an EU-US terrorist financing tracking programme for similar reasons. While it is good that the Minister said that the Government are not settling for an operational partnership and are looking for some form of bespoke agreement, we need more detail about exactly what is envisaged. Will the Government ensure that data protection standards here do not jeopardise our relationship with Europol? What if that involves some influence from the ECJ?

While the UK enjoys only partial access to the Schengen information system, the evidence to the Select Committee so far has been that it has been a game changer for police. It facilitates real-time information sharing and alerts, and the police national computer is linked into the system. Access for non-EU and non-Schengen countries is limited, with countries such as Australia having to ask an institution such as Europol to search on its behalf. Norway and Iceland have agreements to access the database, but they are required to make payments without any say on policy development and, significantly, they must implement ECJ decisions or face losing access. The SNP would have no hesitation in saying that such commitments are absolutely worth it if we can secure similar access, but do the Government believe the same? Does the Prime Minister's obsession with the ECJ take precedence?

Similar issues arise with Prüm, to which Schengen membership, financial contributions and ECJ jurisdiction have secured Iceland and Norway access. According to David Armond, the Interpol agreement that we would have to fall back on if and when we were excluded from Prüm would be time-consuming, bureaucratic and far less effective. Similar problems also arise with ECRIS, the European police college, the European Union Agency for Network and Information Security, Eurojust, and the passenger name record, and the Government's efforts at securing access and membership must be scrutinised. I welcome the Minister's commitment to work with devolved criminal justice organisations and Governments. Although justice is devolved, the devolved Governments will sadly not be directly at the table when the negotiations happen.

In conclusion, if anything illustrates the idea that the European Union can be about empowering states, rather than ceding state powers, it is surely the field of policing and security. If we fight serious and organised crime and terrorism on our own, we are not so much taking back control for the police and other services involved in that fight as risking tying one arm behind our back. We all benefit and are more powerful by co-operating and sharing sovereignty at that level. It is essential that the Government prioritise security, not obsessions about the ECJ or EU data protection rules, and I hope they will assure us today all that their priorities are in that order.

4.48 pm

**Liz Saville Roberts** (Dwyfor Meirionnydd) (PC): It is an honour to follow the hon. Member for Cumbernauld, Kilsyth and Kirkintilloch East (Stuart C. McDonald). I note the degree of consensus from the Government Benches—although it is perhaps not the same as the degree of enthusiasm for the vote last summer—and I

found a certain solace in point 11 of the Government's plan and the commitment to continue co-operation in the fight against crime and terrorism. However, those are just words at the moment and the Government must demonstrate with action how the evident need for international co-operation will be realised.

I add my voice to the many better qualified than me who detailed the aspects of co-operation that best serve the citizens of the United Kingdom. I understand that there are 133 EU measures in place on co-operation, and we have a fair amount of work on our hands to co-ordinate and work in concord.

There are a few issues of particular relevance to Wales and the western seaboard. As we well know, the common travel area allows Irish and UK citizens to travel between the two countries without showing a passport. We welcome the announcement that that is to remain, but I will explain why, from the point of view of Wales and of the security of Wales, the border warrants consideration.

Key Welsh ports such as Holyhead, Fishguard and Pembroke Dock deal with thousands of passengers and huge amounts of freight coming from Ireland each and every day. Milford Haven is a major port for fuel arriving by sea, and Holyhead is second only to Dover in terms of passenger numbers, with 1.9 million passengers in 2015. In the present circumstances, will the security status of the port of Holyhead be revisited? Plaid Cymru's police and crime commissioners, Arfon Jones and Dafydd Llywelyn, have warned that, were the border to become more tangible, it is likely that there would be a rise in criminality in Holyhead in the form of cross-border smuggling, and even the possibility of terrorist violence focused on physical manifestations of the border. That possibility must be avoided at all costs.

David Anderson QC, the outgoing independent reviewer of terrorism legislation, highlighted in his December 2016 report that ports on the western front could be the "soft underbelly" of this island's security. With more than 1,680 miles of coast and relatively small police forces covering vast rural areas, the practical difficulties of policing Wales's coastline are enormous. Ports and police services in Wales are already facing immense pressure, as public service cuts have seen their capacity slashed—this is, of course, a domestic issue as much as an international issue—and there are concerns that posts may be lost at Welsh ports if the cuts continue. As we are aware, the Border Force is already struggling to fill the gaps.

A senior police officer has warned me that "people will be coming in and we'll be missing them."

There are real concerns that the still-unresolved police funding formula and the high priority accorded to urban adversity will disproportionately affect rural police forces such as Dyfed-Powys and North Wales. I urge the Policing Minister to consider the risks of oversimplifying the number of funding indicators if it is evident that they fail to take account of the variation in policing needs and policing environments across forces.

I specifically request a meeting with the Policing Minister to discuss concerns about the future funding of North Wales police in light of what we are discussing today. From stopping the smuggling of goods and people to stopping outright acts of terrorism, if the Government are serious about ensuring the continued security of this country in a time of great uncertainty,

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they must recognise and address the unique issues faced by Welsh police services. Brexit must not mean more cuts and more uncertainty for the forces that work day in and day out to protect us.

4.53 pm

**Tommy Sheppard** (Edinburgh East) (SNP): As the hon. Member for Hampstead and Kilburn (Tulip Siddiq) observed, one of the disadvantages of taking part so late in a debate is that many of the things that I might have wanted to say have already been covered. The other disadvantage, of course, is that there are fewer people left to hear me.

I principally want to make the case for differential arrangements in Scotland in a post-Brexit world. The areas that we are discussing exemplify why that ought to be the case. Policing and law enforcement in Scotland have long been quite separate from that in England and Wales in their structure, administration, budget and legislative framework. The police's mandate from the criminal justice system predates devolution. Devolution and the establishment of the Scottish Parliament transferred legislative responsibility to a Parliament elected in Scotland, but that process did not set up a separate arrangement for policing and did not establish a separate criminal justice system. No one has suggested that those matters should change post-Brexit, but I hope the Minister will acknowledge that position, and discuss how the arrangements will be different in Scotland and what processes need to happen to make that a reality.

I also want to talk about the general political context in which this debate takes place, as well as some of the criteria that inform public opinion and political dialogue in Scotland. Members of this House, including those who do not represent Scotland, will know only too well that the politics of Scotland is largely influenced by the legacy of the 2014 independence referendum. I do not want to go into that in any detail, but two aspects of that discussion, which ended in September 2014, are relevant to today's debate.

The first of those relates to the relationship that people in Scotland were to have with the European Union. We were told during that debate not only that the prospectus for an independent Scotland was a bad one, because Scotland's position within the EU could not be guaranteed, but that if people in Scotland wished to retain their European passports, the best way to do so was to vote to stay within the United Kingdom. Only that, we were told, would guarantee that people would be able to maintain their existing relationship with other European nations. The second thing that was said was about the concept of respect. We were told that if people voted to renew the Union between Scotland, and England, Wales and Northern Ireland, that would be a matter not of opinions and views being subsumed into a much larger neighbour, but of a partnership in which the views of the people of Scotland would be respected and treated equally, albeit in an asymmetric power relationship.

What has just happened with Brexit severely tests both those propositions and the assurances given in that debate. We have yet to see what type of United Kingdom emerges in a post-Brexit world, but clearly many fear a dystopian future in which this country

turns its back on the rest of the world, and becomes insular, isolated and riven by sectarian and ethnic division. That may not come to pass—I very much hope that it does not—but clearly the United Kingdom of the future is going to be manifestly different from the one on the ballot paper on 18 September 2014.

The other thing to say is about respect, which is another notion that will be sorely tested. Public opinion, as expressed on 23 June 2016, on the matter of relationships with other European nations is manifestly and palpably different in Scotland from that in England and Wales. That presents all of us with something of a dilemma. Given the muted tones and more thoughtful nature of today's debate compared with some of the exchanges in recent weeks' Brexit debates, I hope that we might be able to confront these paradoxes and decide that together we should try to do something positive about them.

That was what the Scottish Government attempted to do in "Scotland's Place in Europe", the paper that they published before Christmas. I commend it to any Member who has not read it as it sets out a prospectus for a differential relationship that Scotland would have in a post-Brexit world. It suggests that Scotland should be given the authority and competence to be an associate member of the European economic area, because attitudes in Scotland are different from those in England and Wales, particularly on the freedom of movement of people across borders.

I want to make it absolutely clear—I encourage people to recognise this—that the Scottish Government's document and the position that they are now campaigning for are not seeking to say that Scotland should be an independent country, or that any part of the UK should remain part of the EU. In that sense, they respect both the 2014 decision and the 2016 decision. They try to square the circle with regard to how opinion north of the border is manifestly different from that in the south. I therefore commend the document to Members; we should explore it.

**Joanna Cherry:** Will my hon. Friend confirm that polling released this afternoon shows widespread support in Scotland for the Scottish Government's plan to stay in the single market? Indeed, in the early days after the EU referendum, both the Secretary of State for Scotland and Ruth Davidson, the leader of the Conservative and Unionist party in Scotland, were demanding that Scotland should remain part of the single market.

**Tommy Sheppard:** Indeed. Members will think that we prepared that exchange, but we did not. It is worth quoting the Secretary of State for Scotland, who said in June last year, just after the Brexit vote:

"My role is to ensure Scotland gets the best possible deal and that deal involves clearly being part of the single market."

Those are not my words, but the words of the Conservative Secretary of State for Scotland. Of course, he might have changed his mind in the months since then.

The Scottish Government's document suggests that there are three levels of legislation that should be looked at when considering how we manage Brexit within these islands. I hope that no one would suggest that a constitutional decision of such magnitude as to withdraw this country from its main international association can be done without having any effect on the constitutional arrangements within the county—it is obvious that that

will be the case. There will have to be, either as part of the great repeal Bill or in a Scottish Bill, some provision to give new powers to the Scottish Parliament.

The Scottish Government believe that those powers fall into three areas. First, there are some areas in which the Scottish Government already have competence that are going to be repatriated straight from Brussels. We should make sure that they go straight to Holyrood without stopping at Westminster on the way. Secondly, there are areas of additional legislative competence that should be given to the Scottish Government when they are devolved from Brussels, particularly in the field of employment legislation and, indeed, some immigration matters. Thirdly, if we can persuade the United Kingdom Government to consent to and support the idea of arrangements in Scotland being different, but still consistent with leaving the EU, we will need a legislative competence Bill that allows the Scottish Government to form future relationships.

The matters we are discussing in this debate very much fall into the first category I described, albeit perhaps with the exception of security. Criminal justice and law enforcement are areas in which the Scottish Government already have competence, so the repatriation of powers should see that competence expanded.

Will the Minister tell us what dialogue is taking place between Ministers of the Crown here at Westminster and their Scottish counterparts about how the arrangements I have referred to should be made? They will involve matters of great detail that require great expertise, so it would seem rather ridiculous simply to say that this is all a matter for the Department for Exiting the European Union. We need to explore in some detail criminal justice and law enforcement, and how the relationship for the special aspects of Police Scotland in terms of the security system will work following Brexit. That should not be left to the Brexit Department; it should properly be a matter for the Home Department. When he responds, I hope the Minister will set out not only that the Government intend to have that dialogue, but suggestions about how it might take place.

5.2 pm

**Sarah Olney** (Richmond Park) (LD): The Prime Minister made it clear in her speech yesterday that one of her objectives in exiting the European Union would be to release the United Kingdom from the jurisdiction of the European Court of Justice. During yesterday's proceedings on the statement made by the Secretary of State for Exiting the European Union, an issue arose of how cross-border trade disputes are to be settled if the UK refuses to be bound by the rulings of the ECJ. The Secretary of State did not give a comprehensive answer to how such disputes will be arbitrated once the UK is outside the EU, which raises the possibility that he does not yet know.

It gives me enormous concern that the Department for Exiting the European Union does not yet have a clear idea of how the role of the ECJ will be replaced once we leave the EU. Although it might be possible to cobble together a mutually acceptable compromise for trade deals, as the Secretary of State airily declared yesterday, the ECJ has a far greater role to play in our national life than just being the arbiter of trade deals.

As members of the EU, we benefit from a range of different schemes for sharing data and resources across borders, including the Schengen information system, the European arrest warrant, Europol and the European criminal records information system, among many others. We collaborate with our European neighbours on matters relating to family law, asylum and the freezing of assets.

The Prime Minister argued passionately in favour of those measures as Home Secretary, and when leading the Government's case for opting into 35 justice and home affairs measures in 2014. In this very House, she argued that without such measures we would

“risk harmful individuals walking free and escaping justice, and would seriously harm the capability of our law enforcement agencies to keep the public safe.”—[*Official Report*, 10 November 2014; Vol. 587, c. 1229.]

Our membership of the European Union gives us an automatic right to the co-operation of our EU neighbours in all those measures. Once we exit the European Union, we will lose that automatic right. As we have seen with the single market, the Prime Minister and her Cabinet are failing to support measures that they have spent their whole careers championing as fundamental to our security and public life.

It is entirely possible that we can negotiate a new agreement to maintain access to data and resources. The UK has been instrumental in setting up many of the cross-border police and crime systems that the EU has adopted, and our contribution will be missed when we leave. It is to be hoped that this will provide a powerful negotiating tool when we come to strike a new deal. However, so much of that cross-border co-operation and data sharing depends on all parties accepting the jurisdiction of the ECJ. There are several reasons for that. First, the EU can only act in compliance with the charter of fundamental rights. The ECJ is the ultimate arbiter of that, so it is impossible for the EU to sign an agreement with the UK that conflicts either with the charter or with ECJ case law.

Secondly, any agreement needs to be policed. If the UK acted in ways that breached the terms of this agreement, it would be open to an EU citizen to take a case to the ECJ and have the EU's decision concluding the agreement annulled. Thirdly, the developing jurisprudence of the ECJ is binding on EU member states. If the UK failed to keep pace with legal developments on the continent, or diverged from EU law on any significant matter, a gap would open up. The international deals that the EU signs with third countries tend to include a mechanism for discussing legal divergence, including the ability to allow the agreement to be terminated if the differences cannot be reconciled. The UK would therefore have to stick closely to the rulings of the ECJ to avoid the agreement being annulled.

One of the most valuable contributions that membership of the European Union makes to the UK's continuing security is the sharing of data between national police and intelligence agencies, but the sharing of personal data must be subject to stricter safeguards to prevent misuse. Within the EU, all countries have signed up to data protection legislation that governs the sharing of this data. Once the UK has left the jurisdiction of the ECJ, which oversees the data protection legislation that governs such data sharing, any bespoke agreement will have to continue to be governed by similar levels of protection.

[Sarah Olney]

Should UK law diverge from EU law on data protection, any agreement will become void if the ECJ deems that UK law is insufficient to protect European citizens' data. That would result in the flow of data from the EU to the UK being immediately stopped, putting at risk the ability of British police and security forces to investigate and prosecute potential threats.

Given the Prime Minister's determination, as expressed yesterday, to cut all ties with the European Court of Justice, I urge the Secretary of State for Exiting the European Union to form, with the utmost urgency, a proposal for the future of information sharing and co-operation on security matters between the UK and the European Union. He needs to set out detailed plans for how collaboration can be continued if the UK will not accept the jurisdiction of the ECJ. He also needs to state how the risks of any bespoke arrangement will be addressed, especially the risk that UK and ECJ case law diverge in the future, making negotiated arrangements untenable.

I hope that Members on both sides of this debate will acknowledge that the full implications of rejecting the ECJ were not put to voters in a referendum campaign and that, had they been, the Prime Minister might not now be so determined to remove the UK from its jurisdiction. I hope that the very real risks to our future security are being properly considered by the Secretary of State and look forward to hearing his proposals in greater detail in due course.

5.8 pm

**Keith Vaz** (Leicester East) (Lab): It is a great pleasure to follow the hon. Member for Richmond Park (Sarah Olney). Her constituency is very close to my heart, because I fought my first parliamentary election as the Labour candidate in Richmond Park and lost by, I think, 26,000 votes. However, it was enough to ensure the election of a Conservative Member, Jeremy Hanley. At the count, the Liberal Democrats were very angry with me because Alan Watson, who is now in another place, lost by a very small margin. At least I have the comfort of knowing that the hon. Lady has now been elected as the Member for Richmond Park. I wish her well in her career, which I am sure will be long and distinguished. I have to say that I was fond of the former Member for Richmond Park, who was always extremely courteous and had great respect and affection for the House and for you, Mr Deputy Speaker.

I am sorry that I missed the speech of my hon. Friend the Member for Stoke-on-Trent Central (Tristram Hunt). I was sad to hear that he was to leave the House to take up an appointment outside. I feel that I was at his political birth—I sat on the panel that interviewed him for the seat of Stoke-on-Trent Central. We had interviewed 25 people before my hon. Friend came in; he was so stunning in his interview and we were so impressed that we immediately put him on the shortlist—and, of course, party members in Stoke-on-Trent selected him by a very large majority.

I remember one of the panellists saying that one day my hon. Friend would become the leader of the Labour party and Prime Minister; instead, he has gone for a better-paid job, probably with much better influence

and less stress, as the director of the V&A. His amazing career outside the House has been matched by his complete devotion and dedication to the people of Stoke-on-Trent Central. I know that because I have been up there twice in the past five years and seen the great affection that local people have for him. He is dedicated and hard-working and will be greatly missed. We all wish him well in his new career. He is going to keep the museums free, and we are all going to visit him at his first exhibition.

What has been good about this debate was the passion of both Front Benchers. My hon. Friend the Member for West Ham (Lyn Brown) gave an extraordinarily good speech, and we heard another good speech from the Minister for Policing. Both supported the immensely important role that we play in justice and security in the EU. In fact, I do not think there was any difference between what the Front Benchers said on this subject: they both realised the importance of our remaining at the forefront of this agenda in the European Union, even though we are leaving it.

The Minister spoke with all the passion of one who supported the remain campaign during the referendum. He reminded us of the importance of the institutions and how vital it is that we remain part of them in one way or another. It is significant that we lead the rest of Europe as far as justice and security are concerned. We need the European Union, but it also needs us in a whole variety of organisations and institutions and in different ways.

Europol has been mentioned a number of times. Like the Minister and shadow Minister, I am a great fan of Europol. I pay tribute to Rob Wainwright for the excellent work that he does. During all the years that we have been members of the EU, how rare it has been for a Brit to be head of an EU agency or organisation. What an incredibly good job Rob Wainwright has done as director of Europol.

The Prime Minister is keen that we should not just have bits of the EU, but this is a bit that we desperately need. We desperately need to be part of an organisation that has a proven record in dealing with organised and serious crime. In the terrible migration crisis that has gripped the EU over the past few years, the involvement and support of Europol from the Hague has been vital to the hotspots that have been created.

**Mr Jim Cunningham** (Coventry South) (Lab): Many years ago, when I was a member of the Home Affairs Committee, we went to Holland to see a demonstration of Europol in action; it had traced millions of pounds-worth of drugs to the other side of the world. It helps British police forces to do the very same thing, by getting information from Interpol. The issue is about connections.

**Keith Vaz:** My hon. Friend is right. He knew about it then, and I have reminded him.

I know the Minister is busy tweeting parts of my speech, but may I occupy his time for just one moment? It is possible for us to get an arrangement with Europol that will mean not that we are sitting on its management board, but that we are very near that position. We know, from watching what the United States has done, that it is possible to be there. It is not as good as running the organisation, but it is being near the centre of power, which is where we need to be with Europol.

As we have heard, every serving chief constable, the head of the NCA and the head of the Metropolitan police say how important it is for us to stay a part of it. The Policing Minister knows that, because I am sure that police officers have said as much to him. At the very least, we should be able to negotiate something equivalent to what the United States has negotiated, whereby we have a room, a desk and access to the kind of information that we so desperately need.

On criminal records, the Minister has responded to me on ECRIS but we do not have details. I spoke yesterday to the national police director of information, Ian Readhead, who runs our database system from Hampshire. He told me how vital it is for our country to have access to ECRIS because it means that we know exactly where people are, and if someone has committed an offence, we can contact their country, which will give us within minutes the results of a check on whether that person has a criminal conviction. Some 200,000 foreign national offenders were arrested in our country last year, half of whom—100,000—are EU nationals. That is why it is extremely important that we have access to the database.

ECRIS is not extended to any non-EU members. Those are the rules. The only exceptions are full members of Schengen, so Switzerland and Norway have access to the database. Of course, we have no prospect of joining Schengen or, indeed, of wanting to join Schengen, so we must be very careful in our negotiations to ensure that we have information sharing so that we can get data from the rest of the European Union.

We heard from the hon. Member for Kingston and Surbiton (James Berry), who is the House's resident expert on Prüm. After some delay, the Government decided to opt into Prüm, but we will not start sharing the information that is provided under it—the DNA and fingerprinting expertise, and the other information that we need—until later this year. I hope very much that the Minister will ensure in his negotiations that we continue to benefit from Prüm until we leave the EU, and indeed that we have an agreement to allow us access to the important information gained through Prüm after we have left the EU.

I do not think that anyone so far has mentioned the issue of foreign national offenders. The latest figures show that there are 4,217 EU national offenders in the United Kingdom, costing £169 million a year. At the top of the list is Poland, with 983 citizens in our prisons. There are 764 from Ireland and 635 from Romania. The Chair of the Select Committee on Justice, the hon. Member for Bromley and Chislehurst (Robert Neill), will remember that we questioned the prisons Minister on the issue of foreign national offenders. We could not understand why—since we have a prisoner transfer arrangement with Poland, and both Poland and the United Kingdom are in the European Union—we have not been able to transfer Polish prisoners back to Poland. The answer came back to us from a senior official at the Ministry of Justice that the Government probably could have transferred more prisoners back. It is important that we look at that, especially if we can do the prisoner swap before we leave the European Union. Otherwise, once we come out of the European Union, Poland will be in exactly the same situation as any other country with regard to prisoner transfer arrangements. We should try to make sure that the swap happens as quickly as possible.

A number of Members have mentioned the European arrest warrant. My hon. Friend the Member for West Ham made an impressive contribution on that issue. I have concerns about it, because other EU countries are issuing warrants on the basis of their law and their constitutions, and in some cases for very minor offences. Our system is being clogged up with a number of warrants that have been issued against nationals of other EU countries. We should be much more careful before issuing a European arrest warrant: it should be for serious and important offences, not for someone who has stolen a bicycle in another part of the EU, as has been the case. As the Minister negotiates with the rest of EU on the European arrest warrant, this is an opportunity to look at the issue anew. While accepting the importance of the principle of the European arrest warrant, which we would like to keep, we can also look at the defects inherent in it. It is a great scheme but it has its flaws, and this is an opportunity to ensure that they are dealt with.

My final point relates to EU nationals living in this country. As I said to the Chairman of the Home Affairs Committee, I do not know—she did not know either—whether we will have another debate on leaving the EU and home affairs issues other than those that we are discussing today, but I would have thought it essential that we clarify the position of EU nationals living in this country. The Prime Minister gave a guarantee in her speech yesterday that they would be allowed to remain here in tandem with British citizens being allowed to remain in the EU. That is short of an absolute commitment from the Government, for which Members in all parts of the House have asked. Now we have even more uncertainty. Can the Minister tell us the cut-off date for EU citizens who are resident in this country? Will it be 23 June 2016, in that everyone in the country on that date will be allowed to remain here as residents, will it be the date when we trigger Brexit, or will it be the date when we leave the European Union? I realise the Government's difficulty: they do not want to set a date in the future, because they fear that lots of people would suddenly arrive in order to claim residence.

However, there will be a huge problem in processing the 3.5 million EU residents, because people from some EU countries do not require a passport to enter the United Kingdom. Italians come here on the basis of an Italian identity card, which is not stamped—one cannot stamp an identity card. No matter what the Government say, we still do not have 100% exit checks, and if someone presents their EU passport or identity card, nobody knows when they have arrived. Therefore, how will it be possible to process 3.5 million people in the space of two years?

That is why the best course of action is to make this commitment now—to say that we will allow EU citizens to remain here and to set the date, so that there is no uncertainty or rush in the future. We can get this clarified at a very early stage rather than waiting until the end of the process. There are still EU nationals seeking employment in this country who are being told by employers that they will not be able to stay. There are people who may not be given jobs because they are EU citizens, and people who may not be able to rent accommodation under the new rules regarding landlords and tenants because they now have

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to show their passport in order to rent property in the United Kingdom. It is essential that we have the situation clarified.

Whatever the detail—it is good to see the former Immigration Minister, the right hon. Member for Old Bexley and Sidcup (James Brokenshire), here as I talk about these matters—the negotiations will be very complicated, and they will not be easy when it comes to enforcement and criminal justice. We need regular reports back to the House on how they are going, because they will affect the safety and security of our citizens. The primary task of any Government is to protect their citizens, which is why it is important that we get as much information as possible.

5.25 pm

**Jenny Chapman** (Darlington) (Lab): This has been an important debate, if a somewhat select affair, and there have been many excellent contributions from colleagues. The safety and security of citizens is the first responsibility of any Government.

Given the need for the UK and EU member states to collaborate, to co-ordinate intelligence and to share information, this debate matters. The fact that the Government have scheduled it is a good signal of their intention to maintain close relationships on security, law enforcement and criminal justice. But there are other important issues to debate urgently—freedom of movement, principles for negotiating new trade deals, change to single market membership and associate membership of a customs union, whatever that might turn out to be—and, welcome as our general debates so far have been, I cannot help wondering whether the Government are avoiding debating some of the most crucial issues.

The Minister has said that he wants to have a future relationship with EU states on security and law enforcement, and we welcome that. Maintaining our close relationship on security is vital. Our security must not be compromised by our departure from the EU. As my right hon. Friend the Member for Leicester East (Keith Vaz) has said, it is good to hear both Front-Bench teams agreeing on that important point. It is in our national interest to continue to have the closest possible collaboration on these issues. We must maintain our ability to participate in the European arrest warrant, our Europol membership and our ability to participate in information sharing, particularly via the Schengen Information System. We need those measures in order to stay safe.

Justice and security were barely mentioned during the referendum campaign, and the Government have no mandate to water down such measures. The European arrest warrant is strong. The Government, and particularly the Prime Minister, have favoured participation in it, and the current arrangements must be maintained. The Minister must not just outline his commitment to the European arrest warrant, but signal how he intends to ensure that it is maintained to the UK's benefit.

Similarly, full Europol membership is vital. Anything less has been described as “damage limitation”. After we have left, will we still have access to the same databases and sources of information as we do now? How will Ministers ensure that privacy laws do not encumber our access? The Government must ensure,

and explain how it will ensure, that Britain's security and safety are in no way diminished. This is not about trade, vital though that is. This is the most fundamental duty of any Government. Our security and safety are not to be weakened, and our partners need to know that we intend to work together with them more closely than ever. As threats emerge, we must work more, not less, closely with our allies as good partners.

The right hon. Member for Mid Sussex (Sir Nicholas Soames) spoke with great care and authority of the need to sustain our involvement with international bodies. Like many of us who campaigned to remain in the EU, he accepts that we are leaving, but, like the rest of us, he sees the danger of departing without resolving the serious and vital security issues. The UK recently opted in to the new adopted regulation on Europol. The Government passed that test of their resolve, but good intentions are not sufficient. The hon. and learned Member for Edinburgh South West (Joanna Cherry) spoke of the need for Ministers to explain how the UK can remain part of the existing structures, on equivalent terms. The detail counts, and the House will hold the Government to their stated objective of maintaining our current beneficial relationship.

The Chairman of the Justice Committee, the hon. Member for Bromley and Chislehurst (Robert Neill), urged the Government not to rule out making the financial contributions that may be required so that we can continue to benefit, in particular, from intelligence databases. This is a most reasonable request. Will Ministers confirm that they will not dogmatically decline to make such contributions for domestic political reasons, thereby putting our information-sharing processes at risk?

We have all agreed this afternoon how important security co-operation is to the safety of our citizens. This is the closest to consensus that we are ever likely to see in this Chamber when we discuss Brexit. However, as the Chair of the Home Affairs Committee, my right hon. Friend the Member for Normanton, Pontefract and Castleford (Yvette Cooper), rightly said, agreement in this House does not mean that achieving the right outcome will be easy—it will not—hence her call for an explanation of how the Government intend to proceed.

My right hon. Friend gave the example of Europol's success in achieving arrests in child exploitation cases. Everyone in the House will want to ensure that our capacity to identify and detain the individuals responsible for such crimes is in no way diminished. That ought to be possible, but it will require consistent and unwavering resolve from the Government. These matters must not be up for negotiation: there must be no trading away on these issues.

The Prime Minister spoke yesterday about not wanting to retain “bits of membership”, but as the Chairman of the Exiting the European Union Committee, my right hon. Friend the Member for Leeds Central (Hilary Benn), said, collaboration on justice and security is not a bit; it is a vital tool in securing safety in this country. With that in mind, will the Minister commit to ensuring that a transitional agreement protects us from any interruption in access to data and intelligence?

My hon. Friend the Member for Hampstead and Kilburn (Tulip Siddiq) made an excellent speech, in which she detailed the specific concerns of her London

constituents. She wants the reassurance, as do we all, that co-operation on security and law enforcement measures will outlast our EU membership.

Lastly, I want to turn to the contribution of my hon. Friend the Member for Stoke-on-Trent Central (Tristram Hunt). It was a privilege to sit by him as he made his maiden speech almost seven years ago, and I am pleased, although I did not know he would speak for the final time in this House today, to take this chance to wish him well in his new and exciting role. He has always conducted himself with the utmost courtesy, speaking on issues as important as social mobility and as niche as the management of British waterways. I will miss him, and I know others will, too. I know that he has found opposition frustrating—banging your head against a brick wall is not for everyone—but I feel confident that he will use his new role to make a difference on inclusion and broadening opportunity, and I wish him every success.

5.32 pm

**The Minister of State, Department for Exiting the European Union (Mr David Jones):** May I say what an excellent debate this has been? It has been a debate of very high calibre. Indeed, it has been attended by no fewer than five Chairs of Select Committees. The issue of security, law enforcement and criminal justice is of significant importance in the context of Britain's withdrawal from the European Union. I am sure that all hon. Members would acknowledge the value of this debate, which is the fourth in a series promised by my right hon. Friend the Secretary of State for Exiting the European Union. These debates have proven to be of real assistance to the Government, not least this one, which, as my hon. Friend the Member for Stone (Sir William Cash) pointed out, is on an issue that impinges directly on all of our citizens.

As the Prime Minister made clear yesterday, a global Britain will wish to continue to co-operate with its European allies on tackling crime and terrorism. That is in the interests of not only the United Kingdom, but the continuing European Union, given the significant strengths that we can bring to the table. One of the 12 objectives that the Prime Minister outlined yesterday for the negotiations ahead is to establish a new relationship that enables the United Kingdom and the European Union to continue practical co-operation to tackle cross-border crime and to keep all our people safe.

My right hon. Friend the Secretary of State reiterated that objective to the House yesterday and made clear, during his appearance before the Select Committee in December, that a future relationship on security, law enforcement and criminal justice co-operation will be one of the Government's priorities when the negotiations commence.

The UK is leaving the EU, but self-evidently it is not leaving Europe. The reality of cross-border crime and threats to security will remain. In December, as referred to by the hon. and learned Member for Edinburgh South West (Joanna Cherry), the House of Lords EU Home Affairs Sub-Committee report on this subject concluded that there is a shared, strong mutual interest between the United Kingdom and the 27 continuing EU member states to make sure that co-operation on tackling these threats continues. To that end, the UK already has strong bilateral relationships with member

states and other countries across the globe that help to address security threats and serious organised crime, as well as facilitate the delivery of effective justice. We intend to continue that close co-operation with our European and global allies on promoting security and justice across Europe after we leave.

**Sir William Cash:** In my speech, and when the Minister came before the European Scrutiny Committee, I referred to the question of the attitude to be adopted in relation to votes in the Council of Ministers. Will he give some indication as to the kind of trend towards being sure we make it clear where we stand on Brexit matters within the framework of the decision-making process in COREPER?

**Mr Jones:** As my hon. Friend pointed out, there is clearly now a change in the staffing of COREPER so far as the UK is concerned. As we move closer towards Brexit, and particularly after we trigger article 50, it is inevitable that that position will develop and change.

There were a number of points made by hon. Members during the debate and in the short time available to me I would like to comment on as many of them as possible. The hon. Member for West Ham (Lyn Brown) asked what guarantees can be given that security and law enforcement will not be compromised as a consequence of our departure from the EU. Of course, we have not even started the process of negotiation. We have not yet even triggered article 50. We are leaving the EU, but, as I previously indicated, co-operation on law enforcement and security with our European and global allies will remain a priority for the Government. The Prime Minister and the Home Secretary have both spoken with several EU partners who have been clear about their wish to maintain strong co-operation with the United Kingdom. That is a good basis for starting the negotiation, but clearly this is very early days.

My right hon. Friend the Member for Mid Sussex (Sir Nicholas Soames) made an excellent speech. He referred approvingly to the Prime Minister's speech and made it clear that it is important the United Kingdom continues to be a close friend of the continuing EU. That is certainly the spirit in which the Government intend to approach the negotiations.

The hon. and learned Member for Edinburgh South West and a number of other Members raised the issue of data protection in the continuing EU, and the extent to which the continuing EU would wish to, or be able to, share data with the UK. I would point out that on the day of departure, the UK's data protection arrangements will be in perfect alignment with those of the continuing EU.

**Joanna Cherry rose—**

**Mr Jones:** Forgive me, but I have very little time.

Again, that will be a good basis for continuing the negotiations.

My hon. Friend the Member for Bromley and Chislehurst (Robert Neill), the Chairman of the Justice Committee, raised the European arrest warrant. He said that the United Kingdom should seek to remain within the arrangements of the warrant and that we should seek to be pragmatic in the negotiations. That is certainly the

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case so far as the United Kingdom Government are concerned. We look for similar pragmatism from our continuing EU colleagues.

The hon. Member for West Ham, my hon. Friend the Member for Bath (Ben Howlett), the hon. Member for Hampstead and Kilburn (Tulip Siddiq), the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper), the hon. Members for Cumbernauld, Kilsyth and Kirkintilloch East (Stuart C. McDonald) and for Richmond Park (Sarah Olney) and the right hon. Member for Leicester East (Keith Vaz) asked what access we would have to Europol. Again, we are clearly at a very early stage in the negotiations, and they will obviously take time to progress, but the Prime Minister has stated that law enforcement co-operation will continue once the UK has left the EU. We are exploring options for co-operation arrangements with Europol once the UK has left the EU. But I repeat that these are very early days.

**Keith Vaz:** I will be brief as I know that the Minister has limited time. Will he clarify one point? He said that negotiations were at an early stage. I understood that there were to be no negotiations until article 50 had been triggered. Is he telling the House that negotiations in this area have actually begun?

**Mr Jones:** The right hon. Gentleman is absolutely right to upbraid me. The negotiations are at such an early stage that they have not yet commenced. To that extent, he is quite right. He has chastised me, and I am pleased to stand corrected.

The right hon. Member for Normanton, Pontefract and Castleford asked whether there was anything in EU treaties to prevent us from remaining a member of Europol. I understand that the EU treaties do not allow for non-EU members to join Europol as full members, but, as indicated already, we are seeking bespoke arrangements with the EU in this regard, and certainly we would wish to pursue access to Europol on as enhanced a basis as possible.

**Yvette Cooper:** For clarification, the Exiting the European Union Committee has been given evidence suggesting that although the treaties do not provide for it, neither do they rule it out. I accept the Government's interpretation, but it would be helpful to have that confirmed.

**Mr Jones:** The position, as I understand it, is as I have just stated, but now that the right hon. Lady has raised the question, I shall pursue and investigate it.

My hon. Friend the Member for Bath asked whether the UK would be putting human rights at the forefront of our negotiating agenda. The UK has a long-standing tradition of protecting our rights, traditions and liberties, and we see no reason to depart from that.

**Richard Arkless:** The Ministry of Justice has responsibility for the Crown dependencies. I have just spent two days with the Justice Select Committee speaking to the Government of the Isle of Man, and they have a simple message—no demands or list of conditions: will a Minister come to the Dispatch Box and say that the

Crown dependencies will not be forgotten throughout this process or in any agreement reached with the rest of the EU?

**Mr Jones:** I can certainly give the hon. Gentleman that assurance. In fact, there have already been many meetings with representatives of the Crown dependencies, and that will continue throughout the process of exiting the EU.

My hon. Friend the Member for Kingston and Surbiton (James Berry) rightly reminded us that many security arrangements are agreed largely on a bilateral basis and that the UK has significant strengths in this regard, and of course those arrangements will continue undisturbed by our departure from the EU.

The right hon. Member for Leeds Central (Hilary Benn), who chairs the Exiting the European Union Committee, congratulated my Department on its speedy response to his most recent report, at least in two respects. I am glad to see that we are giving satisfaction. He asked whether the Department would be publishing the economic analysis underpinning the plan that the Prime Minister outlined yesterday, and if so when. I can assure him that the analysis continues and will continue for some time. However, he must understand—I am sure that he does understand—that going into too much detail about that analysis at this particular stage could compromise our negotiating position. I give the right hon. Gentleman the assurance he has had before: as time passes, we will consider and reconsider the issue of how much information should be passed to his Select Committee.

**Hilary Benn:** The Minister says that the analysis is continuing. Will he tell us whether it will continue for another two and a half years, which would avoid the need to publish anything before the negotiations are concluded? It seems to the Select Committee perfectly reasonable, without compromising the Government's negotiating hand, to reveal to the House and the public the Government's analysis of the different options, which will help to inform people's view about the Government's plan.

**Mr Jones:** I have no doubt that that analysis will continue for some considerable time, although I doubt whether it will continue for two and a half years. I have heard what the right hon. Gentleman has to say, and we will certainly continue to consider the position. At this particular stage, however, I believe that giving such detail would compromise the negotiation.

The hon. Member for Stoke-on-Trent Central (Tristram Hunt) gave his valedictory contribution, and on behalf of Conservative Members, I would like to wish him well in his future endeavours. He reminded us quite correctly that the United Kingdom is part of the greater European culture, and I am sure that under his direction the Victoria & Albert museum will continue to reflect that.

My hon. Friend the Member for Stone expressed concern about the use of the European arrest warrant for crimes that he regarded as trivial. The European arrest warrant was radically reformed by the previous coalition Government to offer better protection for British citizens and others who are subject to extradition proceedings. British citizens can no longer be extradited where a case is not trial-ready, where the conduct is not a crime within the United Kingdom or where it is

simply not proportionate to extradite. These protections are set out in UK legislation. Concerns about the European arrest warrant were also expressed by my hon. Friend the Member for Monmouth (David T. C. Davies), who raised specifically the Adamescu case. The Minister for Policing and the Fire Service, my right hon. Friend the Member for Great Yarmouth (Brandon Lewis) has listened and attended carefully to the points raised. Concerns about the use of European arrest warrant were also expressed by the right hon. Member for Leicester East.

The hon. Member for Dwyfor Meirionnydd (Liz Saville Roberts) raised the issue of the common travel area, which is a matter of concern. The common travel area long predates our membership or Ireland's membership of the European Union. It goes back to 1923, and the Government have made it very clear that preserving those arrangements is at the forefront of our minds as we approach the negotiations.

The hon. Member for Edinburgh East (Tommy Sheppard) raised the issue of respect for Scotland in the United Kingdom. He referred to what he described as the spectre of a dystopian future, in which the UK turns in on itself. That is not the future that the Government see for the UK outside the EU. In fact, we see a more global Britain, a more outward-looking Britain—a Britain that is not confined by the limits of the EU. He also raised the issue of respect for Scotland and the paper that Scotland has recently issued. He will be aware that in order to address the issue of the impact of Brexit on the devolved Administrations, the Government established the Joint Ministerial Committee for exiting the European Union. That is the forum in which these issues are raised, discussed and debated, and there is a meeting this week. I do not believe any suggestion that there is a lack of respect for Scotland or indeed for any of the devolved Administrations.

**Tommy Sheppard:** Would it not enhance the discussions taking place at the JMC if there were discussions between Ministers in his Department and their counterparts in Scotland in order to prepare some of the detail of these very particular matters?

**Mr Jones:** Discussions will certainly continue, but I must say that I regard it as highly unfair of the hon. Gentleman to suggest that there is any lack of respect for Scotland. I believe that the Government could have done hardly any more to accommodate the concerns of the devolved Administrations.

The debate has been genuinely useful. Both my right hon. Friend the Policing Minister and I have made it clear today that this issue is of the utmost importance to the Government as we prepare to negotiate our exit from the European Union, and that has been reinforced by my right hon. Friend the Prime Minister, who has said that co-operation with the EU in the fight against crime and terrorism will be one of the Government's principal priorities when negotiations begin. We are determined that the United Kingdom will continue to be a leading contributor in the fight against crime and the promotion of security and justice, not only in the United Kingdom and the European Union, but throughout the world.

*Question put and agreed to.*

*Resolved,*

That this House has considered exiting the EU and security, law enforcement and criminal justice.

## **Flooding: Ribble Valley**

*Motion made, and Question proposed, That this House do now adjourn.—(Chris Heaton-Harris.)*

5.51 pm

**Mr Nigel Evans (Ribble Valley) (Con):** It is a great delight for me to have this opportunity, more than one year on, to reflect on what happened in the Ribble valley during the floods, to reflect on what progress has been made in terms of resilience, protection and prevention, and, indeed, to thank some of the people who, beyond the call of duty, came to help those who were in distress.

I remember that on Boxing day in 2015, I was at my sister's house in Pontarddulais. Very early in the morning, I received a text message from a friend of mine, Robert Hayward, who has since been elevated to the House of Lords. He asked, "What's happening in your constituency?" I sent him a text saying, "What do you mean?" He replied, "Floods." There had been a flood in the Ribble valley just over a week earlier, so I thought that perhaps some footage was being shown of what had happened then. I did not think too much of it, but I went and switched on the television.

Sky News was being broadcast live from Whalley, one of my villages. The reporter was several feet underwater. I watched live footage of one of my constituents, an elderly lady, being carried from a small cottage—manhandled out of her property—to be taken to a safe place further up the road that the floods had not quite reached. My eyes were wide open, and I was aghast to see the condition of the main street through Whalley, but I had not realised that the flooding was much more extensive than that.

I called to my sister, "I'm going." It was Boxing day, and I was due to stay for about four days, so she said, "What do you mean, you're going?" I said, "I'm going to the Ribble valley." She asked why, and I said, "Well, have a look at the TV and I think you'll understand why." She asked, "What can you do?" That was a great question, to be honest, but it was about being there. That was the answer: I had to be there. There was no other place I could be on that day.

I got into the car and drove for four-and-a-bit hours towards the Ribble valley. Coming off the M6, I would normally turn right, immediately towards Whalley, but I could not do that because the main road to the right off the motorway junction was flooded. I had to turn around and then use my local knowledge which was quite extensive, to work out another route through Preston.

First I dropped into Longridge, where there was an emergency centre in one of the village halls. I spoke to four people there. Nobody had reported there, because it is several miles away from Whalley, and I think it was just too far away. People were making their own arrangements, with some going to the Clitheroe golf club. The local school had said that it was available to take anybody, and of course neighbours were coming to the assistance of those in distress.

When I drove into Ribchester, an area that gets flooded from time to time, I went to have a look at the River Ribble from not far from my local church, St Wilfrid's. That is an extensive area. I have to say that my mouth dropped open, as I had never, ever seen that river so high. If it had risen just another few inches, it would

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have broken its banks into the main street in Ribchester. When I talked to one of the local residents, he said, “I was waiting for it to go one step further before I started moving my furniture and possessions from the bottom to the top floor.”

I then went on to the Ribchester Arms pub. As it was Boxing day, it was ready to take in all the bookings it had for that day, but of course it could not open at all because it was completely flooded. The landlord and landlady were on the top floor. The firemen were already there, pumping water away from one electrical substation to make sure that it was still operational, so there were still lights on at the top of the pub. That pub was closed for several weeks. One thinks of the on-costs to that pub of keeping on the labour and so forth, never mind the colossal cost of the waste of all the food, the equipment that was damaged and the loss of trade during that period.

**Richard Arkless** (Dumfries and Galloway) (SNP): The hon. Gentleman’s heartfelt and passionate speech reminds me of what happened in my constituency a year ago. On the subject of businesses being affected by floods, many businesses in Newton Stewart in my constituency now face excesses of more than £15,000 and cannot get cost-effective insurance. Will he join me in trying to persuade the Association of British Insurers to extend the Flood Re scheme to small businesses? At present that scheme covers only individuals, so it is of no solace to small businesses that stand on the edge of a precipice.

**Mr Evans:** I am more than happy to do that. In fact, I have made representations to Mark Hoban, who is in charge of the Flood Re scheme. I believe that we should extend that scheme to businesses. I have no doubt at all that the premiums for a lot of small and medium-sized enterprises that are prone to flooding or that have made claims will go through the roof. If we think it is a good idea to spread the risk for domestic premises, as we have done through the Flood Re scheme, which is very good indeed, I cannot see any good reason not to extend that to businesses as well. I will talk a bit later about one of my businesses, which has been hit in more ways than one. I am delighted to see you now in the Chair, Mr Deputy Speaker, because I know that your constituency also experienced bad flooding. Indeed, the flooding affected a number of areas, including that of my hon. Friend the Member for South Ribble (Seema Kennedy), who is also in the Chamber.

I must praise the brilliant emergency services for all the work that they did. In the late hours of Christmas night and early hours of Boxing day, members of the Army were knocking on doors. They already knew what was going to happen, so they were alerting people so that they could either get out and secure their premises, or get their possessions upstairs if they could. They were working during the time when other people were celebrating with their families, so I have absolute praise for them for everything they did, as well as for the early flood warning system, which clearly was working.

I then went down into Whalley, which had been featured on the television for most of that day. A lot of the water had subsided by that time—it was several

hours on—but my goodness me, the damage that had been done during those hours was absolutely phenomenal. It was not just the main road that was affected, but several streets back on both sides. I chatted to Norman Atty, the landlord of the Dog Inn, who was able to tell me all the things that had happened that day. I then went from Whalley through Grindleton towards another village way on the other side of the constituency, but I had to turn my car around when I got there because I could not distinguish the road from the river. The water was so high that I thought that if I went any further, I would have been adding to the problems, because my car would be stuck—it is not a 4x4. I therefore reversed back and went home.

I got up the next morning and went back into Whalley, where the salvage operation had begun. My goodness me! It was heart-warming beyond belief to see the volunteers who had given up their Christmas to help their neighbours. I also heard a story about a group of four men who were travelling up to Scotland for Hogmanay—they were going pretty early by the sound of it—and heard what had happened in Whalley. They drove off the M6 and turned up in the village. They picked a house at random and helped the people there to clear their possessions out on to the street and into skips. They then got back into their car and continued their holiday. What fantastic people!

Other people had had the good sense to get money and drive into the Ribble valley and hand it out to families. Some people would have been without money, and they would have lost all their food. Perhaps they lived alone, or perhaps they had spent all their money at Christmas and had no access to money. Those people giving out money provided a lifeline. They did not need to do it, but they did. People came from all over the area to help. For example, charities in Blackburn gave assistance. It was a colossal operation to help people to get all their food and possessions out of their kitchens and living rooms. I also pay tribute to the skip operators who managed to get skips in on a regular basis, and to the police, who managed to set up a one-way system through the village. I have been talking about all the great things that people did to help, but now and again we had “flood tourists”, who decided to come in just to have a look. They thought it was rather clever to drive through the water, which resulted in water splashing into businesses that had already suffered greatly. Those people were really thoughtless and careless.

I remember talking to one chap, Andrew Ronnan, who has done tremendous work as a volunteer. He told me, “I don’t know what I was expecting to do on the day after Boxing day, but it wasn’t manhandling a piano into a skip.” That was what he ended up doing. The volunteers were absolutely superb. They were led by Gillian Darbyshire, the president of the Whalley and District Lions club, and she was joined by some of her friends, including Kellie Hughes, who runs the hairdresser’s shop. Her shop was badly hit—it is still being repaired—but her resilience has been absolutely superb. Anyway, she did not cut hair for a few days. She went straight across to the village hall, which was requisitioned, where people turned up to give electrical goods, blankets and food. Hot coffee and food were served there. It was quite amazing. Electricians gave up their time to come in and test all the electrical goods to make sure that no faulty items were handed out. Other volunteers included Mags

Twist and Katie Blezard—I am afraid that I am going to forget some of the people—and even the Dog Inn was giving out coffee and sandwiches to the volunteers who were coming in to help.

Another electrician was going around people's houses and helping. Of course, people from the electricity board also came in to switch people off and ensure that everything was safe before getting them switched back on. One of the volunteers had training in mental health issues, which was useful because some people were tipped over the edge by the flood. One can understand why when they were seeing their houses being destroyed on Boxing day. This person was able to talk a man out of his bedroom and get him downstairs so that he could finally get assistance. We need to pay some attention in that area when we think about what actions to take after future floods. I also pay tribute to Marshal Scott, the chief executive of Ribble Valley Borough Council, who was on the scene from Boxing day night onwards. The council moved many officers from the county offices in Clitheroe into Whalley and operated from the village hall. Marshal Scott was there every day, giving assistance to people who badly needed it.

Part of the problem was that some businesses and homes had been hit just a week before, when a culvert became blocked and water rushed down. Funnily enough, Andrew Ronnan had already called some locals together to see what they could do, because they realised that there would be real problems if the river burst its banks. Well, we had real problems, but they brought the community together.

One area that was badly damaged included the houses off Calder Vale. The road there is unadopted, so it was already rough, but that road now has a proper surface thanks to Gillian Darbyshire and the Whalley and District Lions club, which helped to raise more than £100,000, which was matched with donations from the Freemasons and others. In fact, it is now one of the best roads in the Ribble valley—it is absolutely superb. I could not believe it when I went down there the other day. I thought, "Wow. Look at that. That's what happens when a community works together," so I pay tribute to Gillian for leading the volunteers.

One chap called Allan Elliott, whom I went to see just the other day, has his house at the back of Calder Vale. One third of his garden was washed away, his car was a complete write-off and, of course, the house was badly damaged. One would have hoped that the Environment Agency would have looked at the damage and given a bit more assistance than it did, but he has had to spend thousands of pounds of his own money to shore up the garden to ensure that it will be resilient against any further rises in river flow.

**David Morris** (Morecambe and Lunesdale) (Con): I thank my hon. Friend for securing a debate on a topic that is important in our area of Lancashire. Following the December floods, Lancashire County Council's delay in applying for funding for future flood defences until at least April meant that it missed out on Budget funding in 2016. Does he agree that that was a little short-sighted?

**Mr Evans:** I hope that many lessons will be learned. Any funding that is made available ought to be claimed—I remember the big argument about claiming European flood money, but we all pay into that, so we are only

getting our own money back—but it took ages before we did that, which was a huge mistake. We should have known about it from the very beginning. I was told about how complicated it was to claim the money, so that must be sorted out. When one is paying into an insurance fund, claiming our own money back should not involve so much officer time and the filling in of so many pages. Many lessons need to be learned by the council, and by government more generally, to avoid adding to a tragedy through action or inaction.

I also want to praise the refuse collectors. One would not expect to see them the day after Boxing day. There are few sadder pictures in my mind than seeing refuse people backing up into a street on the day after Boxing day and loading Christmas trees into the back of their vehicle because people were clearing their whole houses. It was a very sad picture, never mind that those people were already under stress. There was one lady whose husband was dying, and in addition to all her problems she was having to clear out her house. Some people are still not back in their home a year on. Big questions have to be asked about the resilience of some properties. The Minister has produced her own report on the flooding, and I hope a lot will be learned from it.

I also praise councillors Terry Hill, Joyce Holgate, Albert Atkinson, Ged Mirfin and others. Councillors came from all over the area. Even if their areas were not flooded, they came to give assistance. I also praise Sir James Bevan and the then Secretary of State for Environment, Food and Rural Affairs, my right hon. Friend the Member for South West Norfolk (Elizabeth Truss), who turned up the day after Boxing day—I could not believe it, but there they were, walking through the village in wellington boots. I was able to show them some of the damage, and Sir James looked into the River Calder and could see the damage for himself. A lot of the damage is still there. One would have thought that one of the farmhouses over at the other end would not have been touched, but it was way underwater.

Some insurance companies were prompt, and others were not—their answerphones were switched on and saying, "We are on holiday. Please get in touch on 28 or 29 December." When such colossal flooding is affecting so many thousands of people, one would have thought that all the insurance companies would be there to help.

Andrew Ronnan created the Whalley and Billington flood action group by drawing on the expertise that can be found in any large village and its surrounding areas, including civil engineers and people with knowledge of flood prevention. The group has regular meetings in order to liaise with the lead flood authority—Lancashire County Council—Ribble Valley Borough Council and the Environment Agency on the long-term plan. We have to do that, because these once-in-a-lifetime events are now happening quite regularly. Action must be taken against anything preventable that can lead to the misery I saw that day. Some of that action relates to the river, and other action relates to the housing that is being built, particularly in Whalley, on a rather large scale.

It might be useful if I talk about that housing. One section, Lawson Rise, is being developed in part by Redrow. There should be drainage ponds in the scheme to allow for water attenuation. Well, Redrow has been merrily building the houses, but the ponds simply have not happened. Redrow itself said that the ponds needed

[Mr Nigel Evans]

to happen, and they have not happened. I understand that there may be problems with the design and with where the ponds should go, but the reality is that Redrow is now in breach of the conditions set by the local authority. The people at Redrow still think it is okay to build the houses, sell them and get people moving in. Well, it is not. They have a responsibility to the people who are going to live on that estate and to the people who may be affected by the building of those houses and other houses that will be built on the same plot. It is their responsibility to ensure that all of the area is properly drained and that the water that runs off is retained. How dare they not take the action that they should at this moment in time? How dare they think it is okay to carry on building those houses without putting in the proper attenuation?

**Sir Nicholas Soames** (Mid Sussex) (Con): My hon. Friend is making an incredibly important and powerful speech. He has mentioned a building company. I want him to know that all over the country, many colleagues on both side of the House have the same experience with building companies. They bang on until the cows come home about their corporate social responsibility, being good neighbours and all that, but with many of them—not all, by any means—it is complete and utter tosh. They need to honour their obligations and be seen to do so.

**Mr Evans:** I can only agree with my right hon. Friend. Indeed, one of Redrow's reports talks about the company being a shining-light member of the considerate construction scheme. Steve Morgan, the chairman, talks about Redrow being in great shape and says that he is looking forward to

“another year of significant progress”.

I have a good idea: some of that significant progress can go into the attenuation ponds and the other things that need to be happening.

Another plot of land, which one could see from the road, famously had a sign saying that it was a “development site with permission for 39 dwellings”,

but that sign could be just seen above the water. The sign was famous and did the rounds on social media. The sign was there before a single house was built. It is not a good idea, and we really should not put any houses on an area susceptible to that sort of flooding, but what sort of attenuation would that site need to make sure that that water did not flood the houses and was not then pushed to flood other houses?

I say to Redrow, in respect of the particular site I mention, that notice has been served by Ribble Valley Borough Council that Redrow is in breach of the conditions that were agreed to. So when are the people at Redrow going to do it—when will they provide the attenuation that they said they would? Everybody is waiting. They have a social and moral responsibility to do it. I know, as my right hon. Friend will know, that these companies have some great experts working for them and they know some tricks. They know that there are certain things they can do to delay taking the action they need to take. They have very expensive lawyers, who are doubtless listening to every word I am saying, but I say: get on with it! We do not want to see any delay or deferment. They know what they need to do and they

need to do it now. That applies not just to Redrow, but to every other developer who is building houses and has conditions put upon them. They should not see that as burdensome; they should see it as playing their part in a community, so that they are not making other people's lives a misery one or two miles down the road. They have a responsibility, and they should do it.

**Robert Courts** (Witney) (Con): My hon. Friend is making a powerful and moving speech, touching on a number of good points. In 2007, Witney had some serious flooding, which affected a great deal of the town. I spoke briefly in the House yesterday about some of the flood attenuation schemes in Milton-under-Wychwood, which I know the Minister came to visit. My hon. Friend refers to making people's lives a misery, and does he agree that that is exactly what we are talking about here? This is not just a matter of damage to property, which in due course, when the insurance companies pay up, can be rectified. When I speak to my constituents who have been affected by flooding, I see that the fear and worry of that happening again lives on 10 years and more after the event. “Misery” is just the right word for it.

**Mr Evans:** I thank my hon. Friend for his contribution. I think these situations are akin to mental torture; once someone has gone through this sort of flooding misery, all of a sudden they have one eye on the computer to see whether there is a flood warning coming up—they have had a few of those since 26 December 2015; indeed, they have had water coming through King Street. We must recognise the impact on people's lives once their properties have been soiled in that way; if it has happened once, it can happen again, unless something is done about it. That is basically where we are now. Once these things have happened—the flooding happened on a wide scale, as you know, Mr Deputy Speaker—we must see what action needs to be taken.

The Environment Agency is talking about spending £2.3 billion over the next six years on a lot of the major works that need to be done, but who knows whether that money will be sufficient? We are talking about spending £3.5 billion on this place, so I suppose that puts it into a bit of context. We need to ensure that the right sort of money is put in place to help to alleviate the problem.

Companies such as Network Rail are doing a great deal of work in Whalley. It is working on the aqueduct because of the water that flowed from it. It is spending a lot of money in an area that was badly flooded—I saw it for myself the other day—so I pay tribute to it for that work. Companies such as AXA Insurance are spending a lot of money on resilience measures, because they have worked out that it is in their interests. It means that when people sadly do get flooded, the costs will be much smaller.

People can take a lot of sensible measures if they have the wherewithal to do so. I remember going into one house in Ribchester that had been flooded a bit before. I walked on the lady's sodden carpet, and she said, “Last time this happened, Nigel, I asked the insurance company whether we could have flagging instead of carpet, but they said, ‘Oh no, like for like, madam.’” The insurers would not move, but they moved this time. They have now got the message.

Hopefully it will never flood again, but if it does, the flagging means that at least something can be done about it more easily.

I know that other Members want to contribute, so I shall go quickly through the things that ought to be done for future resilience. The Environment Agency is looking at proposals for Whalley, and particularly at what action can be taken regarding the Calder. I am told that the study will take about six months, and that the agency will then put in a bid to the Government, perhaps towards autumn 2017. I hope it can bring forward that report as quickly as possible, because of the mental torture that my hon. Friend the Member for Witney (Robert Courts) mentioned. As long as people cannot see anything substantial being done, they think it can happen again, and of course it can, so I hope that the Environment Agency will look into that and other matters to see what can be done. It will be working closely with the local flood action group—Andrew Ronnan and his friends—along with the lead flood authority and local authorities.

As well as the problems associated with the River Calder, there are problems with surface water after heavy rain. A week before 26 December 2015, Whalley had been damaged because of blocked culverts, and there has been water running through since. It should not be beyond the wit of the local authority to look at those culverts and make absolutely certain that they are not blocked. There are now sensors that can enable it to do that. Lancashire County Council should pull its finger out, have a look at the areas that are prone to flooding and get it sorted.

The drains are also a problem. Kellie from the hairdressers was out cleaning the drains herself, post-26 December. More floods were expected, and she saw that some of the drains were blocked. There are simple things that can be done, and I hope that they will be done.

As for planning, local authorities ought to be able to say quite simply that there should be no housing on a flood plain. That should be sufficient. When companies go to appeal, as they do, and use their expensive lawyers to dance rings around local authorities that are rather strapped for cash, it should be sufficient for the local authorities to say, “No, it is a flood plain”. Even with attenuation, if houses are built on a flood plain, huge amounts of water may still be retained by the fields, as in the example I referred to. Builders must take responsibility for complying with conditions that are imposed on them.

I pay tribute to the Woodland Trust, which is planting trees all over the place. We do not pay enough regard to the usefulness of trees, particularly in preventing soil erosion, which can easily happen. The trust has planted thousands of trees in our area, and we must do more of that.

Insurance resilience measures must come in as well. The early payment of insurance money is important to people so that they can get on with the job. We must also look at this matter of having to get three quotes. Some insurance companies insist on it, but they are lucky to get one quote. Our area was blighted by flooding on Boxing day; it is not hard to imagine how difficult it was to get even one quote. Some companies are just not interested in providing a quote, so different measures must be put in place to cover reasonable costs, so that people can just get on with the job.

One person came to see me last week, one year on from the flooding. He had put in a £110,000 claim—it was part business, part hereditament. He had used a broker, which had insured with one company. The company then part-insured with another company, which went bust. The man received £35,000 of his claim. He was going to get another £20,000 before the other company went bust. He does not know when he will get paid, even under the financial compensation rules, which, when they kick in, pay out 90%. I have to say: 90% of what? Things must be made easier. When a person goes to an insurance company, the responsibility must lie there. They should not have to chase around the houses, worried witless that they will not get the proper compensation that they need. They will already lose some of it, simply because of this offsetting of the bet, as I call it—or the offsetting of the risk. The person paying the premium, which in this case is just under £5,000 a year, should not have to suffer.

The emergency services learned a lot that day, as they had to institute a one-way system. Such best practice needs to be spread around the country, because what has happened in the Ribble valley will, sadly, happen in other areas in the future. Spreading best practice can be done. Whalley and Billington Flood Action Group has done its own resilience programme, telling people of the simple things that they can do, including providing phone numbers that they can use, when flooding happens. Those sorts of things are absolutely superb, and I do hope that local authorities can learn from one another about the actions that they need to take, including providing advice to people now. We are in the winter now, and, sadly, some villages may well get flooded between now and summer.

**David Morris:** I thank my hon. Friend for allowing me to intervene. As I have explained, we had floods in our area. The local hospital ran on emergency generators, but, apparently, from what I can gather, a state of emergency can be declared only if the Environment Agency has two separate sources verifying the state of emergency. In this instance, the Army had to come in to help in the end. Does he think that it should be only one separate source that contacts the Environment Agency so that measures can be enacted and things do not get so bad that the Army has to be called in to rescue patients who need electricity for dialysis and other life-saving treatments?

**Mr Evans:** Of course common sense should kick in. Once common sense kicks in, people understand that there is an emergency or a crisis. Why add to the problems by imposing unnecessary bureaucracy and rules? I do hope that lessons can be learned from that as well.

Proper planning in flood areas is essential. For instance, there were a lot of sandbags under lock and key in local authority depots. People could not get access to them until, eventually, calls went through to the county council saying, “Open the depot”. Eventually the sandbags were released. It should not be beyond the wit of planning to ensure that when these sandbags are there—irrespective of the fact that they might have been set aside for somewhere else at another time—they are released immediately to the local community so that further damage can be prevented.

[Mr Nigel Evans]

Whalley is what is known as a notspot: I had to go into Benedicts delicatessen to latch on to wi-fi and access certain emails. I had to use the pub phone at The Dog Inn because my phone simply would not work. A lot more attention needs to be put into telecommunications in areas of high susceptibility to flooding; it might cost a bit more, but that needs to be done so that people can use their mobile telephony in an emergency, particularly if flooding has wiped out some of the landlines. Let us be fair: a lot of people do not have landlines anymore.

Earlier, I mentioned the drainage on the main road that prevented me from getting to the area that I needed to get to. If an area floods certain roads from time to time, the floods authorities need to put in extra drainage so that people can get where they need to.

I will never forget 26 December 2015 for as long as I live. It taught me a lot of things—and most of them were good, thank goodness. On new year's eve that year, I had expected to be in sunnier climes, but I was not. I stood in Whalley's square with all the local residents as new year rang in. We all linked hands and sang "Auld Lang Syne" together. The community spirit was alive and well and still is in that particular community. I could give a list of worthy people to get gongs when they are handed out, but from what I can remember none of them has got one. That is sad. Recognition ought to be given in communities up and down the country when people go the extra mile—they do not need to—in helping people in their own community because it is the right thing to do.

Twelve months on, and the Minister is listening carefully to what I have had to say. I hope she will give us good news today about the action that the Environment Agency and all the other agencies working together can take to ensure that the misery and torture that so many have suffered in the past because of flooding will be a thing of the past.

6.32 pm

**Seema Kennedy** (South Ribble) (Con): It is a great pleasure to speak in this debate. I am doing so for two main reasons. First, I want to pay tribute to my hon. Friend the Member for Ribble Valley (Mr Evans). He was my first ever MP; I remember his election back in the early '90s. Secondly, I was in Ribble Valley on Boxing day 2015 at my parents' house, which is about four miles from Whalley. I grew up just outside Ribchester, which I have seen flood in the past. We woke up on Boxing day and we were all supposed to go off to a pantomime. I looked across the hill and asked, "What's that?" A new river had grown up. I grew up in Lancashire and I know what wet weather is, but I had never seen anything like it.

My hon. Friend said he thought about what he could do. I pay tribute to him: what he did was really remarkable. My friends and family in Ribble Valley were really touched, particularly my auntie Pauline who was with my hon. Friend at The Dog Inn on new year's eve in the square. My hon. Friend has been a fantastic constituency MP and parliamentarian for more years than we know because he looks very youthful. He has done great things, and I thank him for securing this debate.

The River Ribble, the historic border between north and south, flows from Yorkshire into God's own county of Lancashire, and the flood plain is in my constituency of South Ribble. I share that great river with my hon. Friend. My constituency, like my hon. Friend's and yours, Mr Deputy Speaker, had bad flooding on Boxing day 2015 when Storm Eva struck. The constituencies of my hon. Friend the Member for Morecambe and Lunesdale (David Morris) and the hon. Member for York Central (Rachael Maskell) were also affected, although Storm Desmond may also have been involved in those places. Various other parts of the country were affected.

I pay tribute to the local groups. We had flooding in Leyland, but work was done by my constituent, Celia Whittaker, and the Leyland flood action group. In Eccleston, Gillian Jamieson and other members of the parish council did sterling work to rebuild the parish hall back in November. Hon. Members may remember the views of the Chinook flying over Croston, which has three rivers, to assist with the breach in the River Douglas. I believe that Chinook was actually flown by one of your constituents, Mr Deputy Speaker—a member of the Chorley air cadets, of which you are president.

**Mr Deputy Speaker (Mr Lindsay Hoyle):** Correct. He is now in the RAF, by the way.

**Seema Kennedy:** There are also flooding issues in the areas of west Lancashire in my constituency. I know that the Minister is aware of the situation with the flood pumps in Alt Crossens. The villages of Rufford, Croston, Banks and Hesketh Bank are all affected. Trying to stay on topic, there is concern in South Ribble about the progress of the Preston and South Ribble flood scheme. As the Ribble leaves urban areas, the last bridge, although we hope to have another, is at Penwortham in my constituency, with Preston on the other side. Flood defences were built up in the early 1980s but they are not ideal when there is a high tide and rain such as that which we saw on Boxing day 2015. I have walked the area many times, including in the summer with representatives from the Environment Agency. I know that there is funding, but we are hoping that it will be matched by the Department. I would be grateful if the Minister could say something about the progress there.

I pay tribute to Croston flood action group; to the parish council, whose members actually man their own pump; and to Kath Almond and Anne Peet, who came down to No. 10 when there was a reception for flood heroes in spring last year. Businesses in Croston have been very resilient. In fact, I went to Croston on Boxing day 2016. It was a beautiful, sunny day with blue skies and I wanted to see how people were. Jon Lilley, the publican of The Wheatsheaf, said that things were difficult but that the village really drew together. I think the people have weathered it well, but I met another constituent who has been badly affected by damage to his property and to the mental health of his family. As all hon. Members who have faced such a situation in their constituency know, flooding does not just affect possessions. There is a sense of people watching out for every flood warning and thinking, "Is it really going to happen again?"

Flooding is a complicated issue because rivers and waterways are complicated. We need to be creative in how we deal with water upstream, because what happens in Whalley and Walton-le-Dale affects what happens

down in Penwortham. I pay tribute to my hon. Friend the Member for Ribble Valley for the great work he has done on the matter and for being such a wonderful champion for Ribble Valley. I look forward to the Minister's response.

6.39 pm

**The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Dr Thérèse Coffey):** I congratulate my hon. Friend the Member for Ribble Valley (Mr Evans) on securing this debate on flooding in the Ribble valley. He spoke passionately on behalf of his constituents, and painted a vivid picture of the events of Boxing day 2105 and beyond. He rightly paid tribute to the many individuals who came forward to help their neighbours and communities, particularly citing Gillian Darbyshire from the local Lions, as well as a number of other business people and local councillors—and, indeed, strangers. I am very aware of the impact that flooding can have on a community. I have supported my own constituents in Suffolk following flooding in recent years. Only at the weekend, when we had our own severe flood warnings, I was able to visit local communities who have also formed flood action groups like those that have been mentioned. It is important to pay tribute to those people who have taken charge of actions in their local community to help their friends in need.

As a bit of personal disclosure, I will always particularly welcome the contributions that strangers make. In 1998, when I was heading home to Liverpool, rather than Lancashire—although historically, of course, Liverpool was in Lancashire—I encountered my own flooding trouble. I had to climb out of my car, which was busy filling with water in the middle of nowhere, and knocked on the door of a house. I will always be grateful to the McDermotts of Honeybourne, who took me in for two days, after which I was able to make my way home. I am very conscious of the fact that flood risk can be very frightening for people, and the warm, loving presence of friends, and strangers, is something that never goes out of one's mind.

The Government continue to play a key role in improving protection for those at flood risk. We are spending over £2.5 billion on 1,500 new flood defence schemes better to protect 300,000 homes by 2021. Over this Parliament, we have also been increasing maintenance spending, in real terms, to more than £1 billion.

As my hon. Friend said, there is a history of flooding in the Ribble valley, principally from the Rivers Ribble and Calder and the tributaries that run into them. He spoke extensively about the communities affected in his constituency, including Whalley, and Ribchester. Clitheroe, Bolton-by-Bowland, Slaidburn, Samesbury, Higher Walton, and Walton-le-Dale have also been affected. It is fair to say that December 2015 was the wettest month on record, and the highest flows on record were observed in the Rivers Ribble and Calder during that month. Flood warnings were issued by the Environment Agency at Whalley and Ribchester, and temporary flood defences were deployed. As my hon. Friend will be aware, 432 properties in the Ribble valley were flooded, and about 2,600 right across Lancashire. I am aware that the communities he describes of Whalley, Ribchester, Higher Walton and Walton-le-Dale were among the worst affected, and Billington flooded from the River Calder for the first time. Thankfully, as he will also be aware, Low

Moor, Slaidburn and Bolton-by-Bowland did not flood. Local communities expressed their gratitude for the flood defence works previously undertaken by the Environment Agency, protecting them from experiencing any flooding at that time.

Since that flooding incident, the Environment Agency has given one-to-one help and advice to over 100 residents in the Ribble valley. As part of the works to repair bank erosion at Whalley bridge, the Environment Agency contributed a significant sum to reduce flood risk by removing gravel from the river channel. Prior to 2010, as my hon. Friend will be aware, the Environment Agency completed flood risk management schemes at Low Moor, Slaidburn and Bolton-by-Bowland, spending a total of £1.5 million in those areas. Between 2010 and 2015, the Environment Agency invested more than £200,000 in making properties in Whalley and Ribchester more flood resilient. That included working closely with the local council to offer grants to homeowners for property level flood resilience measures, including flood doors and airbrick cover. The properties that were unfortunately flooded were eligible for £5,000 recovery grants. Some of the homes that flooded had not been previously eligible for grants as they had no recent history of flooding.

**Mr Nigel Evans:** I am extremely grateful for my hon. Friend's comments. Will she ask the Environment Agency to look again at the arches by Allan Elliott's house, where a lot of silt is building up? The Environment Agency will be well familiar with that. The silt should have been removed so that free-flowing water could more easily pass through, but that has not been done; I do not know why. This is causing grave concern to people in the area, because if it is not done and the river rises, there could be severe problems.

**Dr Coffey:** I do not know the details of that, but my hon. Friend will be pleased to know that the Environment Agency manager responsible for his area is in the Box today and will have taken careful note of what he has just said. My hon. Friend might be aware that a future scheme to protect Whalley from river flooding is in the development stage. It would cost approximately £1.4 million, and considerable work is being done with the Whalley and Billington flood action group and the local community to optimise the design of the scheme and to develop partnership options prior to a bid for funding. I think that that is the project to which he referred.

A review is ongoing of flood risk right across the River Calder, which will provide additional information to refine options for addressing that flooding. We expect to undertake a review of flood risk in Ribchester this year. A scheme to protect Clitheroe from flooding from Mearley brook will cost approximately £4.8 million, and work is taking place to develop partnership funding options prior to submitting a bid for funding. Lancashire County Council is developing a £2 million scheme to address surface water flooding in Whalley and Billington.

Overall, I am pleased that local partners are already working together to contribute to those schemes, alongside considerable Government investment, and work is continuing to bridge the current funding gap. I remind the House that under a Conservative-led Government, my predecessor, my hon. Friend the Member for Newbury (Richard Benyon), changed the funding policy to give

[*Dr Thérèse Coffey*]

every scheme that had a positive benefit-cost ratio a chance to secure some grant funding, rather than the old system of all or nothing.

My hon. Friend the Member for Ribble Valley has referred to planning, and he should be aware that the national planning policy framework is specific about issues relating to planning in flood areas. The Environment Agency's advice has been accepted in more than 98% of applications. I have looked carefully at the ones that were rejected by local councils, and that information is publicly available.

My hon. Friend referred to Redrow and his concern that the housing development in Whalley is failing to comply with planning conditions designed to reduce flood risk. As he has indicated, I expect the local authority to deal robustly with any developer that does not adhere to planning conditions. I know that my hon. Friend wrote to the Environment Agency about the matter. The Environment Agency does not have the necessary powers, but if there is more that my hon. Friends at the Department for Communities and Local Government can do, we will do it. I will just say on the record that this is the second time today that Redrow has been raised with me as a developer not particularly fulfilling its conditions—in the other case, it is fulfilling a condition that simply does not work—so I will certainly be following up on that matter with my hon. Friends responsible for planning.

In terms of drainage, the Environment Agency leads on flood risk associated with culverted sections of main rivers in England. Where there are culverts, the EA will inspect them regularly, and operations staff will clear structures upstream of such culverts prior to flood conditions. Lancashire County Council, as both the highways authority and the lead local flood authority in Lancashire, leads on flood risk associated with highway drains and culverted ordinary watercourses.

In the village of Whalley, Lancashire County Council has been investigating the condition of the culvert that carries an ordinary watercourse—Wiswell brook—underneath King Street, to which my hon. Friend referred, in the centre of the village. The culvert has surcharged in the past and led to flooding, most recently on 21 November. When any works are deemed to be necessary to the culvert and associated infrastructure, bids for Department for Environment, Food and Rural Affairs funding will be submitted by the council via the Environment Agency.

My hon. Friend the Member for South Ribble (Seema Kennedy) spoke eloquently on behalf of her constituents. I thought it might be worth sharing where we are on the Preston and South Ribble flood alleviation scheme, to which she referred. At the moment, the costing for that is about £32 million. The scheme would better protect more than 3,000 homes and 600 other properties in the area from fluvial and tidal risk. It would also decrease flood risk at Walton-le-Dale, in the constituency of my hon. Friend the Member for Ribble Valley. Further work is ongoing to assess whether the scheme could be extended to benefit Higher Walton.

As it stands, the scheme qualifies for about £17 million of Government grant-in-aid, and it requires £15 million of additional partnership funding on top of the contributions that the Environment Agency is working

hard to secure. Many local businesses in this catchment area would benefit from the scheme. If my hon. Friends are in a position to assist with obtaining further partnership funding, it would go a long way to securing the viability of the scheme. I understand that the local enterprise partnership has been heavily involved in trying to secure funding for projects in Burnley and Lancaster. I encourage my hon. Friends to work with the LEP to consider potential moves for the scheme.

It is worth setting out for the House what we are doing more broadly to improve resilience and to ensure that we are better prepared this winter for whatever arises. No Government can promise that no one will ever be flooded again, but we can learn and act, and that is what we did with the national flood resilience review. The review was undertaken to assess how the country could be better protected from future flooding and extreme weather events. I can report that considerable progress has been made to help to prepare for future flood events. We have invested £12.5 million in mobile flood defences, which means that the Environment Agency now has 25 miles of new temporary defences, located across seven key areas and available to be deployed flexibly around the country, compared with just 5 miles available last year. There are 500,000 sandbags, and as my right hon. Friend the Prime Minister announced, 1,200 troops were on stand-by if councils needed their help. In all three cases, they were deployed at the weekend.

With regard to the Ribble valley, the Environment Agency has undertaken a robust assessment of the locations that are suitable for using temporary barriers. It assessed the practical implications, such as road closures, and the flood-risk benefit, as well as ensuring that they do not make the flooding worse elsewhere. There are plans in place to use temporary barriers at Ribchester and Billington. Unfortunately, these barriers are unsuitable for Whalley, despite being used in 2015, a fact of which the local flood action group is aware.

Infrastructure providers have been reviewing the resilience of their key assets for communities of 25,000 people and above. They have been identifying where they can also protect these assets with temporary defences this winter, while longer-term solutions are implemented. I have been leading a series of weekly ministerial phone calls to ensure that we are in a good place. My hon. Friend the Member for Ribble Valley referred in particular to mobile phones. They have been a key part of ensuring that we are more resilient.

This means that the country has been better protected this winter—of course, the winter is not over yet—and services to our communities will be more resilient to flood events. The next stage of the review will focus on surface water flooding, which is a significant source of flooding, particularly in our cities and urban areas. The next stage will involve collaboration between the Environment Agency, lead local flood authorities, the water sector and other stakeholders with a key interest in managing this risk.

We have worked with the private sector to develop a new property flood resilience action plan, and I thank Peter Bonfield for leading that work. It illustrates some straightforward measures that homeowners and business owners can take to improve the resilience of their properties to flooding, as well as to enable them to get back in far more quickly if, unfortunately, they are flooded. These can be simple measures, such as in-built covers, or more

substantial works, such as installing pumps, having solid floors or rewiring so that plug sockets are higher up the wall.

On insurance, my hon. Friend made a series of points about the presence of companies, quotes, the availability of assessors, the challenge of the risk being passed on and the problem of not being able to get to the end of the process. I will raise these issues with the ABI and share some of this with my hon. Friends in the DCLG, who are primarily responsible for the recovery from flooding.

On Flood Re, I thank my hon. Friend for raising the issue of access to affordable flood assurance. For those at high risk, whether households or businesses and their surrounding communities, I recognise that the matter is very important. Flood Re is already under way, providing relief for the thousands of households at high flood risk so that they can now access affordable flood insurance. I recognise that that will bring very real practical and emotional comfort to many. Fifty insurance companies, which is over 90% of the market, now offer access to Flood Re, and 53,000 households have benefited during its first six months. It is important to stress that this project is time-limited—it will last for 25 years—and is, in effect, funded by all other households paying towards it. That principle of taxation ensures we can support our communities.

On businesses, just last month the British Insurance Brokers Association launched a product designed to help small and medium-sized enterprises at high flood risk to access affordable insurance. By using very granular postcode data and recognising the benefit of property level resilience measures, it should prove a welcome solution for many businesses. The hon. Member for Dumfries and Galloway (Richard Arkless), who is no longer in his place, also raised that issue.

I want to give this product a chance to work, but I would welcome evidence about whether it is working. As I have pointed out in relation to Flood Re, there is the significant principle of taxation that means we can help each other. If we moved to the stage of asking businesses to start adding to their insurance premiums to help businesses in other parts of the country, that would be an unprecedented form of mutual business support. It would take a lot of evidence for me to say that that is the next necessary step, but I am open to the evidence and I want to hear from people. Should it prove that there is a need for additional action, I remain open to exploring what could be done.

My hon. Friend the Member for Ribble Valley referred to European Union funding. I draw his attention to a

written statement from the Under-Secretary of State for Communities and Local Government, my hon. Friend the Member for Brigg and Goole (Andrew Percy) made on Monday 16 January, which sets out in considerable detail what has happened in relation to EU funding. Ultimately, we were going to receive a payment of £15 million. We now have to pay back £14.5 million due to ineligible expenditure relating to an application made in 2007. It therefore looks like we will end up with about half a million pounds. I will leave it to my hon. Friend to read the written statement in detail to explain that situation further.

I would appreciate it if my hon. Friend the Member for Morecambe and Lunesdale (David Morris) were able to provide more detail on the issue he raised, so that I can look into it. He should be aware of the £9.7 million allocated to the Morecambe wave reflection wall, which is due to be completed by 2019 and will protect more than 8,000 properties. My right hon. Friend the Member for Mid Sussex (Sir Nicholas Soames) referred to the building issues and I agree that we need to follow up on them. Again, I will involve my hon. Friends from the Department for Communities and Local Government in that matter.

This has been a very useful debate to consider the particular situation in this very special part of Lancashire. I was born in the county of Lancashire and it will always be in my heart. I hope I have been able to show my hon. Friends that plans are under way to try to address the flooding issues. We have already seen the benefit of additional investment, including the use of the mobile barriers. I hope the House will join me in thanking the Environment Agency, our emergency services, council officials and the many volunteers involved in responding to the east coast tidal surge this weekend just gone. I am sure we are all relieved that the worst-case scenario did not happen, and are grateful for the work put in by so many people to ensure the potential impact was minimised.

The Environment Agency will continue to work with my hon. Friend the Member for Ribble Valley to reduce flood risk in the area, and to work collaboratively to help to deliver projects locally. I assure you, Mr Deputy Speaker, and the House that I will listen to all the comments made today. The Government will continue to try to ensure that we are all as best protected from flooding as possible.

*Question put and agreed to.*

6.56 pm

*House adjourned.*

## Deferred Division

### LOCAL GOVERNMENT

That the draft Combined Authorities (Mayoral Elections) Order 2017, which was laid before this House on 28 November 2016, be approved.

*The Speaker having certified the order as relating exclusively to England and being within devolved legislative competence (Standing Order No. 83P), the Division was subject to a double majority (Standing Order No. 83Q(2)).*

*The House divided: Ayes 299, Noes 6.*

*Votes cast by Members for constituencies in England: Ayes 280, Noes 6.*

### Division No. 126]

#### AYES

Adams, Nigel	Clifton-Brown, Geoffrey
Afriyie, Adam	Coffey, Dr Thérèse
Aldous, Peter	Collins, Damian
Allan, Lucy	Colvile, Oliver
Allen, Heidi	Courts, Robert
Amess, Sir David	Crabb, rh Stephen
Andrew, Stuart	Davies, Byron
Ansell, Caroline	Davies, Chris
Argar, Edward	Davies, David T. C.
Atkins, Victoria	Davies, Glyn
Bacon, Mr Richard	Davies, Dr James
Baker, Mr Steve	Davies, Mims
Baldwin, Harriett	Davis, rh Mr David
Barclay, Stephen	Dinenage, Caroline
Baron, Mr John	Djanogly, Mr Jonathan
Barwell, Gavin	Dodds, rh Mr Nigel
Bebb, Guto	Donelan, Michelle
Bellingham, Sir Henry	Dorries, Nadine
Benyon, Richard	Double, Steve
Beresford, Sir Paul	Dowden, Oliver
Berry, Jake	Doyle-Price, Jackie
Berry, James	Drax, Richard
Bingham, Andrew	Drummond, Mrs Flick
Blackman, Bob	Duddridge, James
Blackwood, Nicola	Duncan, rh Sir Alan
Bone, Mr Peter	Duncan Smith, rh Mr Iain
Borwick, Victoria	Dunne, Mr Philip
Bottomley, Sir Peter	Ellis, Michael
Bradley, rh Karen	Ellison, Jane
Brady, Mr Graham	Elphicke, Charlie
Brazier, Sir Julian	Eustice, George
Bridgen, Andrew	Evans, Graham
Brine, Steve	Evans, Mr Nigel
Brokenshire, rh James	Evennett, rh David
Bruce, Fiona	Fallon, rh Sir Michael
Buckland, Robert	Fernandes, Suella
Burns, Conor	Field, rh Mark
Burns, rh Sir Simon	Foster, Kevin
Burrowes, Mr David	Francois, rh Mr Mark
Burt, rh Alistair	Frazer, Lucy
Cairns, rh Alun	Freeman, George
Campbell, Mr Gregory	Freer, Mike
Carmichael, Neil	Fuller, Richard
Carswell, Mr Douglas	Fysh, Marcus
Cartlidge, James	Gale, Sir Roger
Cash, Sir William	Garnier, rh Sir Edward
Caulfield, Maria	Garnier, Mark
Chalk, Alex	Gauke, rh Mr David
Chishti, Rehman	Ghani, Nusrat
Churchill, Jo	Gibb, Mr Nick
Clark, rh Greg	Gillan, rh Mrs Cheryl
Clarke, rh Mr Kenneth	Glen, John
Cleverly, James	Goodwill, Mr Robert

Gove, rh Michael	Main, Mrs Anne
Graham, Richard	Mak, Mr Alan
Gray, Mr James	Malthouse, Kit
Grayling, rh Chris	Mann, Scott
Green, rh Damian	Mathias, Dr Tania
Greening, rh Justine	May, rh Mrs Theresa
Grieve, rh Mr Dominic	Maynard, Paul
Griffiths, Andrew	McCartney, Jason
Gummer, rh Ben	McCartney, Karl
Halfon, rh Robert	McLoughlin, rh Sir Patrick
Hall, Luke	McMahon, Jim
Hammond, rh Mr Philip	Menzies, Mark
Hammond, Stephen	Mercer, Johnny
Hancock, rh Matt	Merriman, Huw
Hands, rh Greg	Metcalfe, Stephen
Harper, rh Mr Mark	Miller, rh Mrs Maria
Harrington, Richard	Milling, Amanda
Harris, Rebecca	Mills, Nigel
Hart, Simon	Milton, rh Anne
Haselhurst, rh Sir Alan	Mitchell, rh Mr Andrew
Heald, rh Sir Oliver	Mordaunt, Penny
Heapey, James	Morgan, rh Nicky
Heaton-Harris, Chris	Morris, Anne Marie
Heaton-Jones, Peter	Morris, David
Henderson, Gordon	Morris, James
Herbert, rh Nick	Morton, Wendy
Hermon, Lady	Mowat, David
Hoare, Simon	Mundell, rh David
Hollingbery, George	Murray, Mrs Sheryll
Hollinrake, Kevin	Neill, Robert
Hollobone, Mr Philip	Newton, Sarah
Hopkins, Kris	Nokes, Caroline
Howarth, Sir Gerald	Norman, Jesse
Howell, John	Nuttall, Mr David
Howlett, Ben	Offord, Dr Matthew
Huddleston, Nigel	Opperman, Guy
Hunt, rh Mr Jeremy	Patel, rh Priti
Hurd, Mr Nick	Paterson, rh Mr Owen
Jackson, Mr Stewart	Pawsey, Mark
James, Margot	Penning, rh Mike
Javid, rh Sajid	Penrose, John
Jayawardena, Mr Ranil	Percy, Andrew
Jenkin, Mr Bernard	Perry, Claire
Johnson, Dr Caroline	Philip, Chris
Johnson, Gareth	Pickles, rh Sir Eric
Johnson, Joseph	Pincher, Christopher
Jones, Andrew	Poulter, Dr Daniel
Jones, rh Mr David	Pow, Rebecca
Jones, Mr Marcus	Prentis, Victoria
Kennedy, Seema	Prisk, Mr Mark
Kinahan, Danny	Pritchard, Mark
Kirby, Simon	Pursglove, Tom
Knight, Julian	Quin, Jeremy
Kwarteng, Kwasi	Quince, Will
Lancaster, Mark	Redwood, rh John
Latham, Pauline	Rees-Mogg, Mr Jacob
Leadsom, rh Andrea	Robertson, Mr Laurence
Lee, Dr Phillip	Robinson, Mary
Lefroy, Jeremy	Rudd, rh Amber
Leigh, Sir Edward	Rutley, David
Leslie, Charlotte	Sandbach, Antoinette
Letwin, rh Sir Oliver	Scully, Paul
Lewis, rh Brandon	Selous, Andrew
Lewis, rh Dr Julian	Shannon, Jim
Liddell-Grainger, Mr Ian	Shapps, rh Grant
Lidington, rh Mr David	Sharma, Alok
Lilley, rh Mr Peter	Sheerman, Mr Barry
Lopresti, Jack	Shelbrooke, Alec
Loughton, Tim	Simpson, David
Lucas, Caroline	Simpson, rh Mr Keith
Mackinlay, Craig	Skidmore, Chris
Mackintosh, David	Smith, Henry

Smith, Julian  
 Smith, Royston  
 Soames, rh Sir Nicholas  
 Solloway, Amanda  
 Soubry, rh Anna  
 Spelman, rh Dame Caroline  
 Spencer, Mark  
 Stewart, Iain  
 Stewart, Rory  
 Streeter, Mr Gary  
 Stride, Mel  
 Stuart, Graham  
 Sturdy, Julian  
 Sunak, Rishi  
 Swayne, rh Sir Desmond  
 Swire, rh Sir Hugo  
 Thomas, Derek

Throup, Maggie  
 Tolhurst, Kelly  
 Tomlinson, Justin  
 Tomlinson, Michael  
 Tracey, Craig  
 Tredinnick, David  
 Trevelyan, Mrs Anne-Marie  
 Truss, rh Elizabeth  
 Turner, Mr Andrew  
 Tyrie, rh Mr Andrew  
 Vaizey, rh Mr Edward  
 Vara, Mr Shailesh  
 Vickers, Martin  
 Villiers, rh Mrs  
 Theresa  
 Walker, Mr Robin  
 Warburton, David

Warman, Matt  
 Wharton, James  
 Whately, Helen  
 Wheeler, Heather  
 White, Chris  
 Whittaker, Craig  
 Whittingdale, rh Mr John  
 Wiggan, Bill

Williams, Craig  
 Williamson, rh Gavin  
 Wilson, Mr Rob  
 Wilson, Sammy  
 Wollaston, Dr Sarah  
 Wood, Mike  
 Wragg, William  
 Wright, rh Jeremy

**NOES**

Lamb, rh Norman  
 Mulholland, Greg  
 Olney, Sarah

Pugh, John  
 Skinner, Mr Dennis  
 Spellar, rh Mr John

*Question accordingly agreed to.*



## Westminster Hall

*Wednesday 18 January 2017*

[MR DAVID HANSON *in the Chair*]

### Education Funding: Devon

9.30 am

**Sir Hugo Swire** (East Devon) (Con): I beg to move,

That this House has considered education funding in Devon.

It is a great pleasure to serve under your chairmanship, Mr Hanson.

The situation for schools in Devon that will result from the proposals set out in the Government's consultation is of great concern to us all. As a member of the f40 Group, Devon has historically been one of the lowest-funded education authorities in the whole of England. At the moment, in education funding, it stands in 143rd place out of 150 local authorities. Devon received a schools block unit of funding allocation of £4,346 per pupil in 2016-17. The national average was £4,636, which means that there is a shortfall for Devon of £290 per pupil, or £25.5 million for all 88,065 pupils in the local authority. For those listening to the debate who are not as informed as you are, Mr Hanson, it is worth pointing out that, when I speak about Devon, I exclude the unitary authorities of Torbay and Plymouth, but no doubt Members who represent both places will want to contribute to the debate.

The current situation is manifestly unfair, not only for pupils in Devon but for teachers and headteachers, whose performance will be judged against that of other schools throughout the country. Devon Members of Parliament have been campaigning for a fairer funding settlement for many years, so this is not something new. I have been a Member of the House since 2001, and other Devon MPs have served for longer. I think it is fair to say that we have all been campaigning, throughout the Labour years when money was channelled away from rural areas into Labour heartlands, under the coalition Government and under the Conservative Government. Quite frankly, under this Government, we expect better.

Cost pressures, combined with the necessary fiscal consolidation, have had a significant cumulative effect on school budgets. Let me give a few examples of such pressures—other Members will cite others. Areas such as my own, East Devon, have experienced significant population growth because of the often required growth in house building and the incentives for it that there are now. The inevitable resulting growth in pupil numbers has had and is having a huge impact. The education services grant, which previously gave authorities and academy trusts money to fund their schools' services, has been cut. The national living wage, which has absorbed much of the increase in social care funding—we have debated how much in the House—has had the same effect on education, with an increase in staff costs. Initial analysis suggests that the apprenticeship levy could cost Devon County Council as much as £424,000. The change in the SEND—special educational needs and disabilities—code of practice, which enables people

with special educational needs to remain in education up to the age of 25, has added huge pressure, especially considering the increase in the average cost of specialist independent provision. Of course all Members welcome the change, but it needs to be properly funded. Devon County Council proposes to reduce funding to all schools by £33 per pupil for two years to make up for the high needs block shortfall; Devon's high needs block has increased from £53 million in 2014 to £61 million in 2017-18.

It is not that some of those measures and developments are not welcome—we are very positive about some of them—but it is important to recognise that schools are now expected to do more with less, which inevitably leads to cuts, redundancies or increased class sizes.

The effect of these pressures on contingency reserves is being seen in the level of carry-forwards being forecast for maintained schools in Devon. We have a huge backlog, particularly in respect of the maintenance of many of our primary schools. In 2015-16, contingency reserves were £21.1 million, but in 2016-17 the figure is estimated to be £9.6 million. That is hardly much of a contingency reserve, given the number of schools we have across the county.

A number of headteachers in my constituency of East Devon have said in letters to me that, as a result of these pressures, there is

“a very real probability that our schools can no longer continue to sustain high quality provision of education and essential support for every pupil without the urgent necessity to take some very undesirable as well as far-reaching decisions to reduce costs in order to balance the finite resources available. Sadly, the implications of these decisions will undoubtedly impact upon the children in our care, including those from some of our most vulnerable families, and these will ultimately manifest further into the wider community.”

Since they are in one of the lowest-funded education authorities in the country, schools in East Devon were looking forward to the new funding formula, especially considering the year-long delay. The review and the subsequent public consultation are certainly welcome, and I encourage constituents to respond to it. It is important to emphasise that the proposals are not final and that they are subject to the consultation, which I understand runs until the end of March; the Minister may wish to enlighten us further on that.

I do not want to get into a bidding war between different authorities, but I would like to highlight some of the misunderstandings about funding that have arisen between us and our neighbours in Cornwall. The foreword to the Department for Education's consultation on the national funding formula notes that

“a primary school in Cornwall teaching a pupil eligible for free school meals with English as an additional language would receive £3,389, whereas if the same child was at a school in Devon the school funding would be £4,718.”

That difference is mainly explained by the amount allocated directly to schools by each authority to support disadvantaged pupils or those with additional educational needs. Devon County Council delegates a much larger proportion of funding directly to primary schools. For example, using the free school meals deprivation factor alone, Devon allocates £1,378, compared with Cornwall's £340. However, Devon still trails Cornwall in funding per pupil; Cornwall's average funding per pupil is £4,355, which is £9 more than Devon's average of £4,346.

[*Sir Hugo Swire*]

If Devon got the same rate as Cornwall, we would receive an additional £792,000 for education across the county.

If implemented, the national funding formula proposals will result in 212 Devon schools, or 62%, gaining; 129 schools, or 37%, losing; and two schools, or 1%, remaining the same. The proposals will reduce Devon County Council's overall schools funding by £500,000 for the first year, when the Department for Education proposes transitional arrangements to prevent schools from gaining or losing considerably in one year and to ensure that the national budget can cope with the changes throughout the country. When the transitional arrangements are removed, the proposed changes will result in a relatively slight increase of £1.4 million, or 0.38%, in Devon's overall funding for schools. The Minister may point to that and say that Devon will be a net winner, but a 0.38% increase is woefully insufficient to meet the rising cost pressures. It will not even meet the 0.5% increase in the apprenticeship levy. We need to go beyond the headline figures.

Illustrative funding under the national funding formula in the first year of transition would see 15 schools in East Devon gaining funding but 20 losing out. On average, that would mean a 0% change in the amount of school funding for East Devon. That includes all my secondary schools in East Devon losing funding: Sidmouth College, Exmouth Community College, Clyst Vale Community College, the King's School and St Peter's Church of England Aided School. How can it possibly be fair to reduce the level of funding available to schools in East Devon, a part of the country that has been historically underfunded?

The headteacher of the King's School, Rob Gammon, has said that these cuts would have a "considerable" impact, especially considering the other rising costs. The chair of governors at Exmouth Community College, the excellent Councillor Jill Elson, has also expressed concern. The school is already one of the biggest in Europe. It is certainly—I hope the Minister will confirm this—the biggest secondary school in England; if it is not the biggest, it is the second biggest. It has an excellent headteacher in Tony Alexander, who has done magnificent things in that place. The school has found savings of more than £1 million per year over the past five years, and it has now been asked to increase its pupil numbers to 2,900 by 2020.

Similarly, the headteacher of Sidmouth College, James Ingham-Hill, has expressed his "bitter disappointment" following the publication of the proposals. He said that "without a significant rise in funding over the next few years, class sizes will need to rise to unprecedented levels and standards are bound to fall in all underfunded areas of the country."

He also said that the proposed formula

"leans heavily towards measures of prior attainment. Devon has a high standard of pupil attainment in primary schools, so the county's secondary schools will also lose out from a formula that penalises this success."

This Government talk about reintroducing or expanding grammar schools to allow those who are good to get on, but at the same time they seem to be introducing a national funding formula that penalises at secondary level parts of the country that have high levels of achievement at primary level. That seems to contradict

entirely what we, as a Government and a party, are seeking to do. What they are saying is that the less an area achieves at primary school level, the more money it will get at secondary school level—in other words, let us tell all our primary headmasters in Devon to lower standards, lower attainment and lower the exam results because more money will be made available to secondary schools. That is a perverse incentive that has no place in any kind of logical, joined-up thinking.

Currently, schools in Devon face a triple whammy. One is the historical underfunding. I look forward to the speech by the right hon. Member for Exeter (Mr Bradshaw). I hope that he will not be too party political, otherwise Conservative Members will need to point out the educational gerrymandering that went on under Labour and the expensive private finance initiative that has saddled primary schools, particularly in Exeter, with an almost unsustainable weight of debt. That went on for many years under "old Labour", as we must now call it, so I hope that he will approach this in the spirit of being a Devon MP, not the only, rather diminished red beacon in the south-west.

I think that we would all agree across the House that the Minister needs to go back to the drawing board and look again at the national funding formula in order to get this right. The Government must take a holistic approach to the issue and fully consider not only the historical funding factors—I have not yet said anything about the huge amount of money that Devon County Council has to come up with every year just to get children to school. I think that Yorkshire's bill was a bit higher than ours, but it must be about £25 million that we have to come up with to get children to school. I have not even touched on that cost this morning. I have been talking about what happens when pupils actually get to school, if there are going to be schools.

Therefore, the Government must take a holistic approach to the issue and fully consider not only the historical funding factors but the current pressures on education budgets in order ultimately to give schools in areas such as mine a real financial boost. Fairer funding has been promised by many Governments, of all persuasions, many times, and it is my hope and belief that this will be the Government who finally deliver.

Having been a Minister in the Government from 2010 to 2016, I am acutely aware of how easy it is for Back Benchers of all parties to demand more funding from the Government. I am equally aware of the quite appalling financial situation that we inherited in 2010. This country simply cannot go on a financial spending splurge, which would saddle our children and our children's children with ever more debt, particularly at the same time as we are renegotiating our relationship with the world outside the European Union. It would be absolutely wrong, counterproductive and irresponsible in the extreme to adopt some of the spending proposals, which seem to change fairly regularly, that Her Majesty's loyal Opposition come up with from time to time. So I am not suggesting that.

What I am saying is that, within the spending envelope that the Government have set out, we want fairness. I believe that all Members in this Chamber this morning, across the party divide, would agree that, for too long Devon, as a county, has lost out in terms of educational funding. We have waited and waited and waited for the new review of the situation, in the expectation that

finally that will be recognised and our children, our teachers and the other staff in education will receive a fair and properly funded settlement. On the face of it, I have to say to the Minister that that does not appear to be the position we are in. I say to him gently, as south-west MPs come together perhaps more regularly than we have in the past, that it was the south-west that delivered a majority for this Government in 2015. It is the south-west that often considers itself to be an overlooked part of the country in terms of spend and infrastructure. It is the south-west and south-west MPs who, together, will not put up with being overlooked any more. We have come together this morning to say, "Let's look again at the review, let's get it right and let's get a fair deal for Devon."

**Several hon. Members** *rose*—

**Mr David Hanson (in the Chair):** Before I call other right hon. and hon. Members, we appear to have an abundance of time, but I intend to call the Opposition Front Bencher at 10.35 am. Five right hon. and hon. Members wish to speak, so I hope that you can self-regulate in that 45 or so minutes.

9.45 am

**Mr Ben Bradshaw (Exeter) (Lab):** I congratulate the right hon. Member for East Devon (Sir Hugo Swire) on securing this debate. However, although it is very important that we discuss and focus on the Government's new proposed funding formula and its impact on Devon, we should not lose sight of the big picture, which is that funding for all schools in England will fall dramatically in this Parliament. The National Audit Office has confirmed that by 2020 English schools will suffer overall a cut of 8% in real terms in their funding.

As the right hon. Member has already said, huge expectations were raised when the Government said they would consult on the new formula. At the time, I warned Ministers in a meeting with them that changing any funding formula when overall funding levels are falling is a risky business, because it inevitably creates more losers than winners. My assessment of what is being proposed for Devon rather mirrors that of the right hon. Gentleman, namely that we are just fiddling around the edges here. Overall, Devon would gain a tiny amount—a 0.38% rise in overall schools funding—but many schools would lose out. As he has already pointed out, that minuscule improvement would be more than wiped out by the cost to our schools of the increase in the apprenticeship levy, although that is only a 0.5% increase and is dwarfed by the overall cut of 8% in school funding in this Parliament that I referred to a moment ago.

The right hon. Gentleman talked about a "triple whammy". If Devon faces a triple whammy, Exeter will suffer a quadruple whammy, because—like many cities in shire counties—we are already at a double disadvantage. Devon schools are already among the worst funded in England, receiving £270 per pupil less than the England average, but Exeter schools lose out even more badly because they subsidise the huge cost of providing school transport in a largely rural county and the cost of keeping open small rural schools. Two of my high schools, St James School and Isca Academy, have each lost £300,000 a year since 2014.

Despite Exeter's position, under the Government's new proposed formula we will lose out by 0.14%. All the Government seem to be proposing for my constituency is to take money away from primary schools, the majority of which would lose out in the new formula, to give a tiny bit more to most, but not all, of my high schools. That is not robbing Peter to pay Paul; it is more like robbing Peter to pay Peter. The overall impact will be that by 2020 the average student in Exeter will suffer a £420 cut in annual funding compared with 2015-16, and that is after seven years of coalition and Conservative Government. That will have very serious consequences for children's education in my constituency.

Two of my primary schools in the least well-off parts of Exeter will actually lose funding. I have been told by a headteacher that one primary school in Exeter is planning to move to class sizes of 45 to cope with the funding squeeze. Under the Labour Government, we got class sizes down to a maximum of 30. We are losing teaching assistants, school counsellors and support for children with complex and special needs at a time when the Government claim they are concerned by the deterioration in young people's mental health and wellbeing.

Since the Labour Governments of Tony Blair and Gordon Brown invested significant extra resources in all our schools, attainment in Exeter's schools has risen significantly. We have also benefited from five brand-new high schools, which replaced the dilapidated schools that I inherited in 1997, and new and improved primary schools. That has given a huge boost to the life chances of my constituents' children, and that progress has been maintained despite the funding freeze since 2010. However, that quality will not survive the sort of cuts our schools now face. As the right hon. Gentleman has already said, Conservative-run Devon County Council is proposing to raid the schools budget even further, to the tune of £2.22 million, because of the big deficit it faces in the budget for children with special needs. I am sure we all agree that Devon must fulfil its legal obligation to some of our most vulnerable young people, but that will mean a further cut of £33 per pupil to schools funding across the county.

There is widespread reporting in the media and discussion in this place about the crisis in our health and social care system, but we are also seeing the beginning of if not a crisis, then a serious deterioration in education. We have a recruitment, retention and teacher morale crisis, even in an attractive place like Devon, where people like to live and work. But the Government, as the right hon. Gentleman acknowledged, focus on irrelevancies, such as their ideological obsession with free schools, forced academisation and the reintroduction of selection. I hope that we see real opposition from Devon's Conservative MPs to some of those damaging Government policies, rather than just warm words. They should stand up and fight for the interests of Devon's children and families and vote against their Government's damaging policies.

9.52 am

**Mr Gary Streeter (South West Devon) (Con):** It is a pleasure to serve under your chairmanship, Mr Hanson. I congratulate my right hon. Friend the Member for East Devon (Sir Hugo Swire) on securing this timely debate. After his many years on the Front Benches, it is very good for the rest of us in Devon to have him back

[Mr Gary Streeter]

on the Back Benches, because we face a number of challenges. His experience, energy and expertise will help us try to tackle some of these long-term challenges.

I am delighted that the Minister is in his place. He knows that I think he is a tremendous Schools Minister. In all seriousness, his rigour and commitment to increasing the academic achievements of young people in this country are appreciated up and down the country. He is making a difference, and that is tremendous. I also know that the consultation exercise on funding is genuine. I expect him to nod vehemently here. The reality is that if the funding stays as it is, it will not attract the support of a number of us here in this room, because it is unfair.

It is true to say that we have been waiting for years in Devon for a revision to the national funding formula. When the Secretary of State came to the House just before Christmas and announced that a new funding formula was about to be unleashed on the world, it seemed to be extremely good news for us in the far south-west. The expectation was that some of the overfunding of schools in other parts of the country would be corrected to improve things for those of us living in the west country. Everyone thinks it is just a place to go on holiday and have cream teas and so on, but it has genuine challenges of infrastructure, connectivity, education, social services and health that we need additional investment to help us with.

We were like thirsty men and women crossing the desert, approaching the oasis. The end was in sight. Good news was just around the corner. Sadly, when we started to look at some of the details, it was not an oasis at all—it was a mirage. That was disappointing. In the Secretary of State's statement at the Dispatch Box, I heard her say, "Isn't it great that over a number of years we will correct the fact that pupils in Plymouth"—I will explain the difference between Plymouth and Devon in a second—"currently receive £500 a year less than pupils in Coventry?" Coventry and Plymouth are very similar places, as they were both devastated by Hitler in the second world war and rebuilt.

We were encouraged to think that a long-standing grievance and injustice would be corrected. Even though it is true that many Plymouth schools are doing well, and I thank the Minister for that, unfortunately when we start to look at the numbers, we see how illogical they are. Schools face similar challenges with similar pupils from similar backgrounds and, as my right hon. Friend said, have transportation issues and costs on top of that, so it is crazy to learn that in many Devon schools the situation will go backwards.

My constituency is two thirds Plymouth and one third Devon, so I am partly encouraged by some of the news that the Minister has brought in recent weeks, but I am concerned about some of the outcomes in the consultation document. He will remember coming to Ivybridge Community College just before Christmas to open a new maths block. Unfortunately, I could not be there, but the reaction from the school was, "What a great man! He spoke very positively and inspired the young people." He perhaps neglected to say that as part of the national funding review, the college—an outstanding beacon of excellence in Devon—was about to receive a

cut of £203,000 from its budget. That would not have gone down quite so well in the new building opening ceremony.

Ivybridge Community College is outstanding and has been brilliantly led for many years. It is in a multi-academy trust. Three of the primary schools involved in that trust are: Stowford School, which faces a 2.75% cut, representing £37,000; Woodlands Park Primary School, which faces a 2.57% cut, representing £28,000; and Yealmpton Primary School, which faces a 1.35% cut, representing £9,000. In total, the multi-academy trust faces a cut of £277,000. It is being penalised for being outstanding and teaching kids in a most remarkable way. That simply is not good enough.

It is rumoured that the Minister carries around with him—he possibly even takes it to bed at night—a list of all the education authorities in the country, showing where they are in relation to each other and what the baseline is. It may even have different colours in it, with green for those doing well and red for those at the bottom. If he looks at that list, I think he will find—if the list exists at all—that Devon appears about an inch from the bottom of the second page. Our baseline is right down at the bottom compared with all the other education authorities in the country. We were expecting to come up his list. We were expecting to come towards the top of at least the second page, if not the first. What has happened? We are either standing still or going backwards. We are staying right at the bottom of his list of education authority funding. I am sorry to say that that simply is not good enough.

The Minister will be pleased to hear about one thing that is happening in my area at the moment. My four secondary schools in Plymouth—two in Plympton and two in Plymstock—and Ivybridge Community College in Devon are consulting with parents, staff and everyone else about becoming a large multi-academy trust over the next 12 months or so. That is what the Government are seeking to inspire. It is all very exciting and I fully support it, but the four schools in Plymouth, which are having their budgets increased, are coming together with an outstanding school in Devon that is having its budget slashed. It teaches children from similar backgrounds who are from exactly the same golden triangle of Plympton, Plymstock and Ivybridge. It makes no sense and there is no logic or reason to it.

I am afraid that the Minister, of whom I am a great fan, must look again at the formula and tweak it in some magical way. I realise it is difficult when applying such a formula. For years no one has understood what either the local government or the education funding formulae are all about. I know it is very difficult. One cannot just take £100 and put it there. I urge the Minister to look again at the formula, because the formula that we have seen and the proposed education settlement for the next two years are simply not acceptable.

I want to conclude on this point. I had a meeting with my Whip yesterday. He is a very fine man and we talked about the future and how well the Government are doing. Of course, this was on the back of a most outstanding speech by the Prime Minister yesterday, setting out a clear, strong and coherent vision for this country, which many of us can get behind. However, I said to my Whip, "There are a number of things coming down the track about which I need to give due notice." It is wrong for any colleague to say to the Government,

“I don’t like what we are about to do tonight; I am going to vote against it.” Proper notice needs to be given. That is the mature way forward, but I wish to send a clear notice, if I may, Mr Hanson, to my Whip, to the Government and the Minister, and perhaps the Parliamentary Private Secretary can take a little note and send it to the Education Whip. If the education funding settlement does not change in relation to Devon schools and if there is no significant uplift in whatever format it comes in six, nine or 12 months’ time to be voted on by the House, whether in a statutory instrument Committee or wherever else it might be, I will vote against it.

**Mr Bradshaw:** Hear, hear!

**Mr Streeter:** The settlement that is being proposed for Devon schools is simply illogical and unfair.

10.1 am

**Anne Marie Morris** (Newton Abbot) (Con): Previous speakers, particularly my right hon. Friend the Member for East Devon (Sir Hugo Swire), have set out clearly Devon’s underfunding predicament and its history. I want to delve a little more deeply into some of the causes and the action that the Government need to take now.

I was fortunate. Prior to the start of this parliamentary Session, I had a meeting with the Devon Association of Primary Headteachers and the Devon Association of Secondary Heads. Their input was illuminating to say the least. The current funding formula is unfair and the proposals for the future funding formula are equally unfair. But why? The heads are concerned that the consultation is one in which they are not really being listened to. It is far from clear to them what assumptions the Government have made in coming up with the new formula. My headteachers would be delighted to meet and help the Minister in Westminster or in the constituency. Unless we can help him really understand the issues and make sure his assumptions are right, we will always get a second-rate result. We cannot simply take the old and fiddle with it. We have to fundamentally look at what it is that we need to do differently.

Part of the problem is the decisions made by central Government and those made by local government. When I sent one of my many letters to the Minister, which he swiftly replied to, he explained that I should draw comfort from the fact that the school block was ring-fenced. That sounds great, but unfortunately it does not really work. As my right hon. Friend the Member for East Devon has pointed out, it is for the local authority to determine what goes into each school. The approach taken by Devon, as has already been explained, is very different from the approach taken by Cornwall. Partly for that reason, the statistics appear to show that Cornwall gets better funding than Devon, but that is because the local authority has chosen to adjust in a different way.

I do not think our children should be the victims of a postcode lottery, depending on which council does what. I am not in favour of prescription, but I am in favour of guidance, and we need to make sure that every child is fairly funded, whichever county they are in. So we need to look again at the school block and exactly how that is calculated. We also need to look at how the local authority distributes it. If we look at the proposed new formula, it gives some strange results. The small rural

schools do better, as do the large schools, but the ones in the middle lose out. There is something strange about a formula that comes up with such results.

We also need to look again at the high needs block, because the mental health challenges—not just in our county, but across the country—are growing exponentially. As my right hon. Friend the Member for Exeter (Mr Bradshaw) has explained, there is no counterbalancing increase in the social care budget to meet the need, so we are really challenged. In my constituency, 17% of the cohort are in the high needs group. That is a very high number, so the high needs block needs to be carefully thought through.

Some things need to be addressed now, and we cannot wait for the new funding formula. My headteachers tell me that, come April this year, if nothing changes in the cost base that they face, they have got to the point where they will have to make teachers and teaching assistants redundant. They will also have to do away with any form of counsellor support for some of the children who have mental health or family issues, and that gives rise to a real concern not only about finance, but about the basics of safeguarding.

So how can the Minister help us here today? First, he should abolish with immediate effect through a statutory instrument the application of the apprenticeship levy to schools. It is utter madness that a public body such as a maintained school, whose wages are paid through the local authority, hits the employment legislation’s minimum level. As a consequence, the council, because it pays the wages, has to pay the apprenticeship levy, which it then passes down to the school. As has already been mentioned, that is now just short of £500,000. Spread between the schools, that is a huge problem and a challenge that could be easily resolved. The Minister should think about that. The concept of the apprenticeship levy was about commercial businesses and trying to ensure they invested properly in apprentices. Teachers are not apprentices. There could be apprentices in the administration area, but, given the pressure on schools, is that really where we want schools to spend their money? It is like having a tax credit that cannot be spent, so the levy has to be scrapped. It deserves urgent attention because the crunch point is soon: April 2017, which is not many days and weeks away.

Secondly, I want the Minister to look at the special education needs extension to those aged 25. It is right that those with special education needs should be given all the support that they need. Because of the peculiarity of the way in which the system works, an individual parent whose child is entitled can nominate the school to which they will go. The school, even if it goes above the published admission number, has to provide the support that is needed, which is extremely expensive and difficult for schools to meet, so there needs to be a way of supporting schools that are faced with that.

Although the local authority makes some provision, it is not adequate and does not work. So will the Minister look at whether the local authority should dig not just into the education pot but into the healthcare pot when trying to fund some of the new costs hitting schools that are effectively having to become social care workers at the same time?

My right hon. Friend the Member for East Devon referred to the removal this year of the education services grant. We should all try to live within our means, but

[Anne Marie Morris]

that removal is a straight cut. It is not as if the schools are suddenly finding another way. They cannot raise business rates. Where will they find the extra money to provide those services? They can of course work together, and work differently, but a complete cut is not a viable way forward.

The coalition Government could be praised for introducing the troubled families programme, through which local authorities could help families identified with multiple social and educational problems. Under this watch, that funding now only comes into play when a child is over 11 years old. I wish I did not have to say this, but in my constituency we have to make extreme interventions for a large number of children—in some schools, up to 85%. Children coming to school today are often not toilet-trained; many of them have real challenges with some basic reading skills. In part, that is a result of changes in our society. The Minister cannot change society, and we cannot change the fact that children are glued to iPads instead of conversing with their parents and their peers, but we need to recognise the consequences, budget accordingly and ensure support is there for those troubled families.

I urge the Minister to look at the issues now. We cannot wait until the new funding review. This is crucial; it is about our children today, our children tomorrow and our country tomorrow. I urge him to consider the issues now.

10.11 am

**Peter Heaton-Jones** (North Devon) (Con): It is a pleasure to serve under your chairmanship, Mr Hanson. I, too, congratulate my right hon. Friend the Member for East Devon (Sir Hugo Swire) on securing this important debate. While I am doing thank yous, I want to say a personal thank you to the Minister, who just a few weeks ago accepted my invitation to come to North Devon to meet in a roundtable setting with a delegation of headteachers representing pretty much every education sector in Devon. The Minister came, I know that he listened and I am grateful that he did so.

Let us continue this positive start. I welcome the Government's commitment to the new national funding formula and the principle that we must eradicate the unfairness of the current system. Good; that is a tick. The Government's additional funding of £390 million to the least funded authorities in 2015-16 made a real difference, with an increase in funding per pupil in Devon of just over 4.5%. Good; that is another gold star for the Government. As I am sure the Minister will be pointing out, under the indicative figures for the new funding formula, more schools will gain funding than lose it in my constituency of North Devon—so it seems like we are getting gold marks all round for homework at the moment. However, I am afraid I have to move gently to a position where we are potentially putting the Minister in detention.

The Government are moving in the right direction—that is true—but under the indicative figures very little will be done to correct the fundamental, historical unfairness of funding in Devon, especially in my constituency of North Devon. That inherent and historical underfunding has existed for many decades, under Governments of all

colours, and it needs to be put right. I thought that the national funding formula would put it right. From what I have seen of the indicative figures, I am disappointed.

As right hon. and hon. Members have said, Devon is a very poorly funded local education authority. Under the current system, funding is £290 less per pupil than the average across England, which means that North Devon schools receive just under £4 million less per year than the national average. If the proposed national funding formula changes were brought in, the cumulative change to North Devon schools funding—these figures are provided by the House of Commons Library, which is a neutral and always accepted source of facts, as everyone here knows but I note for those outside of this place—would be between 0%, no change at all, and a 1% increase across the board. Crunching the figures, that means that, at best, across all its schools, North Devon would receive an extra £40,000. Clearly, that does not rectify the imbalance and historical unfairness in the current system. North Devon would continue to receive an unfair level of funding. The principle of a national funding formula is sound only if it rectifies the imbalance that sees my constituents and those of other hon. Members here lose out. What is currently on the table does not do that for Devon, and certainly not for North Devon.

Not only does the proposed formula fail to correct the unfairness between Devon and the rest of the country, but it throws up some perverse variations between schools within North Devon. There are 52 schools across all sectors and all age ranges in my constituency. I have visited a great many of them in my 18 months as Member of Parliament for North Devon, and it is a pleasure to do so. They are fantastic schools doing tremendous work, with teaching staff and managers working really hard to get some excellent results. Six of those schools are secondary schools.

If we put those 52 schools in a league table ranked in order of the percentage change to their funding next year compared with this year, something rather worrying happens. The three schools at the bottom of that league table, which lose the most under the proposals, are the three secondary schools with the most rural catchment areas in my constituency: Chulmleigh, South Molton and Braunton. I feel sure that that was not the intention when the formula started to be cooked. It needs to be recooked, because that is the result under the indicative figures, and that cannot be right. These are schools where the teaching staff, managers, pupils and parents are already struggling because of the historical unfairness. I had hoped that the national funding formula would do something to correct that, but on the indicative figures at present, it does not.

I have been written to by the headteachers of many schools across Devon and they are all saying the same thing: "We don't get it. We don't understand why this historical unfairness is being allowed to continue." Most make the extremely reasonable point that the national funding formula is a fine idea in principle and congratulate this Minister and this Government on the principle of wanting to correct the historical unfairness, but the devil is in the detail and I am afraid that the detail my headteachers see does nothing to address the historical problems.

I want to draw out two specific points that headteachers have raised with me. The first is high needs educational funding in Devon. High needs expenditure has grown

rapidly, from £53 million in 2014 to an estimated £61 million in 2017-18. To meet the forecast overspend, Devon County Council has been forced to approve transferring more than £2 million from individual schools budgets to the high needs budget in 2017-18, just to bring the expected deficit down to zero. Someone else used the phrase, "We are robbing Peter to pay Paul." That cannot be right.

The second issue, which has been raised by a number of my colleagues, is the personalised transport budget in Devon. In a largely rural, sparsely populated area such as the one I represent, that is a real challenge. The personalised transport budget for children with special needs accounts for 34%—more than a third—of the total schools transport budget in Devon. That is £21 million, and an overspend of more than £1.2 million on that budget is forecast for this year. The cost of transport cannot be taken from the high needs budget. It must be funded from county council budgets, and we all know that local authority budgets also face challenges. Those are two areas that I believe we need to look at.

Let us look again at the overall position. Devon is one of the lowest-funded local authority areas in England for education. In 2016-17, Department for Education funding per pupil in Devon is £4,346. That is £290 per pupil less than the English average, which means that DFE spending on education in Devon is more than £25 million a year less than the English average. I am afraid that the proposed indicative figures do nothing to correct that fundamental unfairness. As I am sure the Minister will tell us, this is a consultation and those are only indicative figures. I say, good, because we need to change what is being proposed. Like my right hon. Friend the Member for East Devon, I am sure that it is a real, genuine consultation and that the Minister and the Government are listening. It seems to me, to the people who run, teach in and manage the schools in my constituency, and to the parents whose children go to those schools that the current proposals are unfair.

I wish I could be more elegant in my language. I wish I had a more sophisticated argument and could indulge in some fine Churchillian parliamentary oratory, but I cannot. It comes down to three words: this is just not fair. Devon was hoping for a fairer slice of the funding cake. Instead, it seems to the schools community that we have received only a few crumbs. I say gently and helpfully to the Minister—please get on the hotline to Mary Berry and rebake this cake.

10.22 am

**Oliver Colville** (Plymouth, Sutton and Devonport) (Con): It is a pleasure and a delight to serve under your chairmanship, Mr Hanson. I congratulate my right hon. Friend the Member for East Devon (Sir Hugo Swire) on securing this debate. I am delighted that he was my mentor when I got elected to this place, and my hon. Friend the Member for South West Devon (Mr Streeter) was also brilliantly good at looking after me and keeping me on the right track.

I enter this debate with a certain amount of trepidation, because my constituency has done rather well out of this process, but there are some issues that I want to raise. Let me set out the context. I am one of the very few Members of Parliament on the Conservative Benches who represents a totally inner-city seat outside London.

I have only one rather muddy field, called the Ponderosa pony sanctuary, in my constituency, and everything else is very much inner city.

I declare an interest: I am a governor of St Andrew's Church of England Primary School, and in the 1980s and early 1990s I worked for a woman called Angela Rumbold, who was the Member of Parliament for Mitcham and Morden and a Minister at the Department for Education. She was very much responsible, with Kenneth Baker, for introducing the local curriculum, local management of schools and things like that. My constituency has high levels of deprivation. There is an 11 to 12-year life expectancy difference between the north-east of my constituency and the south-west. I am very concerned indeed about that. We must ensure that children who are at school in a low-wage and low-skills economy have a good education and can end up going on to university and other schools.

I am delighted that Government have provided greater education choice in my constituency. I have not only three grammar schools, which I will talk about in a second, but the creative arts school, which is doing incredibly well, and a university technical college. I thank my hon. Friend the Minister for his interest and for taking the time yesterday to have a conversation with me and some people from the UTC about some of the issues they face. Plymouth does not fall within Devon county's remit. Therefore, I feel somewhat of a fraud. My right hon. Friend the Member for East Devon pointed out to me earlier that my constituency has done very well out of this. Therefore, I am very grateful.

We need to ensure that children are able to read, write and add up when they leave school. I do not think we talk enough about standards. I sit on school governing bodies, and I think we should spend more time talking about how we are going to help children to achieve, rather than reviewing policy. Indeed, I occasionally feel that, when I go to school governing meetings, we end up spending more time reviewing policy than people spend reviewing west end plays. I am always slightly concerned about that.

Schools in Plymouth are likely to receive a 3.9% increase, but there is an issue. I understand why the Government's position has changed and why they are looking at deprivation, because it is an important issue. The majority of my schools have done quite well, although there are some up in Compton that have some concerns. The grammar schools have also written to me, because they do not fit into the deprivation issue, so they do not get as good a deal as possible. I am very grateful indeed to Dan Roberts, the headteacher of Devonport High School for Boys. He said that he recognises that public services need to shoulder their fair share of the burden of public debt, but he has real concerns that the latest proposals will cause serious damage to the one type of school that our current Prime Minister believes has the potential to transform education in our country. He said that this is not all children in Plymouth but

"If you happen to be an able child attending Devonport High School for Boys we are actually receiving a reduction of 2.9%." Other grammar schools have said that, too.

I would be grateful if the Minister were willing to meet me and some of the grammar schools to talk about how we could ensure that they can make savings and so that he can hear the case from the grammar

[*Oliver Colvile*]

schools, too. I think that the Government are on the right lines in talking about deprivation, but then I would because I represent a totally inner-city seat with high levels of deprivation. However, there are some issues that most certainly need to be looked at and tweaked. I very much look forward to meeting him with my school governors from the grammar schools in the near future.

10.28 am

**Mike Kane** (Wythenshawe and Sale East) (Lab): It is a pleasure to serve under your chairmanship, Mr Hanson. I congratulate the right hon. Member for East Devon (Sir Hugo Swire) on securing the debate. He said recently in the *Exmouth Journal* that he would raise his concerns in Parliament, and it is good to see politicians keeping their promises—he has certainly done so today.

Under this Government, schools are facing their first real cuts in 20 years. My right hon. Friend the Member for Exeter (Mr Bradshaw) summed it up. We have to look at the big picture, because many rural schools are affected. We had a similar debate about the Minister's county of Sussex, which is very poorly underfunded, a few weeks ago, and Members had exactly the same concerns. Their hopes were raised by the proposed introduction of the manifesto commitment of a national fair funding formula, but up and down the land most people's hopes are being dashed. We must put this in the context of what was announced in the Budget: £3 billion will be taken out of our education system by 2020. That is an 8% cut. In my constituency, it is an 11% cut, so no matter what we do with the fair funding formula, it will be insignificant, given the situation that schools face.

The Institute for Fiscal Studies initially predicted the real-terms cuts of 8% that I mentioned, but the Office for Budget Responsibility predicted sharply rising inflation over the course of the Parliament, so the cuts will get even worse. The right hon. Member for East Devon spoke eloquently about fairness, but nothing is fair about that. The funding formula was supposed to redistribute a sum of money to help schools where help is inadequate and to provide our children with the excellent education to which they are entitled, as pointed out by the hon. Member for North Devon (Peter Heaton-Jones).

The National Audit Office has said that the Department for Education is expecting schools to find a total of £3 billion in savings over the course of the Parliament, but the Department has failed to communicate to schools how to do that, given the pressures pointed out today, such as the apprenticeship levy and rising costs and national insurance costs.

The Opposition support the principle that all schools should have a fair funding formula, but the answer is not simply to take money away from some schools and to redistribute it in different budgets across the country. The solution is to invest in education and to help every child to receive an excellent education, as pointed out by the hon. Member for South West Devon (Mr Streeter). He talked about an education oasis so, with an Oasis reference and my being a Mancunian, I should ask him not to "look back in anger". He spoke with passion about his concerns and the consequences of Government action. A whole range of both Conservative and Opposition Members are extraordinarily disappointed.

Given cost pressures, inflation and an increase in pupil numbers, schools budgets are facing real-terms cuts. There has already been a sharp rise in the number of secondary schools that are in deficit, reaching nearly 60% of the total in 2014-15, according to the National Audit Office. According to the *North Devon Gazette*, only three schools in Devon are set to gain extra funding under the proposed national funding formula, as announced by Secretary of State. The changes to education funding have been branded "ridiculous" and "a shambles" by Devon headteachers. The hon. Member for Newton Abbot (Anne Marie Morris) rightly pointed out that the Government are simply not listening at the moment, and while they are still in consultation, we have to plead with them to start listening.

Michael Johnson, the headteacher at Chulmleigh Community College, said he had received calls from other headteachers who simply did not know what they were to do. He said:

"Early indications are that all or most Devon secondary schools will receive less through the new funding formula.

I have had other secondary school headteachers telling me today 'I don't know what I am going to do now'.

Nationally, this formula offers the same money for more children and we have now got increased costs that we have had imposed upon us.

With the limited information available to us at this time, we believe that most secondary schools in North Devon will not be better off and will continue to face budgetary shortfalls.

So far, this exercise looks to me like the same budget has been through a hot-wash to present it differently. It looks like a shambles to me."

That is a headteacher in one of our schools.

Mr Glenn Smith, the principal of Honiton College, said that Devon is one of the lowest-funded education authorities in England:

"Whilst the announcement in the...2015 Autumn Spending Review of firm proposals for the introduction of a new fairer national funding formula from April 2017 was most welcome, this promise of 'jam tomorrow' has since been delayed by 12 months and we still await further information around the detail, timing and implementation of any such policy.

Meanwhile the legacy of an unsatisfactory funding settlement has been further worsened for schools by rising expenditure demands owing to national policy decisions beyond our control, notably those associated with staffing costs."

Mr Smith sent a stark warning to the Department that harsh cuts in Devon might see some of the smaller schools not able to produce a balanced budget, in effect putting them into special measures, so they might therefore be lost altogether. He worried:

"Maybe, when some Devon schools start to buckle under the increasing financial pressures, the government will start to make education a priority once more."

The right hon. Member for East Devon said that we should not be too political, although he was critical in quite a party political way of the Tony Blair and Gordon Brown Governments. Mr Smith of Honiton College, however, said:

"Tony Blair's top three priorities for government were: Education, Education and Education—God knows how far down"

the importance and fairness of education policy have gone. Schools did extraordinarily well under that Government: schools were rebuilt and they got more money than they had had in a generation.

I was beginning my teacher training in 1997, and I spent most of the time going around with buckets to collect the rain. By the time I left education, 10 or 15 years later, after the Labour Government, if the roofs had not been rebuilt, it was only because the school had been rebuilt. The only thing going through the roof were standards and attainment, so Labour Members will not stand for any lectures about our record.

On top of that, the hon. Members for Newton Abbot and for North Devon rightly pointed to the requirements for special educational needs in Devon, where there is a particular problem. “Schools Week” has done an analysis of local authorities’ high-needs budgets, which are given a set amount by the Government depending on how many special needs pupils each council caters for. Many heads are already struggling to cope.

Devon faces a £4.5 million shortfall this year, and the council is proposing to move £55 per pupil from its schools block funding—the money for pupils in mainstream schools—to its high-needs budget. Lorraine Heath, headteacher of Uffculme School, said that the reallocation would cost her school £56,265,

“which I have not budgeted for”.

That was her reaction. She said that the only way to meet the cut would be to reduce staff numbers and to increase class sizes.

In conclusion, may I praise the Devon MPs who are holding the Government’s feet to the fire on the issue? They are standing up for their constituencies and their county. I also remind them, however, that it is their party’s Government who are doing this.

**Mr David Hanson (in the Chair):** Before I call the Minister, I remind him that the right hon. Member for East Devon (Sir Hugo Swire) should have a couple of minutes to speak at the end of the debate.

10.37 am

**The Minister for School Standards (Mr Nick Gibb):** It is a pleasure to serve under your chairmanship, Mr Hanson, and to follow the hon. Member for Wythenshawe and Sale East (Mike Kane). The hon. Gentleman, as a Labour shadow spokesman, defended his party’s legacy, but since this Government came to power, 1.8 million more children than in 2010 are in schools graded by Ofsted as good and outstanding—1.8 million more children receiving a higher standard of education. This year 147,000 more six-year-olds are reading more effectively as a consequence of the reforms implemented since 2010.

I also congratulate my right hon. Friend the Member for East Devon (Sir Hugo Swire) on securing his important debate. I am sure he agrees that we share the same ambition to see a country that works for everyone, where all children receive an excellent education that unlocks talent and creates opportunity, regardless of where they live, their background, ability or needs.

My hon. Friend the Member for North Devon (Peter Heaton-Jones) referred to the funding levels for schools in his constituency. He is assiduous in visiting the schools in his constituency, as I saw at first hand when I joined him on one of those visits. We had a roundtable discussion with a number of his local headteachers. Overall, his schools will receive an increase of 0.7% in

funding as a result of the national funding formula. As I said at that meeting, however, we are paying close attention to the responses to the first-stage consultation and to the second-stage consultation on the detailed proposals. The latter consultation closes on 27 March.

The Government are prioritising spending on education. We have protected the core schools budget in real terms so that as pupils numbers increase, so will the amount of money for schools. That means that schools are receiving more funding than ever before, totalling more than £40 billion. The existing funding system, however, prevents us from getting that record amount of money to where it is needed most. Underfunded schools do not have access to the same opportunities to do the best for their pupils, and it is harder for them to attract the best teachers and afford the right support. That is why we are reforming the funding system by introducing a national funding formula for both mainstream schools and high-need support for children with special educational needs. That will be the biggest change to school and high-needs funding for well over a decade, and means that we will for the first time have a clear, simple and transparent system that matches funding to pupils’ needs and the schools that they attend. This is a once-in-a-generation opportunity to introduce a national funding formula.

The right hon. Member for Exeter (Mr Bradshaw) is right that introducing a national funding formula when we are still tackling the historic budget deficit that we inherited from his Government is challenging. We have protected core school spending in real terms, but I accept that there are cost pressures on schools. We believe that it is nevertheless important to use this one-time-only opportunity to introduce a fairer funding system.

In the current system, similar schools and local areas receive very different levels of funding, with little or no justification. For example, a primary-age pupil who is eligible for free school meals attracts an extra £1,378 for their school if they live in Devon but an extra £2,642—£1,264 more—if they live in Brighton and Hove. Those anomalies will end once we have a national funding formula in place. Introducing fair funding was a key manifesto commitment for this Government, and it will mean that the same child with the same needs will attract the same funding regardless of where they live.

We launched the first stage of our consultation on reforming the schools and high-needs funding system in March last year. We set out the principles for reform and proposals for the overall design of the system. More than 6,000 people responded, and there was wide support for the proposals. Building on that support, we were able in December to proceed to the second stage of the consultation and set out detailed proposals for the design of both the schools and high-needs funding formulae. The consultation period will last until 22 March, and the issues raised in this debate and others are part and parcel of that process.

Under our proposals, money will be targeted towards pupils who face the greatest barriers. In particular, support will be boosted for children from the most deprived families and those who live in areas of deprivation but are not eligible for free school meals—those whose families are just about managing. We are putting more money towards supporting pupils in both primary and

[Mr Nick Gibb]

secondary schools who have fallen behind, to ensure that they, too, have the support they need to catch up.

Overall, 10,740 schools—54% of all schools—will gain funding, and the formula will allow them to see those gains quickly, with increases in per-pupil funding of up to 3% in 2018-19 and 2.5% in 2019-20. Some 72 local authority areas are due to gain high-needs funding, and they, too, will see that quickly, with gains of up to 3% in both those financial years. As well as providing for those increases, we have listened to those who highlighted the risks of major budget changes for schools during the first stage of our consultation and will include significant protections in both formulae. No school will face per-pupil reductions of more than 1.5% per year or 3% overall, and no local authority will lose high-needs funding.

My hon. Friend the Member for South West Devon (Mr Streeter) mentioned my visit to the outstanding Ivybridge Community College in his constituency. It was a pleasure to see such high academic standards being delivered in that school. He referred to a list. I do have such a list, which says that under the new national funding formula, schools funding in Devon as a whole will rise from £377.2 million in 2016-17 to £378.7 million—an increase of 0.4%. Some 213 schools in Devon—62% of all Devon schools—will gain funding. I recognise that the proposals would result in budget reductions for some schools in the constituencies of my right hon. Friend the Member for East Devon and other hon. Members, but I believe that the formula strikes the correct balance between the core funding that every child attracts and the extra funding that is targeted at those with additional needs—both children in areas of deprivation and schools that serve rural communities.

Our proposed protections will mean that schools in Devon that do not gain funding can manage these significant reforms while continuing to raise standards. All schools need to make the best use of the resources they have and ensure that every pound is used effectively to improve standards. To help schools, we have put in place and continue to develop a comprehensive package of support to enable them to make efficiency savings and manage cost pressures while continuing to improve the quality of education for their pupils.

Although Devon will not receive any additional high-needs funding as a result of the new formulae, I hope that my hon. Friends understand that the funding floor will allow underfunded local authorities to gain funding and go a long way to protect the local authorities that spend the most, in recognition of the fact that their spending levels are the result of decisions on placements taken in consultation with parents. We are also providing £23 million of additional funding this year to support all local authorities to undertake strategic reviews of their high-needs provision.

As a member of the f40, Devon has played a significant role in campaigning for fair schools funding, as have my right hon. and hon. Friends. The Government's proposed formula is based on our assessment of needs across the whole country; it is not designed around the interests of any one area or group in isolation. None the less, and reflecting the underfunding that several f40 members have suffered for many years, most of the areas represented

by the f40, including Devon, will gain: overall, funding for their schools will increase by £210 million. I understand that some f40 members are disappointed with the formula's effect on their area. Funding reform is always difficult—many competing demands have to be balanced—and it is particularly difficult in an area as complex as education. That is why we are holding such a long consultation to gather views.

I am aware of the concern that my hon. Friends and others have raised that fairer funding for schools in Devon and other parts of the country is overdue. We agree that these reforms are vital, but they are an historic change, which is why we have taken time to consider the options and implications carefully. The new system will be in place from April 2018, but in the meantime we have confirmed funding for 2017-18 so that local authorities and schools have the information and certainty that they need to plan their budgets for the coming year.

**Anne Marie Morris:** Will the Minister give way?

**Mr Gibb:** I will give way in one moment. I was just coming to my hon. Friend's point about funding levels in 2017-18, the year before the new national funding formula comes into effect. We have confirmed that no area will see a reduction in their schools or high-needs funding in 2017-18, and areas such as Devon that benefited from the £390 million that we added to the schools budget in the last Parliament will have that extra funding protected in their baseline in 2017-18, as they did in 2016-17.

**Anne Marie Morris:** That is helpful, but it does not address the cost issue that I raised. For any institution, what comes in and what goes out need to balance. I respectfully ask the Minister whether he will undertake to consult his fellow Ministers in the Department for Communities and Local Government and the Department for Business, Energy and Industrial Strategy about these costs and how they fall on schools—particularly the apprenticeship levy. Clearly, it is not for him to slash that on a whim, but it is incumbent on him to discuss it.

**Mr Gibb:** We recognise that schools face cost pressures, including salary increases, the introduction of the national living wage, increases to employers' national insurance and pension scheme contributions, and general inflation, as well as the introduction of the apprenticeship levy. The current, unfair funding system makes those pressures harder to manage. The new national funding formula will not only direct funding where it is most needed but give schools greater certainty about funding and allow them to plan ahead effectively. The Government are also providing a wide range of tools and other support to schools to improve their efficiency, and we will soon launch a school buying strategy to support schools to save more than £1 billion a year by 2019 on non-staff expenditure.

I appreciate what my hon. Friend says; in addition to those pressures, schools will pay the apprenticeship levy. The apprenticeship levy has real benefits for schools. It will support them to train and develop new and existing staff. It is an integral part of the Government's wider plans to improve productivity and to provide opportunities for people of all backgrounds and all ages to enter the

workplace. That is why we encourage all schools to employ or designate apprenticeships, whether or not they pay the apprenticeship levy.

**Anne Marie Morris:** Does the Minister recognise that—as I understand it—there is no such thing as an apprentice teacher? Does he agree that the most important thing to spend money on, for any school facing the pressures they are facing, is teachers, not administrative staff?

**Mr Gibb:** There is an employers' group that is preparing and working on the introduction of a graduate-entry apprenticeship scheme for teachers, so there will be opportunities for schools to use that funding and indeed spend more than the money from the apprenticeship levy on training teachers and also support staff and other technical staff that help schools operate.

My hon. Friend the Member for Plymouth, Sutton and Devonport (Oliver Colvile) described his constituency as in part inner city, where there are significant areas of deprivation. The Government are seeking to tackle that, not least through improving education. Social mobility lies at the core of the Government's objectives, and that is one reason why schools in his constituency are seeing an overall increase of some 4.4% in funding, which he was magnanimous enough to acknowledge.

We are using a broad definition of disadvantage to target additional funding to the schools most likely to use it, comprising pupil and area-level deprivation data, prior attainment data and English as an additional language data. No individual measure is enough on its own; each addresses different challenges that schools face. When a child qualifies under more than one of those factors, the school receives funding for each qualifying factor. For example, if a child comes from a more disadvantaged household and they live in an area of socioeconomic deprivation, their school will attract funding through both the free school meals factor and the area-level deprivation factor. That helps us to target funding most accurately to the schools that face the most acute challenges.

**Mr Streeter:** The Minister has said that this is a genuine consultation exercise, but I am not hearing too much in terms of a willingness to amend the national funding formula. I understand that that will be tricky, but will he confirm that if a sufficiently strong case is made he is prepared to look again and that changes might be made?

**Mr Gibb:** I am seeking to explain the reasoning behind why we place such emphasis on deprivation and low prior attainment—that is something that will affect the grammar schools in the constituency of my hon. Friend the Member for Plymouth, Sutton and Devonport—and why we place such emphasis on helping children with English as an additional language. This is a Government driven to improve social mobility.

This is a genuine consultation. I have set out the explanation as to why we produced the formula for consultation that we did. We are listening to the responses—we will be going through and reading the written responses and we will listen to debates such as this one in the consultation process—and where we can make changes that address unfairnesses revealed through

that process of course we will make changes to the approach we are taking. The decisions we are taking are driven principally by social mobility and ensuring that children from the most deprived parts of our country are properly funded at their schools to ensure that they make progress and fulfil their potential.

I acknowledge the concerns about the schools block ring fence and the level of flexibility between schools and high needs raised in the debate, given that Devon has in the past moved funding from the schools block to the high-needs block to support its high-needs pressures. We recognise that some continuing flexibility between the schools and high-needs blocks will be important in ensuring that the funding system is responsive to changes in the balance of mainstream and specialist provision.

I thank my right hon. Friend the Member for East Devon for the important work he and the WESC Foundation do for children and young people with visual impairment. The reforms of high-needs funding and the additional funding we are providing this year and next year support the most vulnerable children in the country who are supported by high-needs funding.

In order to give my right hon. Friend time to respond, I will conclude. I am enormously grateful to him for raising this issue and to other hon. Friends and right hon. and hon. Members for airing their concerns and issues about funding of schools. I hope that my right hon. and hon. Friends are reassured that the Government are committed to reforming school funding and delivering a fair funding system for children in Devon and throughout the country.

**Oliver Colvile:** May I thank the Minister very much for his response? Will he be willing to meet the grammar schools in my constituency? Would he like to comment on why grammar schools did not feature in the speech made by the Opposition spokesman?

**Mr Gibb:** I will be delighted to meet the grammar school headteachers from his constituency either in the constituency or at the Department. To be fair to the hon. Member for Wythenshawe and Sale East (Mike Kane), this debate is about funding, but we as a Government want to create more good school places, whether those are more good grammar school places or more good school places in non-selective schools, helped by the independent sector and universities, and by having more faith schools. We want more good school places, and that is what drives our continuing education reforms.

I hope that hon. Members will be reassured about the Government's commitment to reforming school funding. It is a system where funding reflects the real level of need and where every pupil has the same opportunities.

**Anne Marie Morris:** Will the Minister give way?

**Mr Gibb:** If my hon. Friend will forgive me, I would like to give time for my right hon. Friend to respond.

A fair national funding formula for schools and high needs underpins our ambition for social mobility and social justice. It will mean that every pupil is supported to achieve to the best of their potential, wherever they are in the country. I hope that while recognising the challenges that lie ahead, my hon. Friends will give their support to working with us to achieve that vital aim.

10.56 am

**Sir Hugo Swire:** The first thing on which we can all be agreed is that we are delighted to see the Minister back in his job. At one point he had an enforced holiday from the Front Bench; his proper place is on the Front Bench, doing what he is doing for education. It may not seem like it, but he can be assured that he is largely among friends this morning.

The Opposition spokesman referred back to the halcyon days of the Governments of Mr Blair and Mr Brown. I gently point out to him—he was not in the House at that time—that Devon certainly did not prosper in terms of schools funding in those days. He talked about how a Labour Government stopped water coming through the roof. Unfortunately, they did not stop the economy going through the floor. We are picking up the pieces, and, as I said at the beginning, we must be realistic as to what we can afford, given the appalling legacy we inherited.

I think the debate has been constructive, thoughtful and indeed insightful. I agree with the Minister that we all have the same eventual aim. This is an extraordinarily challenging time for the United Kingdom, given the great educational achievements of Asia, for instance, especially in mathematics and science. If we are to turn out a generation of British people who can compete in a highly competitive world, we will have to do that better. That is informing the Government's thinking, but we must ensure that that is fair as well as ambitious.

I say to my hon. Friend the Minister that west country Members of Parliament have a history of being fairly independent-minded, and I think he will have learned from this morning that that tradition continues. Indeed, there are those of us who will be looking carefully at the Government's proposals to see whether we can back them in terms of representing the best interests of our teachers and constituents.

This is one of the rare occasions in Parliament on which we want to hear more of the C-word—that is, of course, consultation. If the consultation is genuine, the Minister would do well to meet the Devon Association of Primary Headteachers—we would like him to come to Devon, or we can bring them all here—to hear at first hand how the changes will affect us in the county of Devon. With that in mind, I will end a few seconds early to give the Minister extra time to go back to his Department, consult his officials and come up with a deal that is fairer for the people of Devon.

**Mr David Hanson (in the Chair):** We have about 30 seconds until the next debate and I hope that the Minister for that debate will arrive shortly. May I say it has been a pleasure to listen to the debate? As a former resident of Plymouth and an employee of Plymouth and South Devon Co-op many years ago, I found it interesting to hear the debate.

*Question put and agreed to.*

*Resolved,*

That this House has considered education funding in Devon.

## S4C

11 am

**Mr Mark Williams (Ceredigion) (LD):** I beg to move, That this House has considered future arrangements for S4C.

I am grateful to serve under your chairmanship, Mr Hanson, and pleased to see the Minister taking his place for this important debate. Perhaps predictably, I want to set out the importance of S4C to Wales, talk about some of its aspirations and plans for the future, show how it hopes to continue playing an important role in the life and culture of Wales, and then talk specifically about funding needs and the announced review of its remit.

S4C is the only Welsh-language TV channel in the world and has made a huge contribution to the culture of Wales and the Welsh language. Indeed, it has been pivotal in helping to maintain spoken Welsh throughout Wales and develop its use in a positive and forward-looking way. Usually, in debates such as this—perhaps lengthier ones—there will be some on the Government side who remind us that the creation of S4C in 1982 was a Conservative achievement. I do not dispute the date but I will say at the outset that of course many people from all political parties were involved in the creation of S4C. A more critical point is that since 1982 the channel has enjoyed strong cross-party support, as we can partly see from attendance in the Chamber today. S4C is critical to Wales's 562,000 Welsh speakers—and the UK's estimated 700,000; to learners such as me; and to those interested more generally in the nation of Wales.

Although S4C has had a fundamental and primary role in helping to preserve the language, it has focused on new and innovative ways to spread Welsh-language broadcasting, which has helped its programming to extend beyond Welsh speakers and learners. Since 2015 there has been a 107% increase in S4C's viewers from outside the UK, through its S4C/Gwylion online platform. A fantastic example of the type of content that has spread beyond Welsh-speaking communities is S4C's innovation in drama, such as the now internationally renowned "Y Gwyl", or "Hinterland", which was filmed in my constituency. I should perhaps declare an interest: my 10-year-old twins came home from school one day at the end of last year and announced that they were "on 'Hinterland'". They are extras in one of the recently filmed editions; we shall see what happens. They have not been paid a penny, but I declare it. "Y Gwyl" has won numerous awards including the main award at last year's New York international film and television awards.

There have been other high-quality Welsh language productions, such as the political drama "Byw Celwydd", focusing on a dramatised version of the Welsh Assembly. The mind boggles. The production of "Y Gwyl", which has now been sold internationally, has had a huge impact on my constituency, but also more generally in Wales. The hon. Member for Montgomeryshire (Glyn Davies) often reminds me, when I talk about that great advertisement for Ceredigion, that usually the plots are dark, with clouds building up, and a murder. Quite how that promotes Ceredigion I do not know, but it has done, and I celebrate that.

The programme's impact, and that of much of S4C's innovative content, should not be underestimated. Investment in S4C has been shown to have a huge

multiplier effect on the Welsh economy. Independent research has shown that during 2014-15, every £1 that was invested by S4C in the creative industries in Wales was worth more than £2 to the economy—double the value. Using the example of the first series of “Hinterland”, its impact on the economy alone was more than £1 million in my locality; S4C’s total impact across the UK in the period was estimated at a staggering £170 million.

That has to be seen in the context of a television channel that is increasingly lean. Some members of the Select Committee on Welsh Affairs went last year to the headquarters of S4C in Cardiff and saw how lean the operation is, and what is achieved on limited resources: overheads of just 4.2% compared with 11.3% across the public sector, fewer than 150 staff, and a 35% reduction in the cost of commissioned content since 2009. It is indeed value for money. With the change in how many people consume content, S4C has also been successful in moving away from traditional scheduled television programming to catch-up services and social media.

**Albert Owen** (Ynys Môn) (Lab): I congratulate the hon. Gentleman on securing this important debate. He and many in the Chamber have campaigned for S4C for many years. The Minister is in charge of the digital economy; the new media that the hon. Member for Ceredigion (Mr Williams) has mentioned are difficult to obtain in many areas of Wales, for infrastructure reasons. I welcome the Digital Economy Bill but there is a need for greater emphasis not just on rural but peripheral and Welsh-speaking areas, so that they can enjoy S4C content.

**Mr Williams:** I very much agree; the hon. Gentleman is right. I represent a peripheral and Welsh-speaking area, and he has hit the nail on the head. I am sure that the Minister will respond to the point.

I was talking about catch-up services and social media and want to make the point that S4C has been hugely responsive in catering for demand. In just a few months, the viewing figure for S4C video content on social media alone, notwithstanding what the hon. Member for Ynys Môn (Albert Owen) has said, has more than doubled—almost trebled—from 737,000 views in September 2016 to more than 2.235 million by December 2016. It is vital, more generally, that public service broadcasters respond to the change in demand, and S4C has been doing just that. It is with that in mind that I welcome the Government’s commitment to an independent review of S4C’s remit, funding and accountability arrangements. It is something that many hon. Members of all parties have called for. The industry has called for it, and it is important that we achieve it.

In recent years substantial cuts have been made to the funding that S4C receives through the BBC licence fee and the direct funding that it receives through the Department for Culture, Media and Sport. Through the licence fee, it receives £74.5 million annually, and will do until 2021-22, although that is likely to represent a 10% cut by the end of the period. The Government’s 2015 Budget made an attempt to cut the direct funding to S4C from DCMS from £6.7 million to £5 million. In view of what I have said about the lean operation, that is a substantial sum and would have had a heavy impact on S4C.

**Susan Elan Jones** (Clwyd South) (Lab): I congratulate the hon. Gentleman on securing the debate. DCMS funding is now only 8% of S4C’s funding; does he agree that people in Wales, Welsh-speaking or not, pay taxes too and that any further cut would be totally unacceptable to us?

**Mr Williams:** I very much agree and will develop a more extensive answer to that comment in the rest of my speech. I think that that view is widely shared, including, I am pleased to say, on the Conservative side. The hon. Lady will remember, as I do, the 2 am debate in the Chamber last January, initiated by the hon. Member for Carmarthen West and South Pembrokeshire (Simon Hart). I was grateful for the opportunity of that debate, despite its being at 2 in the morning. Notwithstanding bleary eyes, we saw strong opposition from Members across the House to an attempt to make a severe cut to S4C’s funding from DCMS. We were relieved that staying up was worth while, because spending was frozen at the original level for 2016-17, pending a review into S4C’s remit. According to the then Digital Minister, the right hon. Member for Wantage (Mr Vaizey), that would:

“ensure financial stability—”

critically, now—

“through the review process.”

Although it represents a real-terms cut, I greatly welcome, with the caveats I mentioned, the decision to give S4C stability over its funding through the licence fee for the next few years. I also welcome the freezing of the cut to the DCMS portion of its funding last year.

**Simon Hart** (Carmarthen West and South Pembrokeshire) (Con): Does the hon. Gentleman agree that the Government could immediately grant S4C borrowing powers, which it has asked for and which would not have a detrimental effect on budgets? None of us can see any reason why that should be rejected. Perhaps the Minister will respond to that during the debate.

**Mr Williams:** I am not averse to that suggestion at all; it would be a positive step forward. However, I will develop how I intend to achieve for the coming year what the hon. Member for Clwyd South (Susan Elan Jones) achieved last year.

There is little doubt in my mind or, I think, in the minds of Members from other parties, that cuts to S4C have been almost to the bone, not only making it extremely difficult for the broadcaster to meet the obligations of its remit, but making it particularly challenging to be innovative and to cater to the changing demands of the Welsh public. However, S4C has to date, with increasing difficulty, continued to meet its obligations and the changing demands.

With the difficulties facing the broadcaster as a result of those cuts, it is absolutely right that a review takes place to ensure that it has the necessary funding to fulfil its remit and strategy over the longer term. A comprehensive review into S4C announced in February of last year by the former Secretary of State, the right hon. Member for Maldon (Mr Whittingdale), along with a reversal of the cuts prior to the outcome of the review, was welcome. However, we are now in 2017, and we still waiting for

[Mr Mark Williams]

that promised review. There is cross-party concern about the delay, as well as concern in the creative industries that rely so heavily on a strong Welsh broadcasting sector.

I hope the Minister will enlighten us as to the reason for the delay. Why is a statement from February 2016, made in the early hours of the morning during the debate called by the hon. Member for Carmarthen West and South Pembrokeshire, only now being actioned? Critically, can he also give us details about when the review is likely to take place, its timetable and when it is anticipated to conclude? With that in mind, and with the former Secretary of State's commitment, I would also appreciate the Minister's assurance that cuts to Government funding of S4C that were frozen under the previous Secretary of State will continue to be frozen at least until the review gives its recommendations.

One big issue that requires Government assurance is on the specifics of the review. Many hon. Members, and many people outside the Chamber, hope for confirmation from the Minister that the review will be chaired by an independent individual with a thorough understanding of Wales, the Welsh language and broadcasting. It is also important that the remit of the review considers the need to update S4C's remit, to reflect changes in the broadcasting industry and to ensure that the channel meets the needs of its audience, both in the short and long term.

**Hywel Williams (Arfon) (PC):** Does the hon. Gentleman also hope that the review will look at devolving the funding that S4C gets from this place? It might more properly be the responsibility of the Welsh Assembly in Cardiff, as recommended by the Silk commission.

**Mr Williams:** As the hon. Gentleman knows, I have always regarded Sir Paul Silk's work as a political bible—not only for members of his party but mine. As he suggested, devolution of that funding would be a good thing. It is something that should be considered as part of the review, which is why we asked the question about its remit. My concern about broadcasting being devolved to the National Assembly in its entirety—it is a different issue, but I will raise it—is whether our friends working in the Assembly would guarantee the required level of funding for S4C. However, there is merit in what the hon. Gentleman says in his question.

I am sure the Minister understands that S4C's future funding is certainly one of its big concerns. As such, I would appreciate if he would set out whether the review will make recommendations on the process by which the Secretary of State for Culture, Media and Sport decides on the sufficiency of funding for S4C, as required by the Public Bodies Act 2011, to ensure that S4C remains competitive in the public service broadcasting market and is able to continue to meet audience expectations over the long term. The hon. Member for Arfon (Hywel Williams), because he was on the Public Bodies Bill Committee with me, will remember the concern expressed at the time when the funding formula for S4C was abandoned and replaced by a clause stating that the Secretary of State would decide on the sufficiency of funding. That is why this fits in neatly with the DCMS element of the budget.

Will the review consider the most appropriate mechanisms by which S4C should be funded? It is important that that includes the UK Government's direct contribution to S4C. Security and visibility of funding for S4C over a reasonable period to prevent unnecessary uncertainty and to allow it to plan for the future is vital. Will the Minister ensure that that is reviewed, both in the context of the funding it receives directly and any potential governance and accountability changes to the BBC that could have an impact on S4C's funding through the licence fee?

I have had many concerns, as has, I think, almost every Member here, about cuts to S4C's funding over the years. However, that is not the subject of the debate. On a positive note, I still—as I did in the early hours during that debate in February 2016—welcome the review and the budget being frozen. However, we need answers to those questions. Many questions have yet to be answered, and I know that it will help to clarify the situation if the Minister is able to provide those answers to Members today. S4C is too important a working, practical, achieving institution to have any more delays in these matters.

11.17 am

**The Minister for Digital and Culture (Matt Hancock):** It is a great pleasure to respond to this debate on the importance of S4C and its future. Although I grew up on the Welsh borders, I am still in the early stages of learning Welsh. My vocabulary runs to only a few words, most of which were learned from road signs—"Araf" is something I will never forget. This is something that is close to my heart and to the Government's heart as well. Mae'r iaith Gymraeg ac S4C yn bwysig iawn i'r Deyrnas Unedig. I hope the record will show that I said that the Welsh language and S4C are very important to the United Kingdom.

I will respond to the questions from the hon. Member for Ceredigion (Mr Williams) and from elsewhere. On his comments about S4C's origins, it was of course a Conservative Government who brought in S4C. I acknowledge that success has many fathers, and there was a lot of support at the time for S4C's introduction, but that its introduction was a Conservative achievement shows the heritage of the Government's support for the Welsh language and for S4C.

The hon. Gentleman also mentioned borrowing powers and asked when the review would take place. It will take place shortly. We are aware of the issues around borrowing powers and we are looking at options. The TV licence fee funding for S4C is being protected in cash terms. That means it will be flat over the spending review period. The advantage of that is, first, that it is not being cut and, secondly, that there is certainty over a long period to allow for planning. I hope that that helps.

I have read the transcripts of the debates on this issue before I came into this post. I pay tribute to the work of my hon. Friend the Member for Carmarthen West and South Pembrokeshire (Simon Hart), who has really led the charge. While awaiting the review, the funding was frozen rather than cut last year, essentially after the lobbying of a large group of people, led by my hon. Friend, who stands up for his constituency so powerfully.

We will be announcing the review shortly. We will certainly take into account the comments that my hon. Friend and others have made as to what the review should consider. I can commit to the reviewer having a thorough understanding of Wales and an interest in the Welsh language. Of course, the review needs to look into how S4C can succeed in the short term and long term. The licence fee now contributes the vast majority of funding—more than £74 million. The direct funding from DCMS is currently just over £6 million, which, as the hon. Member for Clwyd South (Susan Elan Jones) said, is a relatively small element of the overall funding. We are aware of the commitments given by a predecessor on timing, and the Secretary of State is currently considering that issue.

**Simon Hart:** I thank the Minister for his kind comments, but in his letter to me on 14 December he said:

“this year the Government gave over £6 million and we will be giving over £6 million next year.”

Can he be a bit more precise? That could mean £6.9 million in 2016 and £6.1 million in 2017. If he could tighten that up, we would be much relieved.

**Matt Hancock:** That is an incredibly tempting invitation. In this financial year, the DCMS funding is £6.762 million, and the funding next year is set to be £6.058 million. I know that my hon. Friend is suggesting that those two figures ought to be closer—

**Simon Hart:** Or the same.

**Matt Hancock:** Or, as my hon. Friend says, the same.

In terms of timing, we always said that the review of S4C would follow the BBC charter renewal, which is now complete. In fact, the Select Committee on Culture, Media and Sport today announced its support for the new chair of the BBC unitary board. That decision now needs to go to the Privy Council. It would be unusual and constitutionally interesting should the Privy Council not approve that decision. We are now in a position to push on with the S4C review shortly.

**Albert Owen:** I did not quite hear the figures that the Minister read out. My understanding was that it is a cut, not a freezing, of the budget from this year to next year. Will he confirm those figures again?

**Matt Hancock:** Yes, of course. The figures set out in the spending review 2015 are £6.762 million for this financial year and £6.058 million for the next financial year. It is thanks to the efforts of my hon. Friend the Member for Carmarthen West and South Pembrokeshire and others—not least those who called this debate today—that the Secretary of State is looking at that issue.

We are considering the question of borrowing powers. The Silk commission said that we should consider the devolution of S4C. Of course, all broadcasting is a reserved matter, rather than a devolved one. That is the basis on which we have been operating, but we accepted that Silk review recommendation, so that consideration will happen.

On the overall question of the link to the licence fee, moving the funding from direct taxpayer support to licence fee funding was controversial at the time. However,

since the S4C-BBC link started after 2010, it has been a huge success, not least because S4C can use some of the BBC's digital technology. For instance, its content is now on iPlayer, and I understand that viewing figures have increased by over 3,000%.

As was mentioned, the impact of digital technology is incredibly important in this area, not least so that we can get broadcast material to people who live outside Wales where S4C is broadcast, in the rest of the UK and the rest of the world. For lovers of the Welsh language, that link-up and the fact that S4C can partner with the BBC in getting its content out are very positive. It is reasonable to say that the decision to move the majority of S4C funding over to the licence fee has generated further partnerships and been a success.

The S4C's economic impact was a big part of the case made by hon. Members. The contribution made by S4C to the Welsh economy is not only through the direct impact of the broadcasting but through its work with the TV production industry. The success of Welsh TV production has been impressive in the past few years, in both the English and Welsh languages. We heard a few examples. Welsh-made TV shows and formats are now sold worldwide. As well as being the home of dynamic independent producers, Wales has become a hub of creativity and a desirable place to make programmes. For instance, Wales is the production centre for “Dr Who”—an iconic British success, aired in 200 countries around the world. Children's programmes such as “Ludus” are shown on CBBC, with the spin-off app winning a BAFTA Cymru award. S4C's “Fferm Ffactor” is now licensed and produced in Denmark, Sweden and China. “Y Gwyll”, or “Hinterland”, is screened in both Welsh and English, showing the innovations and economies of scale by using both languages.

When I was in Los Angeles the week before last, some of the film producers there were at pains to point out to me what an innovative, powerful and increasingly impressive TV and film production system there is in Wales and how they are looking to Wales to expand into some of the new areas of production—so Hollywood goes to the Welsh valleys. We have seen some of that theme in the past few years, and I hope that we will see much more of it. S4C plays its role in developing that TV production centre. Wales is home to more than 50 TV and animation companies that collectively generate around £1 billion for the Welsh economy, of which S4C alone directly contributed £114 million in 2015-16.

As well as the impact on the Welsh language and economy, the other reason to support S4C is its importance in Wales's media plurality, which ensures that the public have access to a wide range of views, news and information about the world in which we live, while specifically focusing on what is happening in Wales. While the media landscape and technology change, our support for S4C remains resolute and will continue as we hold it in its place in Wales's broad landscape of media and TV production and in the hearts of the Welsh people. I hope that we can continue this dialogue and can continue across the House to support S4C.

*Question put and agreed to.*

11.29 am

*Sitting suspended.*

## DWP Estate

[NADINE DORRIES *in the Chair*]

2.30 pm

**Nadine Dorries (in the Chair):** Given that Margaret Ferrier may speak for 20 minutes, the Minister may wind up for 10 minutes and there are eight speakers, each speaker will have about eight minutes. If any Member goes over that time, I will have to impose a time limit, which will reduce the time for everyone else, so perhaps Members will bear that in mind as a matter of respect and consideration. If time restrictions are introduced, I will let Members know.

**Margaret Ferrier (Rutherglen and Hamilton West) (SNP):** I beg to move,

That this House has considered the future of the DWP estate.

It is an honour to serve under your Chairmanship, Ms Dorries, and a pleasure to see so many Members here to discuss this important issue. I am sure there will be plenty of excellent contributions and that the Minister will be given plenty of food for thought.

The Minister will be aware that this is a major issue in the Glasgow area, particularly at the moment owing to the announcement by the Department for Work and Pensions of the closure next year of half the jobcentres in the city, which is a morally outrageous plan. I hope that today's debate is an opportunity for Members not only to discuss this serious matter, but to engage in a frank discussion about the DWP estate across the UK. I also hope the Department will listen intently to what is said here today.

This debate is not about cost considerations, spreadsheet figures or departmental proposals drawn up by people who are likely never to have visited the centres earmarked for closure. In essence, it is about how changes to the DWP estate will impact on lives, not in some abstract way but in a real sense. What might seem entirely rational and reasonable on a sheet of paper will have a profound impact on people's lives, including those of my constituents in Cambuslang who use the jobcentre there, which unfortunately is one of the eight set to close.

My immediate concern is Cambuslang and the seven other jobcentres in Glasgow that are set to shut their doors. However, it is clear that the city is being used as a guinea pig for the reduction of DWP offices elsewhere. This matter is not just for me and my hon. Friends who represent Glasgow constituencies to worry about: all Members should be concerned. The closure of half of Glasgow's jobcentres will be a troubling precursor to a brutal round of cuts in jobcentres across the UK. The Government will implement them without any consideration of the far-reaching and in some cases devastating implications for low-income families. In Glasgow alone, about 68,000 people who are in receipt of jobseeker's allowance, employment support allowance and universal credit will be impacted by the closures. The cuts are so harsh and so brutal that they have achieved something that does not happen as often as it should: political consensus and almost cross-party condemnation.

At the weekend, my hon. Friend the Member for Glasgow South (Stewart Malcolm McDonald) co-ordinated a letter to the Secretary of State for Scotland calling on him to take action on the jobcentre closures. I signed that letter with every other Glasgow MP; Scotland's First Minister, Nicola Sturgeon; Scottish National party Members of the Scottish Parliament; Scottish Labour Members and Scottish Green party Members, as well as Labour and SNP leaders on Glasgow City Council. Despite voicing concerns on social media when the closures were first announced, Glasgow's two Tory MSPs decided not to sign the letter.

**Patrick Grady (Glasgow North) (SNP):** I congratulate my hon. Friend on securing this debate and apologise for not being able to stay owing to commitments in the Procedure Committee. Will she join me in hoping that tomorrow Glasgow's Conservative MSPs will have an opportunity to put on the record their opposition to the closures, especially that of Maryhill jobcentre, which is not far from their office and is in my constituency, when our colleague Bob Doris MSP leads a debate on the issue in the Scottish Parliament?

**Margaret Ferrier:** My hon. Friend makes a good point. We hope that there is consensus across all parties, including the Tory party in Scotland. I congratulate our colleague in the Scottish Parliament on again bringing forward this important debate in the Holyrood Chamber tomorrow. The decision is for Tory MSPs to make, but it is regrettable that they seem to have chosen to adopt an ideological party line rather than to lend their voice and support to the people they were elected to represent.

The Public and Commercial Services Union has also condemned the closure proposals, saying they represent a slash and burn policy by DWP. I want to put on the record my appreciation for the *Evening Times*, which has diligently reported the jobcentre closure story from the start and deserves recognition for its "Hands off our jobcentres" campaign. The cuts are so worrying that the Church of Scotland has intervened, condemning the effect they will have on people as fundamentally wrong and unjust, while our Catholic Archbishop, Philip Tartaglia, has expressed his concern and called on the Department to reconsider the proposals in a way that respects the dignity of claimants and meets their needs.

The concern of Members, which is demonstrably shared by civic society, is not political bluster or point scoring; it is born of genuine and legitimate concern for some of our most vulnerable constituents. I hope the Minister will listen properly today. It is unfortunate that the Secretary of State for Scotland is not here. His absence from today's debate reflects his handling of the issue so far. I have asked him a series of written questions about when he learned of the proposed cuts to Glasgow's jobcentres. Yesterday, in response to one of them, he was forced to admit that the DWP did not discuss the specific plans with him in advance of its announcement. This was no doubt an embarrassing confession by the Secretary of State for Scotland, but it raises an important question: why did the DWP keep the Scotland Office in the dark about the plans?

The Scottish Secretary has admitted that he met DWP representatives in July, but they provided only an overview of the Department's estates process in general without detailing specific plans. The Minister must address this matter in her response today. Why were proposals

of such huge significance kept secret from the Scotland Office, and why was a decision made to keep a Cabinet colleague uninformed, particularly given the embarrassment that would cause him when the truth came out? I can empathise with the Scottish Secretary because it seems that none of us was deemed important enough to be consulted or even informed by the DWP prior to the story breaking in the press. Indeed, it took the Department another seven hours thereafter to get round to sending affected MPs correspondence about the plans.

It is completely outrageous that the Scottish Government were not consulted on the proposals. That point specifically raises serious concerns about the UK Government's commitment to paragraph 58 of the Smith commission's report, which recognised that Jobcentre Plus will remain reserved, but called on the UK and Scottish Governments to

“identify ways to further link services through methods such as co-location wherever possible and establish more formal mechanisms to govern the Jobcentre Plus network in Scotland.”

The Scottish Minister for Employability and Training has written to the Secretary of State for Work and Pensions asking how the change will reduce access to services and perhaps increase the risk of sanctions that may be applied in relation to the need to attend such facilities.

The Scottish Minister has also asked for urgent advice on the future of Jobcentre Plus facilities across the rest of the country. I want to ask the same question today. Tens of thousands of people in the Glasgow area will, unacceptably, have to travel further and incur additional costs to access their social security entitlement and support. They deserve full and frank answers to these questions.

The PCS has said the closures will have an adverse impact, particularly on women, vulnerable children and people with disabilities, who are already hardest hit by Government cuts. The Government must be mindful that people travelling to jobcentres are seeking work or employment support and are doing so on very low incomes. One in three children in Glasgow last year were living in poverty—that is consistently the highest rate in Scotland according to the Joseph Rowntree Foundation. Making it more difficult for people to reach jobcentres will surely further exacerbate the problem. Indeed, the Tory Government continue to peddle the line that they want to help people into work, but continued cuts to benefits, and now these planned closures, only serve to push people further into hardship.

The Poverty Alliance has raised concerns that this reduction in face-to-face support could put people off claiming support that they need. The current sanctions regime has made accessing social security almost impossible for many people, particularly the young, and this move is likely to put people off claiming the support that they are actually entitled to. The Minister must realise that the jobcentre closures are seen as yet another callous attack on the disadvantaged and the vulnerable. They will create more hoops to jump through and increase the risk of sanctioning as a result.

I appreciate that the Minister's response will probably seek to justify the rationale behind the closures, and I would therefore be obliged if she could also address my next points. We have been told that fewer jobcentres are needed because more people are in employment. The Fraser of Allander Institute has estimated that a hard

Brexit could cost as many as 80,000 Scottish jobs. Following the Prime Minister's speech yesterday, it now appears that we are facing not only a hard Brexit but, indeed, the hardest Brexit. Given that fact, and the significant potential for economic volatility ahead of us, what sense does it make to close the doors of jobcentres, let alone half of all the Glasgow jobcentres? Surely we should be cautious in our approach. The approach that the DWP is taking is like leaving the house in the morning wearing shorts and a T-shirt when snow is forecast later in the day. There is a shocking lack of foresight here, and I ask that the potential impact of Brexit be given proper consideration as a reason to halt these plans.

The other point that I would like to make regarding the rationale for closing the centres concerns savings. We are told that the financial benefit to the taxpayer is sufficient reason to close these centres. What we have not seen is any proof that other avenues were explored. Closure seems to have been the desired and only option on the table, rather than the one of last resort. Is the Minister able to tell us today what other options were considered for each of the eight centres marked for closure? Were alternative premises sought? Was the option of co-location fully explored for each of them?

The Minister must understand the lack of faith that we have in this process. This is particularly the case because of the shambolic manner in which another Government Department recently handled the closure of offices in Scotland. In total, 137 Her Majesty's Revenue and Customs offices across the UK are closing, with potentially thousands of job losses in Scotland. The Government say they are prioritising closing the tax gap and getting people back into work, but the closure of HMRC offices and jobcentres could seriously compromise both. The National Audit Office recently released a report on HMRC's estate changes, showing that up to 38,000 staff will be expected to move large distances as part of a reorganisation, with some having to relocate by up to 174 miles if they want to keep their jobs. Now, although the Government have said that no jobcentre staff are expected to lose their jobs as a result of DWP estate changes, the HMRC changes have set a worrying precedent. We need to be clear about how many staff will be affected, and whether there will be a guarantee of no redundancies—I repeat, no redundancies.

We in the SNP are concerned that this is a slippery slope—a move to downsize with a view to making savings that will ultimately lead to job losses as well as having a negative impact on service delivery. We are calling for progress on plans to close the sites to be halted immediately until a full equality impact assessment is carried out. We remain concerned that the proposed exercise will not consider the vast impact that these closures will have across Glasgow. Only three of the eight proposed closures are going to consultation, while the others will not be consulted on. That is completely inadequate; the consultation must look at the entire package of closures. Will the Minister, in her response, undertake to widen the scope of the consultation to look at the broader picture right across Glasgow? We are disappointed and worried that only carrying out an equality analysis post the consultation period will fail to identify the devastating hardships that these closures could cause our communities in Glasgow. We must have a proper guarantee that the results of any equality analysis will be considered in the eventual decision,

[Margaret Ferrier]

and assurance that the Government will amend their plans accordingly. It is vital that a full equality impact assessment is conducted by the DWP urgently; I seek assurance from the Minister today that she will give that very serious consideration.

In summary, I would like the Minister to tell me why the Secretary of State for Scotland was kept in the dark about the planned closures in Glasgow. How might these changes reduce access to services and possibly increase the risk of sanctions, which are applied around the need to attend these facilities? What future changes are being discussed within the DWP for Jobcentre Plus facilities across the rest of the country? I would like the Minister to address the points that I made regarding our uncertain economic future due to Brexit, and the wisdom of closing the centres at this time. Also, what other options were considered for each of the eight centres that are marked for closure? Finally, will the Minister commit to widening the scope of the consultation and carrying out a full equality impact assessment?

2.45 pm

**Justin Tomlinson** (North Swindon) (Con): It is a pleasure to serve under your chairmanship again, Ms Dorries. I pay tribute to the hon. Member for Rutherglen and Hamilton West (Margaret Ferrier) for securing this debate on the future of the DWP estate and the opportunities that it presents us across the UK. Although I cannot pretend that I agree with everything she said, it was absolutely clear throughout—it was thoughtful, detailed and she had her residents' best interests at heart. I hope that she gets suitable responses at the end of the debate from the Minister.

We are in a time of record employment in all areas and we are now very close to full structural employment. The reality is that those still seeking work are often the ones who need the most help. In that context, the announcement of the health and work Green Paper gives us a real opportunity to shape the future of the DWP estate so that it delivers on the core principle of a personalised and tailored approach. That is supported by employers, charities, organisations and Work programme providers. Therefore, this is a timely debate on the thrust of seizing those opportunities across the UK.

As a former Minister, I saw this at first hand when I visited the Shaw Trust Hackney community hub. It tries to do things differently. It is a one-stop-shop—a community hub—where jobseekers receive a bespoke service that is tailored to their specific needs to help them to overcome the barriers that are holding them back from finding employment. People can access not only direct support in looking for work, but counselling sessions and support from healthcare professionals. There has been a significant increase in performance, an increase in staff and customer satisfaction levels and better Work programme participant engagement.

**Carol Monaghan** (Glasgow North West) (SNP): The key word in the hon. Gentleman's speech is "community". What we are talking about is the heart being ripped out of our communities.

**Justin Tomlinson**: We have to deliver the best opportunities for all people who are looking for work. I am setting out what I believe to be the best way to equip

those people who are trying to seize the opportunity of the growing economy. The Shaw Trust has provided me with a number of examples, including that of Kazeem, a 23-year-old, who arrived with very low confidence, experiencing depression and anxiety. With the bespoke support that he was given in that community hub, he was able to secure jobs at both Amazon and his local cinema. It was not just the Work programme providers, but employers such as ITV, Barclays and Michael Page that worked within that hub, which brought together those healthcare professionals and external employers as well as the Work programme providers. They made a huge difference, and there are many other examples.

**Natalie McGarry** (Glasgow East) (Ind): Could the hon. Gentleman clarify, if he is talking about Kazeem getting a job with Amazon, whether Kazeem is from Glasgow, because Amazon is in Dunfermline, which is an hour away by bus?

**Justin Tomlinson**: This was at the Hackney community hub run by the Shaw Trust, so it would have been at Amazon there. This debate is on the future of the DWP estate, which covers the whole of the UK, but I wish any Kazeem in the hon. Lady's constituency the best of luck with finding work, whether at Amazon or somewhere else.

Understandably, a lot of people who arrive at a jobcentre lack confidence and are nervous. I have seen that at first hand when I have supported my own constituents. All too often, I am afraid, people are greeted by a security guard, who is probably the last person that somebody wishes to see when they are nervous. Some jobcentres are drab buildings from the '60s, '70s or '80s. They do not celebrate success stories. There are no posters or videos that show people who have gone through the same challenges, faced and overcome them, come through at the other end and benefited from work. The staff are too often fixed to the facility. I suspect most other hon. Members who speak in this debate will highlight the challenge of getting to jobcentres; sometimes the solution is taking the jobcentre directly to people.

One of the most important parts of the universal credit roll-out is that, for the first time ever, people entering work will continue to get support. I hope that support will extend to those coming into the workplace. A lot of those people will be entering work on the national living wage, at the beginning of a career path. They will need support in work to secure additional hours and to get promotion when they lack the confidence to push themselves forward. We are all confident here—we all push ourselves forward and we all wish to seek to improve ourselves—but not everybody has that ability. That is an example of why we need to take people out of jobcentres.

When I visited an award-winning job coach, who was doing a great job, I saw another example of why a fixed location should not always be the solution. There was a young lad who was incredibly enthusiastic and desperate to do bar work, which we have a chronic shortage of people for in this country. I used to work in the industry; I remember thinking that, if I still worked in it, I would have snapped him up. His issue was that he was so confident that he would sometimes talk for too long in an interview and talk himself out of a job. Each time,

the jobcentre staff would say, “Go off and apply for some more jobs”, but he would come back two weeks later and he had talked himself out of another job. All it needed was a job coach to go with him to an interview to explain to the employer, “When you have had enough of him talking, just say stop”. He would have secured work straight away. Yet the system meant that he kept returning at his inconvenience every two weeks on a continuous loop, when it just needed somebody to go with him to the interview.

Rightly, we have started piloting a small business employment scheme. Too many employers do not want to engage with their local jobcentre—I was the same when I ran a business for 10 years. We need to get jobcentre people going out to small and medium-sized businesses and saying, “What skills gaps do you have? Can we identify them?” The DWP has been running a small business pilot, in which staff go around retail, industrial and business parks and find people. It was so successful that the DWP ran out of people, either at the jobcentre or in the Work programme, to fill all those roles. That is exactly the sort of challenge that we need to take on. Again, it saves time for the claimant. We also need to organise job fairs.

In an ideal world, the jobcentre would be a hub. It would be a co-location, so that we are not sending claimants from building to building. We need health support. My point about being close to full structural employment is that the vast majority of people are now looking for work. More than 50% of people on employment and support allowance have a health condition or a disability; having instant health support on site will make a huge difference.

For some bizarre reason, rather than letting Work programme providers use our space, we send them off to find their own facilities, for which they secure a contract for a number of years. They spend a huge amount of time finding facilities, settling into them and getting to know them before having to renew the contract. It also gives claimants the inconvenience of having to go from the jobcentre to the Work programme provider and to health support, spending all their time travelling rather than looking for work. That is something that we need to address.

A jobcentre should be a hive of activity. It should have job fairs in the evenings and it should get in external employers, charities and mentors. That should all happen in a brightly coloured, constructive hub that supports people.

**Margaret Ferrier:** The hon. Gentleman talks about hubs. Is he suggesting that there should no longer be any security staff in jobcentres?

**Justin Tomlinson:** Absolutely not. Experienced organisations such as the Shaw Trust have dealt with that issue. Their security staff are also meeters and greeters. They have blurred those roles so that, instead of somebody in a uniform who will make people even more nervous, there is somebody who can act as a security person if they need to, which I am afraid they sometimes do, but who also make people welcome when they arrive. That is so important for people who have a number of barriers to overcome.

We need to be mindful of those with disabilities. Representatives of Action on Hearing Loss came to Parliament today to meet a number of MPs; it reminded

me that it is often the hidden impairments that people do not take account of. I urge the Minister to consult with disabled people whenever we consider future facilities. We need to ensure not only that staff are trained but that, when we build facilities, we make them fully accessible. We can embrace technology such as the video relay service that DWP has trialled, the pilots for which were so successful that it will continue for evermore. We need to ensure that that technology is used in the rest of Government facilities and by those who provide contracts to them. I know from visiting SSE that the private sector has embraced that. It allows those who rely on British sign language to get instant access to facilities, rather than having to wait for an interpreter. It is an absolute must for all Government facilities to have hearing loops and for staff to be trained to use them. I could say much more on disabilities, but I am conscious of the time.

What I have said applies not just to jobcentres but to assessment centres for benefits such as the personal independence payment, which are often soulless places. There should be videos in the waiting areas to advertise other support offered to people who have a disability or a long-term health condition. The Government often do pilots, but people often do not know about them, so let us advertise them. Mental health is a really good example: there is cross-party support for improving support to people with mental health conditions and considerable additional money is being spent, but, all too often, those who most need that help simply do not know about it.

I know that the Minister is extremely constructive and engages regularly with Work programme providers, charities and people with experience. We have a real opportunity to build on the Green Paper. I look forward to her response.

2.57 pm

**Natalie McGarry** (Glasgow East) (Ind): It is a pleasure to serve under your chairmanship, Ms Dorries. I thoroughly congratulate the hon. Member for Rutherglen and Hamilton West (Margaret Ferrier) on her fantastic speech and on securing the debate.

The Government must feel as if they are in a film. I certainly feel as if I am in “Groundhog Day”, because we keep repeating the same arguments. We will be back again and again until the Minister and the DWP stop, listen and recognise the error of their decision. In the last debate before Christmas, the hon. Member for Glasgow South (Stewart Malcolm McDonald) said, like a modern-day Arnold Schwarzenegger, “We will be back.” Here we are again, and we will not tire of making the same arguments, because we are right and the Government and the DWP are wrong. We know our areas, we know the people and the geography, and we know the challenges they face.

Glasgow East is not a dot on Google Maps; it is multiple communities with amazing characteristics but many unique challenges. The Government’s plans to rip jobcentres from the people who need them most, in some of the most deprived areas of the country, are bereft of logic, bereft of evidence and completely bereft of compassion. If the jobcentre closures go ahead in Glasgow, 50% of our jobcentres will close—half of them! That is in spite of the DWP’s plan to reduce its

[*Natalie McGarry*]

estate by only 20% across the country. Proportionally, Glasgow is being hit hardest. I am at peril of repeating myself here—groundhog day again—because, like many of my hon. Friends, I raised precisely that point in a previous Westminster Hall debate and in a number of meetings with the Minister before Christmas. No adequate answer has been forthcoming on why Glasgow is being singled out for such swingeing and disproportionate cuts. The only thing close to an answer was the statement that the DWP believes that Glasgow

“is in a unique position within the DWP...Estate”.

I cannot but feel that the Government believe that Glasgow is in a unique position to be useful in an ideologically driven cost-cutting exercise—a test subject, so to speak. Well, they have picked the wrong fight with the right people, because, as I am sure they are fast learning, we are not the strong silent types.

For entirely different reasons, I agree that Glasgow is, for want of a better phrase, in a unique position. Almost half of Glasgow's residents live in areas that are among the 20% most deprived in Scotland. The city has been labelled the jobless capital of Europe. That is not a title that I claim with any satisfaction, but unfortunately it is the reality. Just today, we have all received the most recent figures on unemployment. In my constituency, it is at 4.9%, which is more than double the national average and is the 36th highest of the 650 constituencies in the UK. The so-called “unique” position that Glasgow finds itself in, through no fault of its own, illustrates that the UK Government should be doing more to help my constituents, not less. Instead, if the proposals go ahead, they will affect over 74,000 people across Glasgow and will create more barriers to employment and support for people seeking work, rather than breaking them down.

In the previous debate, I raised the issue of territorialism and the historical gang culture as unique issues in the east end of Glasgow. The Minister and the DWP flippantly dismissed those serious concerns by pointing out that Shettleston served as a youth hub jobcentre for four years. They ignored the extensive preparation and engagement work that was done with the police, stakeholders and the jobcentre. I said that the same work had not been done in this situation, when it is more critical, given the ages of the claimants, the historical nature of gang violence and the levels of unemployment among the mainly men involved.

**Alison Thewliss** (Glasgow Central) (SNP): The hon. Lady is right to point out that Ministers trumpeted the youth hub as a success, but I have had discussions with local organisations on the ground and they pulled away from participation in the hub because they were not prepared to submit to using conditionality and clients making young people travel every day for something they were not obliged to do.

**Natalie McGarry:** That is a fantastic point, which I no longer need to make. The response from the Government that, in extreme cases, remote sign-ons would work will not satisfy me or the people I represent. Like the hon. Lady, I have gone further and spoken to former senior members of Shettleston jobcentre, who were there at the time. They told me that not only impact assessments,

but multiple risk assessments were carried out to prepare for that. That experiment has failed. It is not here now for the reasons that the hon. Lady mentioned, and also because, I am told, the resources at Shettleston were not adequate for the demand, yet Shettleston will now replace three jobcentres. It beggars belief. I will not be papped off or shooed away on this. I want answers and I demand that that is properly considered as part of the consultation.

Another barrier is additional transport and the costs and logistics of it for the people we represent in Glasgow. If the plans go ahead, many of our constituents who are already on meagre incomes will incur additional costs and extra travel with no confirmed support from the DWP. With all due respect, the Government's response has been woeful thus far and many questions remain unanswered. Does the Minister honestly and wholeheartedly believe that this situation is fair? Given that two thirds of households in deprived areas of Glasgow do not have access to a car, what assessment has she made of the impact this decision will have on jobseekers reliant on public transport?

If the plans go ahead, will the Minister ensure our constituents are reimbursed for extra travel costs? Will she give us a commitment today that no jobseeker will be sanctioned for delays caused by public transport? What assessment has been made of the impact the closures will have on additional travelling for people with caring responsibilities and those with a claimant commitment? What provisions will be made to assist people with mobility problems and people with caring responsibilities? Why did the Government fail to conduct and publish an equality impact assessment before the consultation period began? Such an assessment is surely key to informing those who participate in the consultation. Does the Minister not agree that the closures would undermine the Government's commitment to halving the disability employment gap by 2020, and what assessment has been made of that?

Another issue that the Government must seriously address, but have thus far failed to, is the increase in demand for the reduced number of jobcentres in Glasgow. The jobcentre in Shettleston currently serves 1,025 people. However, when we add in the caseloads of Parkhead, Bridgeton and Easterhouse, that figure more than triples to 3,210. Shettleston would become one of the largest jobcentres in the entire UK in one of the areas with the highest levels of deprivation and unemployment. As I have said before, it would add insult to injury if the Government forced people in Glasgow to travel further at additional cost only to be inconvenienced in longer queues to receive a poorer service. What assessment has the Minister made of the potential delays for service users? What provisions would be put in place to ensure the quality of service did not deteriorate under the plans for closure?

The harm resulting from the Government's plans to close the jobcentre in Easterhouse is potentially eye-watering. The communities of Easterhouse are strong and resilient, but that does not mitigate the impact that the closures would have on them. Isolated on the edge of the city, suffering from poor public transport and feeling the effects of high unemployment, Easterhouse cannot afford to lose its jobcentre. The plans destroy any kind of joined-up logic. Moreover, the journey from the jobcentre in Easterhouse to the jobcentre in

Shettleston, if one of my constituents takes the 60 or 60A bus, which are the only buses available for that journey, is just over 3 miles. Yet Easterhouse has not been included in the consultation—perhaps Google did not identify it.

**Margaret Ferrier:** Is it the case that nobody has thought to travel north at all to find out the proper distances and how the plans will affect our constituents?

**Natalie McGarry:** That is an excellent point. I believe the Minister for Employment, who took part in the previous debate, is visiting Scotland. We have invited him to travel to Glasgow, but so far he has not taken us up on that offer. I am happy to ride a bus from some of the areas in my constituency, but will have to take two buses at additional cost to get to the new jobcentre.

I will conclude soon because I am aware I am slightly over time. Easterhouse has not been included in this consultation. That appears to contradict the DWP's own guidelines. It undermines the Department's consultation and absolutely fails to serve the interests of my constituents. The plans to close half of Glasgow's jobcentres are cack-handed and are being done in the most cavalier way. The case for closures is cruel and contradictory. The Government cannot spout the rhetoric of,

“all in this together...for hardworking people”

and

“not just for the privileged few”

if they then pursue such ideologically-driven, ill-thought-out decisions. I implore the Minister and the Government to listen to local people and organisations across Glasgow and to hear the warnings from me and hon. Members. We are consulting our constituents and they will feed into the consultation process. I hope that the Minister will listen to the people who know Glasgow best.

**Several hon. Members** *rose*—

**Nadine Dorries (in the Chair):** Order. Owing to the number of lengthy interventions, I now have to impose a time limit of five minutes on speeches.

3.7 pm

**Anne McLaughlin** (Glasgow North East) (SNP): Thank you very much, Ms Dorries. This will test me.

I congratulate my hon. Friend the Member for Rutherglen and Hamilton West (Margaret Ferrier) on bringing this subject to this place again. As the MP who represents Glasgow North East, which has the 16th highest unemployment rate in the UK—at 5.9%, it is 2.5 times the UK average—I couldn't not be here, but I will cut out huge swathes of my speech.

I have used my personal experience in this place on previous occasions. I have spoken about my own experience of being unemployed and how I was treated and how I responded. When I have spoken about it, it has elicited empathy from Members of all parties, with everyone agreeing that I did not deserve to be treated in that way, but I am aware that many here will think that what I speak of is my experience alone and that I am different, but I am not. When I have talked about the pain of being unable to find work and desperately wanting it, people have said to me, “But you are probably the exception to the rule”, but I am not. When I talked

about being treated like a child by some—though not all—jobcentre staff and about that having the reverse effect in terms of getting me into employment, I was told that that was a one-off, but it was not. I am no different from any of my constituents. I have family, friends and constituents who all wanted to work, worked hard to find work and needed help, not punishment. I am saying this because I am coming to a suggestion as to what we can do with these jobcentres.

The small minority who do not put effort into finding work are those who need the most support. It is more often than not a deep lack of self-confidence that stops them, as has been said previously. We need to support, encourage and empower them, not criticise, ridicule and punish them by cruel sanctions and by making it far harder to get to the jobcentre. Here is my suggestion for using the excess space that we have heard about within the earmarked jobcentres. The DWP work services director for Scotland, Denise Horsfall, said earlier this week:

“In Glasgow the buildings are between 20% and 40% under occupied. When you go in you will see a floor fully occupied but there are floors above which are empty”,

so why not use that space to provide room where people can utilise services that will actually assist them to gain employment? I am thinking of the difficulty I once had when I had no printer and I was required to print 20, sometimes more, CVs: a total of 60 pages at a cost of 10p a photocopy every week. That was £6 that I honestly could not afford, so I asked the jobcentre staff if they would print them for me. The answer I got was—I paraphrase, but this is the sense of it: “Don't be ridiculous. We can't do that sort of thing here.” I am thinking of the times when I could not afford credit for my phone, but I needed to make phone calls about employment opportunities. I wanted to be proactive. Why not use the space that is said to be leading to jobcentre closures, and provide office equipment and anything that people need for support in their search for work? Why not provide space for people to come together and support each other, build their confidence and get advice when they want and need it? The Minister will say that that happens already, but it honestly does not. There are areas of good practice, and we have heard about some of them today, but on the whole the DWP's approach is completely wrong.

Many years ago as a young graduate I was offered the opportunity to attend a group that was for some reason called the executive job club. It was not compulsory, so I did not feel like a naughty schoolchild in detention. It was respectful: the group co-ordinators made it clear that they believed everyone would work, given the opportunity, so none of us felt as if we were being judged. Peer support was encouraged, which meant that we spent time with people who were also struggling to find work, and felt useful because we could advise each other. One-to-one coaching, group sessions, pair work and drop-in were available; and it was all voluntary. It was therefore well attended, and the atmosphere was supportive and respectful. The turnover was high, because most of us got jobs. For me it removed a huge blockage. I was there only a few weeks, but it had a big impact on me. It changed the way I viewed myself and my professional skills. It gave me confidence and got me into a well-paid, challenging job, which put me on the path to a fairly successful career. The Government could learn from that and from other groups, including the numerous unemployed workers centres around the country.

[Anne McLaughlin]

I am suggesting that there is something missing in the experience of a person who is unemployed. Without any facetiousness I want to say that I would be happy to meet the Minister to talk some more about what I have outlined. Now that we have the space in the jobcentres in Glasgow, why, instead of closing them down, do we not consider using that space to provide the sort of services I have described? It would require more resources, but if it works it is surely worth it.

3.11 pm

**Stewart Malcolm McDonald** (Glasgow South) (SNP): It is always a pleasure to see you in the Chair, Ms Dorries. I congratulate my hon. Friend the Member for Rutherglen and Hamilton West (Margaret Ferrier) on securing the second but, I am confident, not the last Westminster Hall debate on the jobcentre estate, with a focus on Glasgow.

On 28 October 1977, that great chronicler of local news the *Barnet Press* published an article following a visit to a local jobcentre by the then Member of Parliament for Finchley. It was of course the late Mrs Thatcher. At the time, the jobcentre was serving 1,066 people in the constituency, and even Mrs Thatcher remarked at that point how overrun and busy it seemed to be. We have heard from the hon. Member for Glasgow East (Natalie McGarry) that one of her jobcentres will be expected to serve 3,000 people—three times the number that shocked even the late Mrs Thatcher. It is often said that the present Government are positively wet, by comparison with her ideology, but they have gone where even she would not.

It was excellent to hear from the hon. Member for North Swindon (Justin Tomlinson) and from my hon. Friend the Member for Glasgow North East (Anne McLaughlin) about all the excellent things that there can be in jobcentres to support vulnerable people—particularly, as the hon. Gentleman noted, those with mental health challenges. It is a wonderful idea, which is why we should not close Glasgow jobcentres, or reduce their number from 16 to eight—halving it, when there is supposed to be a 20% reduction elsewhere in the country.

I and my colleagues have submitted a range of written questions to Ministers in the Department for Work and Pensions, and I want to run through some of the answers. I am sure that if a jobcentre in your constituency was closing, Ms Dorries, you would, as would any Member, look for some basic, elementary information about how the Government had reached the conclusion that it was a good idea. You would want to know how many disabled people used the jobcentre. That was what I asked about both Castlemilk and Langside jobcentres in my constituency, which the Minister wants closed. The answer was that the Department does not have that information and it would be too expensive to find out. I asked how many people from both those jobcentres had successfully found part-time work: the Department does not have that information, and to find out would incur a disproportionate cost. I asked the same question about full-time work and got the exact same answer.

The Government have a plan that is so upside down and ill-thought-out that it is starting to make the Trump transition look positively orderly. There is no equality impact assessment, so the Minister cannot tell Members of Parliament at the end of the debate that she is

confident her Department will not break her public sector equality obligations under the Equality Act 2010. That is because it has not bothered to work it out. You will not believe it, Ms Dorries, but, as my hon. Friend the Member for Rutherglen and Hamilton West mentioned, the Department works with travel distances and refers to bus services that Google Maps has told it about. In some cases those bus services and routes no longer exist. The result, I promise, will be that people will be late to the jobcentre and will be sanctioned. That is the decision that the Government have taken.

There are two jobcentres in my constituency that the Government want to close. Castlemilk, a community in my constituency, is geographically the largest in Glasgow, and it used to be bigger than Perth. There are almost 20,000 people in just that area, and the Minister will force them to take an eight-mile round trip. The Langside jobcentre serves the second most densely populated council ward in Scotland. It is across the road from a college. I cannot think of a better place for a jobcentre than the second most densely populated ward, across the road from a college. The Minister needs to think again. The Government picked the fight, and until we get the right answer and the closures are scrapped, we shall keep fighting.

3.16 pm

**Carol Monaghan** (Glasgow North West) (SNP): It is a pleasure to serve under your chairmanship, Ms Dorries. I thank my hon. Friend the Member for Rutherglen and Hamilton West (Margaret Ferrier) for securing today's debate. We have had a number of debates on this issue, as my colleagues have mentioned. During the Westminster Hall debate on 20 December, I raised concerns about the planning application with respect to Anniesland jobcentre in my constituency, whose closure is planned. It turns out that the planning application was made in February 2016, which came as a surprise to the Minister for Employment, when I informed him. The go-ahead has been given to convert the building to private flats, so the DWP has had a long-term plan. The decision did not happen just before Christmas.

Like my colleagues, I submitted some written questions after that debate, including one about

“how many jobcentre offices in the UK are subject to live planning applications”.

The answer was:

“It is not known precisely how many Jobcentres are subject to planning applications across our entire estate at this time. This is because any party can make a planning application for a change of use for a building without the involvement of either the landlord or current tenants.

DWP will identify this information as part of conveyancing activity on buildings it is planning to retain or acquire.”

So the DWP has no idea which jobcentres or even which buildings will be affected. That has implications for constituencies throughout the UK, as I have said, and it is quite disappointing that other areas are not as well represented in this debate as Scotland. I did a simple check to find out the plans for Anniesland; surely the same could be done with respect to the other jobcentres that are part of the DWP estate.

Increasingly, therefore, it looks as though the planned closure of Anniesland jobcentre is not to provide “value for money” for the taxpayer, as we have been told, but because the DWP does not own any of the properties

that it occupies and in fact has no say over what the future use of those properties will be. More worryingly, the DWP does not seek any sort of resolution when its current offices are threatened. It should be trying its utmost—as we Glasgow MPs are, here today—to work with landlords, to ensure that there can be continuity with these offices, but that is just not happening.

The DWP simply expects that claimants will go elsewhere, transferring to another jobcentre. As some of my hon. Friends have already said, a distance of three miles seems reasonable, but of course these jobcentres have much wider catchment areas. We have repeatedly asked for those catchment areas but we have repeatedly not been given that information, so we actually have no idea just how wide-reaching these jobcentres are, and, frankly, that is information we need to know.

My colleagues and I have done what no Government Minister has done—we have visited the jobcentres and spoken to those affected by these proposals. I visited Anniesland jobcentre, just as my colleagues have visited their local jobcentres. I spoke to service users there, and it is clear how important Anniesland jobcentre is and how wide its catchment area is. I spoke to one person who is travelling nearly 10 miles to attend that jobcentre, so it is crucial that the UK Government understand the implications for claimants in the communities that will be affected before any changes are made.

Finally, I will mention the consultation. It has been promoted by us through social media, leafleting and local campaigns, and not by a letter that could have been sent out to claimants at these jobcentres. There are many important questions to be answered and my colleagues and I will continue to ask them.

3.22 pm

**Jim Shannon** (Strangford) (DUP): It is a pleasure to serve under you today, Madam Chair.

First of all, I congratulate the hon. Member for Rutherglen and Hamilton West (Margaret Ferrier) on presenting her case so very well. When I saw the title of this debate, I felt that I had to come along and make a comment, primarily because the future changes to the Department for Work and Pensions estate will affect my constituency. The changes are a devolved matter and I will explain some of the issues for us in relation to it. Perhaps the Minister will find herself with a direct role in this if things do not go according to plan in the elections.

I remember my time as a councillor and as a Member of the Legislative Assembly in Northern Ireland, when the idea of a private finance initiative was first brought to my attention, with regard to building a new hospital at the Ulster hospital site. It must be the Ulster Scots in me, but I just could not bring myself to see how that could be value for money and I opposed it on that ground, and on the ground that it was putting local people out of work. I have a great problem with PFI. The fact is that we are scrambling to find people now that the contract has finished, and we cannot do anything because we do not own anything. Of course, as you will point out, Madam Chair, PFI is not directly the issue that we are considering today, but it is one that we cannot ignore and I wanted to make a point about it on the record.

I know that, on paper, the people to office ratio may allow for an office to close, but we do not live on paper; we live in the real world, where transport systems, and rural and urban issues, come into play. Let me give

a Northern Ireland perspective. I say again that the Minister's responsibility is clearly to the mainland of the United Kingdom, but if the elections in Northern Ireland in two to six weeks do not deliver the democratic process that we wish to have, direct rule will become a reality. If that is the case, responsibility for this issue will fall upon the Minister's shoulders.

Ballynahinch social security office is out to consultation, with a view to the closure of the premises. The office is long overdue an upgrade, to both its interior and exterior, but it seems that the Department responsible simply cannot afford it, or at least that is what it is telling us. It is impractical to expect or insist that all claimants who use the Ballynahinch office should instead use the Lisburn office or the Downpatrick office, which on paper are less than 20 miles away. That does not seem far, but in reality it is a journey that many find difficult to make. In addition, both those offices are already oversubscribed and fully utilised.

The public transport links to Downpatrick or Lisburn already have problems, and for many people on benefits making such a journey would be another cost and another outgoing that they do not need. Some of those who attend Ballynahinch have severe mobility and access issues, and it would be harmful to their needs if the Ballynahinch office closed.

Let us look at some of the finer detail of the Ballynahinch SSO. Last year, it had 6,172 referrals for jobseeker's allowance not including phone call inquiries, which could easily double that number. There were also 7,406 jobcentre referrals, and it is imperative that that figure is highlighted in the consultation process. Very often people say that a jobcentre only provides benefits, but it does more than that: it is training people for jobs, as a number of hon. Members have already said.

All those who have an interest in this service must take the time to do their part, in order to see the retention of this office in Ballynahinch. In the four months prior to the start of the consultation, JSA inquiries were as follows: in May 2016, there were nearly 500; in June 2016, 596; in July 2016, 448; and in August 2016, 550. All those cases were dealt with by the Ballynahinch jobseeker's allowance staff alone.

The jobcentres in my area also have close contact with three local high schools. The point about schools is an important one; it has already been made by others and I make it in relation to my area. Those schools will be affected by any potential closures of jobcentres.

The new personal independence payment system is coming in. Staff need to be trained to use that system, and the increase in workload is quite phenomenal. I cannot speak for others, but I can speak for my own office and its staff—the number of PIP referrals that the office is getting is incredible. The staff's workload has probably doubled as a result, and I cannot say any more than that. People applying for PIP need to speak to staff who understand their problems, and who have both compassion and a good knowledge of the system. We also have to address the issue of those people who may not have educational achievements or the ability who come to the office. There is also the issue of the reduction in footfall for local businesses; there is a knock-on effect for them as well.

The hon. Member for Glasgow East (Natalie McGarry) referred to the equality impact assessment and I will, too. Thought must be given to the equality impact assessment,

[Jim Shannon]

as the rural town of Ballynahinch cannot afford to have the local jobcentre moved. That cannot be considered as “rural proofing”.

On paper, this decision about my jobcentre may be a no-brainer, but in reality we will leave hundreds of people without the support they need to find a job or to access other help, or to get advice about benefits. I am sure that this case is replicated in many ways in other hon. Members’ constituencies, which shows that, while we must cut outgoings, in doing so we cannot and must not cut people off from the help and support they need.

Again, I thank the hon. Member for Rutherglen and Hamilton West for raising this issue, and I ask the Minister for a reasoned opinion on what is being proposed for the DWP estate, and to ensure that, when it comes to making these decisions, we are there for the people who need us most.

**Nadine Dorries (in the Chair):** I call Chris Stephens to speak. Mr Stephens, you can have an extra minute or so.

3.27 pm

**Chris Stephens (Glasgow South West) (SNP):** Thank you, Madam Chair. It is a pleasure to serve under your chairmanship.

I thank my hon. Friend the Member for Rutherglen and Hamilton West (Margaret Ferrier) for a barnstorming speech in protection of jobcentres.

Perhaps to continue the theme of the speech by my hon. Friend the Member for Glasgow South (Stewart Malcolm McDonald), I have also researched not only my own written questions and the answers that I received but the written questions put by my hon. Friends. The answers we have received put me in mind of the infamous press conference by Donald Rumsfeld, the former US Defence Secretary, when he used that memorable term:

“There are things we don’t know”.

That phrase reminds me of the answers that we have received from the Government. When asked about the actual travel time for an individual to get to a jobcentre, they “don’t know”; as for the number of benefit claimants using each jobcentre, they “don’t know”; regarding the catchment area for each jobcentre, they “don’t know”; when asked about the bus routes to jobcentres, they “don’t know”; regarding the planning application that has been made in relation to Anniesland jobcentre, they did not know about it; that the landlord of the property housing Castlemilk jobcentre had offered to reduce the rent on the site, they did not know; and as for the impact of these changes on disabled people and women, they “don’t know”.

All these points are important, because if the Government do not know all those things, why are they so certain that jobcentres should close in Glasgow? And why is it that no other announcements have been made by the Department for Work and Pensions in relation to the closures of jobcentres? Is it because of the public backlash that the DWP has already seen in Glasgow, or is it because the DWP now knows, through the Glasgow experiment, that there is a lack of evidence to close other jobcentres across the UK? Or is it because the information that the DWP does not have for Glasgow is required elsewhere?

Yesterday, we were told in the main Chamber that work is the way out of poverty, but what consolation is that to the people in Glasgow who will find that the very places to find work are no longer there to support them?

If the Government do not have the information that I referred to at the beginning of my remarks, why are they only consulting publicly on three of the eight jobcentres earmarked for closure? If the closure of a package of eight jobcentres is announced, the whole package should be consulted on. What consolation is that consultation for those working in other Government Departments who are being made redundant? Is the Government’s vision to reduce the workforce in other Departments and for that workforce to then find that they cannot find a jobcentre, because they have been closed? That seems to be a perverse vision of ensuring that work is a way out of poverty.

The plan to close 50% of the jobcentres in Glasgow is a moral outrage. Some 68% of the people in Glasgow in receipt of jobseeker’s allowance, employment and support allowance and universal credit will be impacted by the closures. These closures will result in more people having to pay the telephone tax—the premium rate charges to call Departments. There is support among Members on the Government Benches and the SNP Benches for ensuring that the telephone tax is ended.

The cost of the jobcentre closures will be borne by the people the Government should be assisting. I recommend the submission from Parkhead Housing Association, which makes the very point that travel will impose extra costs

“on people living off of the minimum the government states is required for day to day survival.”

It is the people on low incomes who will be affected. It is unacceptable that tens of thousands of people will now travel further and incur additional costs to access social security. These individuals are seeking work or employment support. As the civil service trade union, the PCS, has said, the impact will be

“on women, vulnerable children and people with disabilities already hit hardest by government cuts.”

There must be an equality impact assessment. We must have a guarantee from the Government that the results of any equality analysis will be considered in the eventual decision. The Government have behaved in a disgraceful manner. They did not consult the Scottish Government before the announcement, nor did they consult the local authority. There have been inadequate responses to written questions, with that familiar answer “Information can only be provided at disproportionate cost” often being given. What is disproportionate is to close 50% of the jobcentres in Glasgow when the expectation is that that figure will be 20% elsewhere.

**Nadine Dorries (in the Chair):** Mr Stephens, you were allowed 10 minutes as the SNP spokesman. If you want to go on, you can.

**Chris Stephens:** I could have gone on.

**Nadine Dorries (in the Chair):** Would you like to go on?

**Chris Stephens:** Okay, I will.

As well as impressing the comments of Parkhead Housing Association on the Minister, I want to raise the comments of the Glasgow citizens advice bureau. It said:

“The increased numbers will put pressure on staff who have no leeway if someone is five or ten minutes late. They will be recorded as missing an appointment and sanctions will be applied. Some people have to sign on weekly and in some cases people can be called in daily. Even at once a week the bus fare is almost 10% of a young person’s Jobseeker’s Allowance.”

That is a true cost of closing the jobcentres in Glasgow for those who seek the support of the state.

3.33 pm

**Margaret Greenwood** (Wirral West) (Lab): It is a pleasure to serve under your chairmanship, Ms Dorries. This is yet another debate on this important matter. I congratulate the hon. Member for Rutherglen and Hamilton West (Margaret Ferrier) on bringing the debate to the House and on the real clarity and focus that she showed in the course of her remarks. I commend everyone who has taken part. We have had particularly interesting contributions. The hon. Lady referred to the comments made by PCS condemning the closures. The hon. Member for Glasgow South West (Chris Stephens) talked about the “moral outrage” of the proposals. That view was shared by many people in the Chamber today. Numerous other important contributions have been made.

The debate is on the future of the DWP estate, but the focus has clearly been on Glasgow, which is facing the closure of half of its jobcentres. In today’s debate and in preceding debates, Members have rightly focused on the huge range of issues that impact on claimants, including increased journey times; the complexity of the journeys and the impact that will have, particularly for those with mobility problems, those with young children and older people who might find it more difficult to travel on public transport; the cost of those journeys, which can be considerable for people on benefits; the increased likelihood of claimants being late as a result of public transport failure; and the increased risk of claimants being sanctioned, with the attendant risk that that will push people further into poverty.

From one single error, we can see such a process having devastating effects. That is most clearly exemplified in Ken Loach’s film, “I, Daniel Blake”, which tells one such story with immense power. The film has picked up five BAFTA nominations this year. I feel sure that that is not just because it is such a powerful film, but because the story that it tells is so highly relevant for today. *[Interruption.]* I am not quite sure what the hon. Member for North Swindon (Justin Tomlinson) is saying from a sedentary position. It is such a powerful film.

**Stewart Malcolm McDonald:** I wish to help the hon. Lady. Perhaps the comments from the hon. Member for North Swindon were that the director, Ken Loach, has publicly backed our campaign to save the Glasgow jobcentres.

**Margaret Greenwood:** I thank the hon. Gentleman for that contribution. The comments from the hon. Member for North Swindon were totally relevant, then.

It is immensely important that the DWP estate is managed with due respect for the impact that any changes might have on claimants, their families, their communities and those who work there. For those who

work there, the concerns are about job losses, the downgrading of posts and increased case loads. Will the Government comment on how they will manage the estate for the future? What are their plans for future technology, the changing roles of DWP staff and the introduction of in-work conditionality, which will require that those in work demonstrate that they are searching for more work? How will that will impact on the people in Glasgow who are having their jobcentres removed?

The changes are important for the people of Glasgow, but they are also important for the rest of the country, as has been clearly stated. I am short of time.

**Nadine Dorries (in the Chair):** Ms Greenwood, you have 10 minutes for your speech as a Front-Bench spokesperson.

**Margaret Greenwood:** Thank you. There have been several comments on the level of unemployment in the area. The latest claimant count shows that 5,810 people are registered as unemployed at the eight jobcentres threatened with closure. I would be interested to hear what will happen when those centres close. I understand that the remaining jobcentres in Glasgow will have to deal with twice the volume of claimants as a result. That is especially a concern for the Shettleston jobcentre, which will take on the case load from three of the jobcentres that will close. Can the Minister provide us with a breakdown of the expected increase in case loads for those jobcentres that will remain open? What will be done to help the DWP staff who have to deal with that increased workload?

**Alison Thewliss:** Does the hon. Lady appreciate that the jobcentres at Easterhouse, Parkhead and Bridgeton all have citizens advice bureaux nearby and other support services wrapped around those jobcentres? The Shettleston jobcentre does not, and that will make it even more difficult for clients to seek help when they need it.

**Margaret Greenwood:** That is an important point. Several Members have spoken about the difficulties people face when they approach a jobcentre. I have spoken to people in my constituency who feel frightened and intimidated about going to the jobcentre, so having that kind of support is invaluable. It is particular invaluable given that for universal credit people are being asked to make and manage claims online. Many find that very challenging.

In that regard, can the Minister update us on the work she has done to identify the number of people who struggle to fill in those online applications and maintain their claims online? I know the 2011 skills for life survey found that 14.5% of people have below entry-level skills for word processing, 30% had below entry-level skills for email, and 38% had below entry-level skills for spreadsheets. I have taught on a programme to get women back to work, and I have worked alongside adult learners who have difficulty reading and writing and even handling things about their name and address. What is the Minister doing to support those people, particularly with the move to the digital environment?

**Natalie McGarry:** The hon. Lady is making a very interesting point and I wonder if she shares my concern. Many people in my constituency suffer from digital

[Natalie McGarry]

exclusion, which means that they use additional services that are near jobcentres, such as libraries, putting those services under additional pressure. I hold my surgeries in libraries and have heard from library staff how much pressure they are under to assist people with digital and online application systems.

**Margaret Greenwood:** That is a very important point. There are also issues of confidentiality and people being put in a position of presenting deeply personal information in a public environment, which I feel is inappropriate and makes vulnerable people more vulnerable.

There has been plenty of comment on the increase in time it will take people to travel and the cost of that. As we know, the DWP used Google Maps to determine travel times and we have been told that they will be increased by 2 or 3 miles or 15 to 20 minutes of public transport time. Will the Minister specify the mode of transport that they are talking about? Is it buses or trains, which are a lot more expensive, or cars? These things make quite a difference to claimants.

Concerns about the impact that the closures will have on employment support services have already been mentioned. Any reduction in employment support in Glasgow will deepen hardship in many areas of the city. As the hon. Member for Glasgow East (Natalie McGarry) pointed out, some of these areas are the most deprived areas. Will the Government explain how they will maintain levels of employment support for those people?

The DWP's plans for the estate seem to be based on the expectation that unemployment will remain low. I hope that that is the case and that the roll-out of universal credit, with claims increasingly being made and managed online, will reduce the need for jobcentres in the long run. However, that is a very ambitious approach. I would reflect the comment made earlier about the uncertainty of the future we face. We do not know whether the unemployment level will remain this low. What contingency arrangements have the Government made in the event that we see an increase in unemployment in the Glasgow area?

It is vital that full regard is given to the impact on claimants, jobcentre staff and local communities before the closures take effect. The Government say that they want to halve the disability employment gap—I cannot see how closing jobcentres will help them to do that. Will the Government publish the impact assessment of the proposals on equality issues, with particular reference to the impact on women, children and disabled people? Will they also tell us what the impact will be on jobcentre staff? I would like some detail on that. Our communities need an employment support service and a social security system that we can all be proud of and that people can have confidence in. I believe that the people of Glasgow deserve better than to be treated in this manner.

3.42 pm

**The Parliamentary Under-Secretary of State for Welfare Delivery (Caroline Nokes):** It is, as always, a pleasure to serve under your chairmanship, Ms Dorries. I add my congratulations to the hon. Member for Rutherglen and Hamilton West (Margaret Ferrier) on securing this debate and to all hon. Members who have contributed to it. We have had quite a geographic spread—obviously, the majority of hon. Members who have spoken are

from Scotland, but the south-west, the north-west and of course Northern Ireland have been represented. I thank those hon. Members for their comments.

Our network of jobcentres is absolutely at the heart of Department for Work and Pensions services. Across the country, jobcentre staff work hard to help people to access the support and assistance they need to move into employment and into better and more employment—and it is working. The claimant count has dropped from almost 1.5 million in 2010 to around 800,000 now. Unemployment is down by more than 900,000 since 2010, as the economy has grown. We are at near record levels of employment across the country.

As the needs of our claimants have changed, so have our jobcentres, and rightly so. The way that the Department is delivering its services is changing in response to significant societal trends. The Department continues to make the most of the opportunity technology brings and more services are moving online, reflecting that increase in digital capability and accessibility. Eight out of 10 claims for jobseeker's allowance are made using digital channels and almost 90% of universal credit claims are currently made online.

There are several examples where the Department is working in shared Government facilities or with local authorities and other local partners. The hon. Member for Glasgow North East (Anne McLaughlin) and my hon. Friend the Member for North Swindon (Justin Tomlinson) both mentioned co-location and talked about hubs where we can bring services together and make local arrangements that bring—

**Chris Stephens** *rose—*

**Natalie McGarry** *rose—*

**Caroline Nokes:** Everyone wishes to intervene at once. I give way to the hon. Lady.

**Natalie McGarry:** At a meeting we had before Christmas with members of the DWP, we were told that co-location would not happen in some of these cases because the jobcentre was a “toxic brand”. I wonder whether the Minister can answer that.

**Caroline Nokes:** When I have been visiting jobcentres up and down the country, I do not recognise a toxic brand. In fact, I recognise very hard-working staff who champion the successes that they have had and the jobs that they have helped people into.

**Chris Stephens:** If co-location is such a good thing, why was there no consultation with the local authorities and other public bodies in Glasgow before the announcement of the jobcentre closures? Co-location could have been a solution to the issue.

**Caroline Nokes:** I thank the hon. Gentleman for his intervention. Of course the DWP works hard with the Scottish Government and other local authorities to ensure that we investigate opportunities. I am conscious that, in Glasgow, outreach and co-location services are already provided at Anniesland College. I want to see more of that. Outreach provides one of the solutions to helping jobseekers where they are, rather than expecting them to travel to centres. The working environments are good,

more of the services that customers use when there is co-location are in one place and it can cost considerably less to run services. We are building on partnerships with local organisations to expand that range. As I mentioned, in Glasgow, we work closely with Anniesland College to offer services, including helping claimants with their job searches and offering benefit advice.

**Carol Monaghan:** Of course, Anniesland College no longer exists—it is Glasgow Clyde College and has been for a number of years.

**Caroline Nokes:** I thank the hon. Lady for pointing that out to me.

A key ambition of the DWP is to enable claimants to access our services in ways that suit them. At the heart of our reforms is a digitally-focused approach, which is more secure, more accessible and more efficient. We need to have a modern welfare system that is fair while providing good value to the taxpayer—a welfare system that ensures we are not under-utilising space in our buildings. That is the best way of making sure that the Department is delivering value for money, both for those using its services and the taxpayer.

We need a modern welfare system that is not only fair but simple to use and takes full advantage of the opportunities modern technology and communication channels afford us. Universal credit is absolutely at the heart of that, allowing claimants to manage their claims online. It is the key that unlocks the flexibility and the modern support that we want for people, not just to help them into jobs but to help them progress in work, too. They can manage claims online and receive the personalised support they need in order to find more work and better paid work.

Since coming into this role, I have seen the positive impact of personalised work coach support for myself. I have been struck by how work coaches are committed to helping the individual claimants they work with to find more hours of work and better paid work. At the heart of that is the principle of ensuring easy online access, which allows households to make claims and report changes securely, without necessarily having to travel to a jobcentre. It is right that the future of the DWP estate reflects not only the fundamental changes in the welfare system but the near record levels of employment across the country.

**Ronnie Cowan** (Inverclyde) (SNP) *rose*—

**Margaret Greenwood** *rose*—

**Caroline Nokes:** I will give way to the Opposition spokesperson, but this really must be the last time.

**Margaret Greenwood:** I may be pre-empting what the Minister is going to say. She has talked about online access several times. I would appreciate it if she could answer my question about the assessment that she has made of the difficulties that people who are not IT-literate have in accessing things online and the kind of support that is provided for them.

**Caroline Nokes:** As I said at the outset, 90% of UC claims are now successfully managed by our claimants.

**Ronnie Cowan** *rose*—

**Caroline Nokes:** I am sorry; I am not going to give way.

After 20 years, the private finance initiative contract that covers many DWP offices is nearing an end—it expires on 31 March next year—which provides us with the opportunity to review which offices we will need in the future and to save the taxpayer money, while ensuring all our claimants are able to access the support they need.

There was a question earlier about planning permission. Under a PFI contract, we are not the leaseholder. Planning issues are entirely separate to the contract that we hold on the buildings. In every case, we are seeking to minimise disruption, moving existing jobcentres into nearby sites and co-locating wherever possible. The UK labour market is in the strongest position it has been in for years, but we cannot predict the future. The hon. Member for Rutherglen and Hamilton West was right to mention Brexit. That is one of the reasons that we continue to ensure that we retain sufficient flexibility and spare capacity in the system. Our aim is to reduce floor space, not the workforce, who are so important in supporting claimants back into work. Indeed, there are now 11,000 work coaches across the country, and we are planning to hire 3,000 more staff.

When a jobcentre closes, the Department will consider what outreach services we can expand and what facilities may be suitable to provide those services. Outreach is about ensuring services are flexible and accessible for the people who need them. For claimants who are unable to attend a jobcentre owing to their vulnerability or who have difficulty completing the process required by the Department to claim a particular benefit, we have robust procedures in place. DWP Visiting undertakes home visits or occasionally visits to an alternative agreed address if that is more appropriate. Travel expenses are refundable under certain circumstances, including where claimants are required to attend a jobcentre more frequently than every two weeks. Under some conditions claimants are able to maintain their claim by post, including where they have caring responsibilities for a child and it is not possible to make arrangements for short-term childcare. The hon. Member for Glasgow North West (Carol Monaghan) mentioned catchment areas. Claimants can also choose to attend an alternative jobcentre to the one allocated to them if it is more convenient, easier and less costly to travel to.

A number of Members mentioned the equality analysis, which is part of the detailed planning for service reconfiguration. That will include the feedback from the public consultation process, which is still ongoing. We are committed to complying with our public sector equality duty, and we take account of the feedback from our public consultations. The equality analysis will help to establish any impacts that additional travel will have on customers and inform decisions about additional provision, such as outreach services.

**Stewart Malcolm McDonald:** Will the Minister give way on that point?

**Caroline Nokes:** I am sorry, I will not.

Equality analysis involves us considering the likely or actual effects of proposals on people with protected characteristics as part of our decision-making processes. Employment is, of course, the joint responsibility of the

[*Caroline Nokes*]

UK and Scottish Governments. As hon. Members mentioned today, my hon. Friend the Minister for Employment is travelling to Scotland, where he is meeting members of the Scottish Government. We welcome the chance to work with them. Indeed, DWP officials have been working closely with them on this process.

We are building contingency into the system, building on lessons learned in 2008. More flexible arrangements and new contracts are being brought forward. Last night, we debated DWP policies in the main Chamber. It was a wide-ranging debate, which included the question of Glasgow jobcentres. My hon. Friend the Member for South Ribble (Seema Kennedy) stated, and I cannot disagree with her,

“There is too much clinging on to bricks and mortar when the real questions should be what works and what will get more people into work.”—[*Official Report*, 17 January 2017; Vol. 619, c. 888.]

Hon. Members would do well to reflect on that. It is about the service we deliver—[*Interruption.*]

**Nadine Dorries (in the Chair):** Order. Please allow the Minister to speak.

**Caroline Nokes:** The claimants must come first in the service we deliver to them. We must also deliver value to taxpayers in Scotland and across the rest of the UK.

The Department’s services always have and always will adapt to social trends, and it is right that we reflect the digital revolution. These proposals are the result of careful analysis and planning. I appreciate the concerns of the hon. Member for Rutherglen and Hamilton West about the proposed closures, and I thank her again for securing the debate. I think the rationale for the proposals is clear. The overall number of people claiming the main out-of-work benefits has fallen by more than 1.1 million. The changes are about reducing floor space, not the number of dedicated frontline staff helping claimants back into work.

**Alison Thewliss:** There are six minutes left.

**Nadine Dorries (in the Chair):** Order. There are six minutes left because the official spokesman for the Scottish National party did not take his full 10 minutes to speak. I call Margaret Ferrier.

3.54 pm

**Margaret Ferrier:** Thank you, Ms Dorries. I would like to thank—[*Interruption.*]

**Nadine Dorries (in the Chair):** Order. I will address the chuntering from your Back Benchers. Time limits on speeches are limited to Back Benchers, not official spokesmen or Front-Bench representatives.

**Margaret Ferrier:** Thank you, Ms Dorries. I thank all hon. Members for their contributions to my debate. However, I did not get any answers to any of the questions I asked, and I am not sure whether any other hon. Member did either.

**Ronnie Cowan:** Talking about not getting answers to questions, I did not get the opportunity to put my question. I was going to ask the Minister whether she would guarantee that the closures in Glasgow are not the opening salvo in a widespread closure of jobcentres across the United Kingdom, including in my constituency. It would have been nice to have had the opportunity to put that question.

**Margaret Ferrier:** I think my hon. Friend has just put that question very succinctly. He has two jobcentres in his area, and there is a rumour that one of them may close. They are not close to one another—they are in Port Glasgow and Greenock—so there will be a lot of travel for claimants.

The Minister made much of co-location, which was not considered before the announcement of the closure of these jobcentres. On the point about digital, Glasgow is one of the highest areas of digital exclusion. I urge everyone to sign the change.org petition to save the eight Glasgow jobcentres. As the shadow Minister said, this debate has focused primarily on the Glasgow jobcentre closures, but next week or next month it could be North Swindon, Cardiff, Sheffield or Belfast—in fact, any town or city up and down the country. This fight is not over. As the hon. Member for Glasgow East (Natalie McGarry) said, we will be back to speak up for all our constituents.

*Question put and agreed to.*

*Resolved,*

That this House has considered the future of the DWP estate.

3.56 pm

*Sitting suspended.*

## East Suffolk Railway Line

[MR ADRIAN BAILEY *in the Chair*]

3.58 pm

**Peter Aldous** (Waveney) (Con): I beg to move,

That this House has considered future investment in the East Suffolk railway line.

It is a pleasure to serve under your chairmanship, Mr Bailey.

I am pleased to have secured this debate, which provides a timely opportunity to highlight the important role that the East Suffolk railway plays in the local transport network. It is the line that runs north to south and links Lowestoft in my constituency to Ipswich via 10 intervening stations. The line has a fascinating and in many ways illustrious history, including many great moments, some sad times and a fight for survival. At present, things are going well. With the right investment we can do even better and provide local people with a high-quality railway service to play a key role in bringing jobs and growth to the area.

The East Suffolk opened on 1 June 1859. At the time it ran from Ipswich to Yarmouth South Town, in Great Yarmouth, with branches to Framlingham, Snape, Leiston and Lowestoft. Further branches were subsequently built to Southwold and Felixstowe; the former has long since closed, but is remembered with affection, while the latter remains and is a key national freight route from the port of Felixstowe to the east and west coast main lines. Today, the East Suffolk runs for 44 miles from Ipswich to Lowestoft through four parliamentary constituencies: Ipswich, Central Suffolk and North Ipswich, Suffolk Coastal and my own, Waveney. Much of what I say will highlight the importance of the railway to my constituency, but it would be remiss of me not to think strategically and to consider the whole line and the opportunities that it brings to the wider east Suffolk area.

The Minister for the Cabinet Office and Paymaster General, my right hon. Friend the Member for Ipswich (Ben Gummer), and the Under-Secretary of State for Environment, Food and Rural Affairs, my hon. Friend the Member for Suffolk Coastal (Dr Coffey), are not able to be here because of their ministerial duties and commitments, but I am pleased to be joined in the Chamber by my hon. Friend the Member for Central Suffolk and North Ipswich (Dr Poulter). He will no doubt highlight those issues to which I do not give sufficient weight and will pick me up if I get anything wrong or wander too far off track.

The East Suffolk faced its darkest hour in the 1960s when Dr Beeching earmarked it for closure. A strong local rearguard action was mounted and, ultimately, the East Suffolk dodged the Beeching bullet, with Barbara Castle reprieving the line in autumn 1966. Much of the credit for that victory must go to ESTA, the East Suffolk Travellers Association, which formed in 1965 and continues to campaign today for improvements to the line and the bus services that link to it. I am a member, and I commend it for its work. ESTA campaigns are properly researched and evidence-based.

It is appropriate to consider the role that the East Suffolk line plays in linking the county's two largest towns, with stations along its route in market towns

and villages. John Brodribb commented in his 2003 book, "An Illustrated History of the East Suffolk Railway":

"The East Suffolk had never been promoted simply for private advantage or pecuniary profit: it was a public utility serving a rich cultivated district."

The East Suffolk is still very much a public utility, and although I do not wish to be downbeat and say that the area is no longer rich and cultivated, things were very different in the mid-19th century. Agriculture dominated the local economy, and Lowestoft, owing to the entrepreneurial flair of Sir Samuel Morton Peto, was a flourishing resort and port with a new harbour. Today things are different. Agriculture is still important but not as significant, and Lowestoft has, like many coastal communities, been hit hard by the decline of the fishing industry and the challenges faced by much of British manufacturing at the end of the 20th century.

Good communications are one of the keys to secure an economic renaissance and to bring prosperity back to an area. Along with improved roads and superfast broadband, the railways have an important role to play. Improving the East Suffolk line would benefit the industries and economic centres so important to the area's future: ports and logistics, with sidings into Felixstowe and Lowestoft ports; the energy sector, with freight access to Sizewell via the former Leiston branch, where planning is stepping up for the construction of the Sizewell C nuclear power station, and to Lowestoft which is a fast-emerging hub for the offshore renewables sector; and tourism, with stations providing gateways to Suffolk's historic towns or the potential of bus connections to a wide variety of attractions such as the broads, Framlingham Castle or the Latitude festival.

The past few years have been good for the East Suffolk line. That renaissance is under way, but we need to nurture, sustain and encourage it. As a result of the reintroduction of an hourly service following the construction of the £4 million Beccles loop, in 2011-12 to 2015-16 passenger movements at East Suffolk line stations averaged growth of 29%, compared with average growth of 13% across the rest of Suffolk. The growth figure varies from station to station: at Beccles it is 38%; Brampton 43%; Wickham Market 34%; and, way out on its own, Oulton Broad South 134%. The one blot on the landscape is Westerfield, where passenger numbers have declined by 42%, although that can almost certainly be attributed to the previous half-hour service for the station, at the junction with the Felixstowe branch line, being reduced to an hourly one. That highlights the need for specific work at Westerfield, to which I shall return.

It is also appropriate to mention improvements carried out by local community groups. For many years the Halesworth and District Museum has been located in the station. Last year an inspiring and highly imaginative redevelopment of Beccles station was completed. Previously the station was an eyesore; now it is an inviting and attractive gateway to the town. The East Suffolk also has the advantage of a proactive and visionary Community Rail Partnership, which has worked up a wide variety of schemes to increase and broaden the line's appeal to passengers.

Last October a new franchise was granted to Abellio Greater Anglia. Many of the new arrangements rightly focus on improving the main line, the Great Eastern from Liverpool Street to Norwich, but many elements

[Peter Aldous]

of the package will have direct benefits for the East Suffolk, such as brand new trains on the line from 2019-20. The new trains will have air-conditioning, wi-fi and plug points, and they are particularly welcome because for too long East Anglia has been the elephants' graveyard for old trains. Also from 2019, there will be four trains a day between Lowestoft and London, which is important and highly symbolic. One of the disadvantages that Lowestoft faces is its perceived remote location. For me, personally, with a heavy suitcase in tow, to stagger up the steps from the underground to the main concourse at Liverpool Street and to look up at the display board to see there in lights through trains to Lowestoft is so very important.

Those improvements are welcome but must be the beginning and not the end of investment in the East Suffolk line. We must not rest on our laurels. The work that has been carried out so far and the positive outcomes that have resulted show the great potential for further investment to promote economic growth. The Great Eastern line is the spine of the East Anglia rail network. The need now is to focus on the feeder lines, of which the East Suffolk is one of the most important. There are pressing reasons and a strong case for pressing ahead for further improvements to the East Suffolk line.

The first reason is Sizewell C. EDF is consulting on its plans for a new nuclear power station at Sizewell near Leiston, with a view to submitting a planning application next year. The railway could play an important role in delivering aggregates for an enormous construction project to the site in a way that causes minimal disruption to local communities. EDF is working with Network Rail to carry out a governance for railway investment projects, or GRIP 2, study of the alternatives. Additional line capacity would need to be provided between Saxmundham and Woodbridge, and the various options must be carefully analysed. Those options include a passing loop at Campsea Ashe, a longer section of double track to the south, or complete redoubling of the track between Woodbridge and Saxmundham. Any improvements must take place well in advance of construction starting at Sizewell, which is scheduled for three years' time, and the case to get on with the work as quickly as possible is very compelling. Welcome funding was provided in the autumn statement for a business case to be worked up for upgrading the A12, with specific reference to the four-villages bypass, and a similar appraisal for the railway should be twin-tracked at the same time.

The second reason for further upgrading the East Suffolk line is the port of Felixstowe. The branch line from Westerfield to Felixstowe plays an important role in enabling people to commute to work and get to and from what is a popular seaside resort, as well as facilitating the working of the port by getting more freight on to the railways, thereby relieving pressure on the A14 to the midlands. As I have mentioned, there is a capacity bottleneck at the junction at Westerfield that constrains such plans, and we must address now how best to resolve that problem, which would bring significant benefits to the area and allow Felixstowe to maintain its position as a leading global container port. That is so important as the country seeks to build new trading arrangements around the world. Additional capacity

should be provided on the Felixstowe branch, which should be part of an electrified bespoke freight line between Felixstowe and Peterborough.

The third reason for further investment is Lowestoft station. In 1961, Sir Nikolaus Pevsner commented:

"The railway reached Lowestoft in 1847 and the station was built close to the harbour. It is Italianate, of yellow brick, asymmetrical and picturesque".

I am afraid that I have to report that Lowestoft Central station is at present not picturesque. The building and its surrounds are in a sorry, dilapidated state. The good news is that the Lowestoft station partners, with whom I am working closely, have come together with a visionary set of proposals to refurbish the station and revitalise the surrounding area. They presented those plans to the Minister at a meeting in his office in November, and he has kindly given his support to them and agreed to visit the station to view the situation for himself.

Lowestoft Central is Britain's most easterly railway station, occupying a unique location in the town centre within walking distance of the blue flag south beach. It was built by Lucas Brothers, which also built the Royal Albert Hall, Alexandra Palace and York station. Its refurbishment can act as a catalyst for the regeneration of the surrounding station square. That will be facilitated by the third crossing of Lake Lothing, which will divert through traffic away from the town centre.

The fourth factor behind my request for further investment is the need to promote growth and, linked to that, improve journey times. An improved service on the East Suffolk line can play an important role in helping to attract more business, new jobs and more visitors along the entire length of the line and its surrounds. That is recognised and is being promoted by the Suffolk chamber of commerce, the Lowestoft and Waveney chamber of commerce, Suffolk County Council in its rail prospectus, Waveney District Council and Suffolk Coastal District Council.

At present, the journey time from Lowestoft to Ipswich—a 44-mile journey—is more than 90 minutes. For a lot of people, that is a major disincentive to let the train take the strain. When the through service to Liverpool Street is reintroduced, it is likely to have a journey time of more than 160 minutes. That is longer than it took in 1904 to make the same journey on one of the seaside specials that ran on Saturdays in the summer. Speeding up that journey will also help to get traffic off the A12, and it will be achieved in four ways: through the faster trains that are on their way, more dual tracking, track replacement and a review of which of the numerous crossings of the line, many of which are private and pedestrian, are absolutely necessary. That work, particularly on the last issue, will require thorough consideration and wide-ranging consultation, but we need to get on with it straightaway.

My fifth point is that there is a need for better bus connections at stations. The new interchange facilities at Lowestoft station are welcome, and good arrangements are in place at Halesworth, where buses to Southwold meet the trains, but these need to be extended to other stations. We need a network of virtual railways along the entire line, whereby trains and buses seamlessly serve the market towns and coastal resorts that do not have stations. I have in mind such places as Bungay, Aldeburgh and Orford.

In conclusion, I see a great future for the East Suffolk line, which can help to bring a better quality of life, jobs and prosperity to the whole east Suffolk region. However, that will not happen on its own; we need to kick-start it. We need to plan for it and have a business plan in place. Time is of the essence, particularly with Sizewell C and the need for better freight facilities serving the port of Felixstowe. We must start that work now. I would be grateful if the Minister outlined how best we can secure the funds for a study. Once the plan has been completed, we can set about delivering the improvements that I have outlined. That said, we should start work straightaway on the refurbishment of Lowestoft station and improving bus connections, and I would be most grateful for the Minister's support for those schemes.

If it is acceptable, Mr Bailey, I think my hon. Friend the Member for Central Suffolk and North Ipswich (Dr Poulter) would like to say a few words.

**Mr Adrian Bailey (in the Chair):** I had not actually received any indication that Dr Daniel Poulter wanted to contribute to the debate. However, if you are in agreement, Mr Aldous, as I gather you are, and if the Minister is also in agreement—

**The Parliamentary Under-Secretary of State for Transport (Paul Maynard)** *indicated assent.*

**Mr Adrian Bailey (in the Chair):** I will permit that, but we need to give the Minister at least 10 minutes to respond, so please bear that in mind, Dr Poulter.

4.16 pm

**Dr Daniel Poulter** (Central Suffolk and North Ipswich) (Con): It is a pleasure to serve under your chairmanship, Mr Bailey. I pay tribute to my hon. Friend the Member for Waveney (Peter Aldous) for securing the debate. He rightly highlighted the importance of the East Suffolk line in bringing jobs and growth to the east of England, but particularly the east Suffolk coast, which is the energy coast and has a growing tourism industry of which we are very proud.

I will not speak for long, but I want to reiterate and emphasise a couple of points that my hon. Friend made. He rightly talked about the importance of the Felixstowe to Nuneaton freight rail link and Westerfield junction, which is in my constituency, and the improvements that are needed there to support that freight rail link. I am sure that the Minister is aware that 46% of the UK's container traffic goes through Felixstowe port. It is important that we support that port, particularly as we look to our position in the world post Brexit.

My hon. Friend eloquently covered those points, so I intend to talk briefly about the importance of improving capacity and service frequency on the East Suffolk line. We are struggling to some extent with what is a single-track railway for the majority of its length. The ongoing discussions with EDF are a welcome opportunity. We must ensure that we get the best possible deal from those negotiations for improvements in infrastructure—both the building of the power station and, more broadly, improvements to support the energy coast and the tourism industry in Suffolk.

There are few passing points on the track. As my hon. Friend outlined, the ideal solution would be to improve the track through greater dualling—I would

welcome additional investment to dual the stretch between Woodbridge and Saxmundham—but we need at the very least improved capacity on the line, and in order to have that, we need more passing points. A passing point at Wickham Market or Campsea Ashe must be a minimum requirement for what comes out of those negotiations. As the Minister is a Transport Minister, that is not to say that those measures should be pursued to the detriment of some of the road improvements that we need from our engagement with EDF, but it is vital that we see improvements to the East Suffolk line as a result of those negotiations. I hope that the Minister can be relied upon to help to hold EDF's feet to the fire and ensure that it provides the money that is required to build that infrastructure on the East Suffolk line.

The final point I will make in the time available to me is about the importance of having a proper through service from Lowestoft to London—

**Mr Adrian Bailey (in the Chair):** Order. I am sorry, but the Minister must be given 10 minutes to respond.

4.20 pm

**The Parliamentary Under-Secretary of State for Transport (Paul Maynard):** It is a pleasure to serve under your chairmanship, Mr Bailey. I have deleted five minutes' worth of material, so I think I can just about fit my speech in. I congratulate my hon. Friend the Member for Waveney (Peter Aldous) not just on securing the debate but on eloquently putting forward the case for his constituency, as he always does. I join with him in congratulating the East Suffolk Travellers Association and the local community rail partnership on all the work they do to sustain this important line. I well recall his visit to my office to show me the delights of Lowestoft Central station, not least because that was only last November—my memory is not that bad. I recall a more favourable impression of Lowestoft station than the one he portrayed in the debate. If the Minister of State, my right hon. Friend the Member for South Holland and The Deepings (Mr Hayes), were here, he would cite it as an example of the beauty he wishes to see in all our stations for the work he does on the physical appearance of the network. I think my hon. Friend was a little harsh about his station.

My hon. Friend will not need me to tell him that the East Anglia region is a major economic engine. That is reflected in the amount of investment we have put into infrastructure across the whole of East Anglia, not least the £151 million for river crossings at Ipswich and Lowestoft, which I know he has been a champion of for a long while, and £1.1 billion going into road improvements, including to the A47 and A12. It is however right and proper that we focus on the East Suffolk rail line to which he referred. I understand how important it is to balance the needs of all passengers in the region with the opportunities that he rightly mentioned are coming up in the future.

There are many lessons from the past about how to balance affordability and deliverability when prioritising what we do across the region as a whole. My hon. Friend will know that a useful and important document has been produced in recent months in terms of the Anglia route utilisation strategy that has come from Network Rail. That was put together with the help of many stakeholders including Suffolk County Council

[Paul Maynard]

and the New Anglia local enterprise partnership. While it found no immediate case on demand alone for the improvements he seeks on the line, it pointed out—as he rightly did—that the immense amount of work that will be ongoing at Sizewell C changes the parameters of the debate. He was right to raise that issue.

We must also remember that the East Suffolk line is part of the much wider Abellio Greater Anglia franchise, on which we are seeing almost a revolution. As my hon. Friend pointed out, it used to be the graveyard for old carriages, but that is certainly not the case any longer, given the amount of investment that will go in. He rightly listed many of those improvements.

I for one entirely understand the importance of arriving at a terminus station and seeing one's constituency or town in lights on the destination board. I get that thrill on the one occasion a day that Blackpool North appears at Euston station—it is only once a day; he will have far more services than me. I recognise why that matters to a town's sense of place and purpose and where it sits in the wider world. In addition, we will see increased services from Cambridge and Norwich to Stansted as well as to Ipswich, so there are all positive things going on there.

That does not mean that there are not small, local improvements that we can make on the line that will help to improve journey times and line speeds, as well as the many other points my hon. Friend raised. Take what we have done at the level crossing at Halesworth: that is an example of a relatively small-scale investment that can make a meaningful contribution by speeding up the line, removing temporary speed restrictions and enhancing the service for local residents. That is a good thing.

We also have to take the longer term view. There have been many calls by local stakeholders, not least both of my hon. Friends in the debate, for improved transport links in east Suffolk ahead of the proposed development at Sizewell C. In particular, such improvements could help to accommodate the considerable increase in heavy goods vehicle movements expected once construction of that major infrastructure project commences. The focus of such movements to date has been on the road network, and I certainly acknowledge that local partners see the A12 as a key local route within Suffolk and vital for the planned growth within that corridor.

The A12 will see a substantial increase in traffic if the proposed power station gets the go-ahead. That is why, as my hon. Friend the Member for Waveney rightly pointed out, we recently awarded £1 million of funding for further development work on the business case for the project. Improving rail links has to be part of that project. It is entirely in line with Government policy on freight to encourage use of more environmentally friendly means of transport wherever feasible, not least—as both my hon. Friends pointed out—because of the proximity of the major port of Felixstowe on which so much of our wider maritime strategy is crucially dependent. Any steps to move heavy vehicles off the roads of Suffolk are likely to improve road safety radically as well, which is also important as we consider how to move forward. I am personally keen to ensure that future development at Sizewell also supports rail development.

I must be clear that my Department would not be involved in any rail proposals being put forward in advance of construction at Sizewell C. Planning consent has not yet been granted, and we would expect that rail costs directly linked to construction would be included as part of those construction costs. I urge the promoter, EDF, to enter into dialogue with the rail industry on future plans for rail freight movements: for example, to discuss expected loads and frequency, and how the network can manage any increase in freight during the construction of Sizewell C, if it goes ahead. I would be more than happy for my Department to help to facilitate such discussions if my hon. Friend would like us to play a role in that.

The existing spur off the East Suffolk line to Sizewell B is currently used for freight, but opportunities may also arise for new passenger services. In addition, any wider upgrades associated with Sizewell C may deliver benefits that could also be used by passenger services. Once the promoter's plans are clear in that regard, I will be happy to commit that my Department will work with it and the rail industry to consider what enhancements to passenger services can be delivered in parallel with the freight plans.

My hon. Friend also mentioned the issue of bus services and their interaction with the local rail network. The ultimate goal is the integrated transport network that transport planners always talk of and we always wish to see. He will be aware that the Bus Services Bill will shortly come before the House. It will give local authorities new partnership powers that could enhance services at stations. In many areas, local authorities and operators have created such partnerships, which have led to improved bus services. The Bill will build on the success of those partnerships by allowing local authorities and operators to develop specific sets of measures to improve bus services in their areas. That should include better connections to rail stations.

My hon. Friend also raised the issue of improvements to Lowestoft station as well as improving journey times along the line. As we discussed at our meeting last year, no funding is currently identified for the level of improvement he seeks. Indeed, given that the line serves a local, regional market, it is unlikely at this stage that we would be able to agree any funding from the national rail enhancements budget. However, local authorities and the New Anglia local enterprise partnership are funded and well placed to assist with that work and facilitate funding on the basis of potential wider economic impacts. I urge my hon. Friend to engage with them, as I know he has done, and the wider rail industry to develop a case for those improvements.

My hon. Friend is right that we have to both nurture and sustain the existing line, to use his words. I hope he agrees that the many improvements already committed to in the new franchise will deliver significant benefits across his constituency. I look forward to hearing from him in the near future on how plans at Sizewell C can act as a further catalyst for new developments on this important railway line.

*Question put and agreed to.*

*Resolved,*

That this House has considered future investment in the East Suffolk railway line.

## Leaving the EU

4.30 pm

**Gordon Henderson** (Sittingbourne and Sheppey) (Con): I beg to move,

That this House has considered the process for the UK to leave the EU.

I am pleased that you are chairing the debate, Mr Bailey. I drafted the wording of the motion with a purpose. We have come to use Brexit as shorthand for our country's extricating itself from the EU, but Brexit does our friends and neighbours in Northern Ireland a grave disservice. It is not Britain that will be leaving the EU, but the United Kingdom of Great Britain and Northern Ireland. Technically, if we are to use a shorthand at all it should be "UKexit".

I applied for the debate before the Prime Minister's excellent speech yesterday, in which she set out her objectives for the negotiations that will take place with the EU during the next couple of years. I wanted a debate because some of my constituents are confused. Like me, they are simple souls who believed that they knew exactly what they were doing when they voted to leave the EU in June 2016. The more knowledgeable among them even knew the process for achieving our withdrawal.

However, they are now confused, because they see certain hon. Members who apparently do not understand what is meant by democracy, such as the leader of the Liberal Democrats, the hon. Member for Westmorland and Lonsdale (Tim Farron), who seems to think that a referendum result is only democratic if he is on the winning side. My constituents do not understand why, having voted overwhelmingly to leave the EU, their wishes are dismissed as only "advisory" by many remainers. They also do not understand why some MPs do not themselves seem to understand the process for leaving the EU, so I called the debate to allow the Minister to clarify that process. Let me be clear: that does not mean I want him to reveal any of the Government's negotiating plans. I will explain more on my reasoning for that later.

My understanding of the process of leaving the EU is probably an oversimplification of the situation, although, as I said before, I am a simple soul. I believe that the first step is to notify other EU members that we intend to leave, by invoking article 50, and that nothing can be done until that happens, including negotiating with our EU partners. Article 50 is also banded about as shorthand for setting the ball rolling, but I wonder how many people have actually read what it entails. I will enlighten those who do not know by reading it out:

"1. Any Member State may decide to withdraw from the Union in accordance with its own constitutional requirements.

2. A Member State which decides to withdraw shall notify the European Council of its intention. In the light of the guidelines provided by the European Council, the Union shall negotiate and conclude an agreement with that State, setting out the arrangements for its withdrawal, taking account of the framework for its future relationship with the Union. That agreement shall be negotiated in accordance with Article 218(3) of the Treaty on the Functioning of the European Union. It shall be concluded on behalf of the Union by the Council, acting by a qualified majority, after obtaining the consent of the European Parliament.

3."—

this is important—

"The Treaties shall cease to apply to the State in question from the date of entry into force of the withdrawal agreement or, failing

that, two years after the notification referred to in paragraph 2, unless the European Council, in agreement with the Member State concerned, unanimously decides to extend this period.

4. For the purposes of paragraphs 2 and 3, the member of the European Council or of the Council representing the withdrawing Member State shall not participate in the discussions of the European Council or Council or in decisions concerning it."

That seems pretty clear to me: the United Kingdom will leave the EU two years after invoking article 50, whether or not an agreement has been reached. That is my understanding of the process. I would like confirmation that I am right, and that article 50 of the Lisbon treaty will be triggered by the end of March.

**Dr Daniel Poulter** (Central Suffolk and North Ipswich) (Con): I congratulate my hon. Friend on securing the debate. Does he agree with my interpretation of the triggering of article 50: once triggered, it is an irrevocable process that nothing—not even Parliament—can stop either that being completed or Britain's leaving the European Union?

**Gordon Henderson:** I thank my hon. Friend for that intervention, because it allows me to emphasise again that not only is that his interpretation and mine, but it is the EU's interpretation. What he says is quite true: once we have invoked article 50, that is the end of the matter—we will be leaving the EU. That is my understanding of the process, and I would like confirmation that I am right.

I would also like the Minister to clarify what will happen should the Supreme Court uphold the High Court's ruling that Parliament should have a vote on any decision. As the Prime Minister made clear yesterday, leaving the EU will entail divorcing ourselves from all of the EU's institutions, rules and regulations, including the single market, the customs union and the free movement of people—except under terms negotiated between the UK and the remaining member states. That is what my constituents understood, and it is what they voted for by a large majority in last year's referendum.

Nationally, the United Kingdom voted by a margin of 52% to 48% to leave the EU. Some Members have said that that result is indecisive and should be ignored, but most of those Members were elected to this place with a lower percentage of the vote than 52%. Does that mean that we can ignore their opinion? I should add that, in my constituency of Sittingbourne and Sheppey, the margin in favour of leave was 62% to 38%.

I also add that my constituents who voted to leave are absolutely livid that some professor at Cambridge University called Nicholas Boyle is reported to have said:

"The referendum vote does not deserve to be respected...Like resentful ruffians uprooting the new trees in the park and trashing the new play area, 17 million English, the lager louts of Europe, voted for Brexit in an act of geopolitical vandalism."

That is a disgraceful slur on my constituents and the rest of the 17 million decent people who voted to leave the EU—many of whom were Irish, Welsh and, indeed, Scottish.

**Peter Grant** (Glenrothes) (SNP): The hon. Gentleman may have anticipated my point. I was going to say that, although he correctly pointed to the respective statuses of the United Kingdom and Great Britain earlier, there is clearly a massive flaw in the quote he read out. It was

[Peter Grant]

not 17 million people only from England; sadly, there were some in Scotland who voted to leave as well—although not very many.

**Gordon Henderson:** It was not my quote; it was by a professor of German from Cambridge University. He is a far more intelligent person than I am, but I understood that it was not only English people who voted to leave. I should add—the hon. Gentleman will probably realise this from my name—that my father comes from Glasgow. He is a proud Scot, but has lived in this country for 69 years. He is first and foremost British and considers himself so. Not only are those people called lager louts and vandals by this two-bit academic, but they are accused by other remainers, including Members of this place, of not understanding what they were voting for last June and of not being aware of the implications of an out vote. In addition to being insultingly patronising, that accusation simply does not stand up to even the flimsiest scrutiny.

Before the EU referendum campaign even started, the then Government sent every household an expensive leaflet, funded by taxpayers, setting out why people should vote to remain in the EU. Let me quote verbatim from that leaflet. It said that voting to remain would

“protect jobs, provide security, and strengthen the UK’s economy for every family in this country—a clear path into the future, in contrast to the uncertainty of leaving.”

That was a pretty clear warning, but still 17 million people voted to leave the EU.

The remainers also tell us that although a majority voted to leave the EU, they did not vote to leave the single market. Let me quote from the Government leaflet again:

“Remaining inside the EU guarantees our full access to its Single Market. By contrast, leaving creates uncertainty and risk.”

That, too, was pretty clear: a vote to leave the EU was also a vote to leave the single market. But still 17 million people voted to leave.

Having lost the referendum, some remainers are attempting to change the rules of the game. They are now saying that the referendum was only advisory. That is twaddle. Let me read another couple of quotes from the Government leaflet. The first is this:

“This is your chance to decide your own future and the future of the United Kingdom. It is important that you vote.”

That is reinforced by a second quote:

“This is your decision. The Government will implement what you decide.”

Voters in the United Kingdom as a whole decided to leave the EU. It is now for the Government to deliver what was promised and get the process started by invoking article 50. They should not be preventing from doing so by those remainers who are unable to come to grips with the result of the referendum.

Some remainers argue that article 50 should not and cannot be triggered without first obtaining the approval of Parliament. I do not remember those people pointing out during the referendum campaign that the Government’s promise to implement any decision taken by voters was illegal. Instead, it is only now that they are trying to subvert the will of the people.

**Peter Grant:** On a point of order, Mr Bailey. I do not think I have ever raised a point of order since becoming a Member of Parliament. Is it in order for us to comment on the merits of a case that is sub judice before the Supreme Court? Should we not wait for the Supreme Court to decide before we comment on whether or not article 50 needs parliamentary approval?

**Mr Adrian Bailey (in the Chair):** I do not really feel legally qualified to give a ruling on that, so I will permit the hon. Member for Sittingbourne and Sheppey (Gordon Henderson) to continue with his contribution.

**Gordon Henderson:** Thank you, Mr Bailey. My comments were in no way designed to influence whatever the Supreme Court decides, but it is fairly common knowledge that it will give its ruling. My views are irrelevant to it.

The people I was talking about dress up their subversion with weasel words that would do credit to a used car salesman. They claim not to oppose UK exit, but their actions belie those words. I have no respect for those who say they want to abide by the referendum result but are desperately trying to find ways to somehow delay triggering article 50, in the hope that a way can be found to have a second referendum or a general election. As it happens, I think they are clutching at straws if they believe that voters would change their minds. In my view, if there was another referendum, the result would be an even more resounding vote to leave, because the “Project Fear” fox has been well and truly shot. In addition to realising that they were lied to by some remainers, the voting public do not like cheats and whingers, as those with a long political memory will know.

**Dr Poulter:** There is a point of view—I think a legitimate one—that as it took us passing an Act of Parliament to enter the European Union, Parliament will also legally be required to pass an Act of Parliament to take us out. That does not mean those of us who take that position in any way want to override the desire expressed by the British people to leave.

**Gordon Henderson:** I welcome my hon. Friend’s intervention, but he will not be surprised to know that I do not agree. I believe that when the Government hold a referendum in which they make it clear, as the then Government did, that the will of the people will be listened to, and when this Parliament—of which he and I were both Members at the time—decides to allow a referendum and for the British people’s view to be heard, we should hear it.

I talked earlier about those of us with a long political memory, and I want to remind people what happened in Winchester at the 1997 general election. The Conservative candidate lost by two votes to the Liberal Democrats, but after a successful petition, there was a rerun of the election, at which the Lib Dems won by a majority of more than 21,000. It is ironic that it is the Lib Dems leading the charge for another referendum. They appear not to have learned anything.

I mentioned the Government’s negotiating position. There are repeated calls from all sides of the House for Ministers to allow Members to scrutinise their plans in advance and vote on them. In my view, that would be quite ludicrous and could only be suggested by people who have little experience of business or absolutely no experience of negotiating. I have experience of both.

I left school at 16 and worked in the real world of business and commerce for almost 50 years before being elected to this House. For some of that time, I worked as a senior contracts officer for GEC-Marconi Avionics, which was then bought by British Aerospace. In that role, I negotiated with various customers, including the UK Ministry of Defence and McDonnell Douglas in America. There are no circumstances on earth that would have enticed me to reveal to those with whom I was negotiating information in advance about my negotiating stance. To have done so would have been akin to committing commercial suicide, so why should Ministers let our European neighbours know in advance what the Government's strategy is? That would be stupid.

**Hannah Bardell (Livingston) (SNP):** I congratulate the hon. Gentleman on securing this debate. I am listening carefully to the great detail he is going into and, indeed, to his business experience. Could he tell us whether, in making any business decisions that would mean going through a significant period of change, the companies he worked for consulted the board or its employees? How would he compare that to how the UK Government consulted people on the detail of their plans in the run-up to the Brexit vote?

**Gordon Henderson:** I welcome the hon. Lady's intervention, and I have a very easy answer for her. My experience in business is that shareholders elect a board of directors. The board of directors then employs people to manage the business, including negotiators, and does not expect to be kept informed of what is going to happen. If a negotiator messes up on a deal, they get the bullet. It is exactly the same thing here: if the Government mess up on this deal, they will not get re-elected at the 2020 election. That is the deal.

One thing I learned as a contracts officer was never to enter into any negotiation without a line beyond which I was not prepared to go, and to be prepared to walk away rather than cross that line. The Prime Minister said yesterday that in her view, no deal is better than a bad deal. I hope our negotiators remember her words and are prepared to walk away rather than accept a bad deal.

We often hear remainers talking about hard Brexit and soft Brexit. No one has explained to me exactly what those terms mean. I am assuming that by "soft exit" the remainers mean we should remain in a single market, even if that means we have to accept the free movement of labour in exchange. I also assume that they are happy for us to continue paying the EU billions of pounds a year for the privilege of having full access to the single market and accepting all the obligations that come with being a full member. If that is the case, soft exit means no exit and they should be honest enough to admit it. As for me, exit means exit. Full stop.

**Mr Adrian Bailey (in the Chair):** Before I call the next speaker, I want to inform hon. Members that I have sought legal opinion on the point of order raised by Peter Grant. The situation is that even if the House sub judice resolution did apply to the case before the Supreme Court, I judge that the risk of any prejudice from this debate be so small that I would waive the sub judice resolution. Members should, of course, refer respectfully to the judges involved in the case.

Two Back Benchers have indicated that they wish to contribute to the debate. Ordinarily, the Front-Bench spokesperson would have five minutes and the Minister would have 10 minutes. If the Back Benchers are so generous as to give a little more time to the Front-Bench spokesperson, I will enable them to have more time.

4.52 pm

**Hannah Bardell (Livingston) (SNP):** It is a pleasure to speak in this debate on what is a hugely important issue—the issue of our generation.

It is fair to say that, as the hon. Member for Sittingbourne and Sheppey (Gordon Henderson) said, we should put the various political platitudes and soundbites of hard Brexit, soft Brexit and red, white and blue Brexit to one side and realise they are pretty meaningless to voters and the people who elected us. We must stop patronising the people of the UK and letting this Tory Government off the hook by trivialising or minimising this complex issue to pitiful political platitudes. It is hugely important to have debates such as this as we go through the process and to remind ourselves that exiting the EU will be hugely complex and time-consuming; in fact, to quote the now Chancellor of the Exchequer, it could take

"longer than the Second World War."

That is why it still seems to me—and, I am sure, to many people across these islands of the UK—incredible that ahead of the EU referendum vote the Tory Government had no plans and nothing written down about the options and plans.

For a number of years before coming to Parliament, like the hon. Member for Sittingbourne and Sheppey, I worked in the oil and gas sector, particularly in areas of business change. Like any business, when we embarked on large-scale change we drew up a road map of where we wanted to go. We started with where we were, what we wanted to do and how we would do it. Along with that were extensive details of what departments of the business would be affected, who might lose their jobs and how we could mitigate and protect any threats to our business. I can almost see the coloured Post-it notes and the mind maps.

I am pretty certain that every business person, organisation and individual across the UK looked at the proceedings and the details that came out in the press in the run-up to the Brexit vote—or, it would be fair to say, lack of detail—and assumed that at the very least the Tory Government had a basic analysis of the impact of exiting the EU and what the processes would be. However, it seems that the nation was mistaken. The press reported:

"Civil servants will be secretly working on 'Brexit' plans but not writing them down".

Can anyone imagine a CEO going to the board of a company and saying, "Don't worry. Our company won't fail. I have been doing lots of thinking and it's all in my head. Success means success, it will be red, white and blue and you can all now vote on whether you are with me or against me"? They would be laughed out of the boardroom.

Even the First Minister of Scotland, Nicola Sturgeon, thought the former Prime Minister was pulling her leg when he said that he did not have a plan for the UK if it

[Hannah Bardell]

should vote to leave the EU. However, he was not kidding, and we now know what happens to Prime Ministers who do not have a plan.

By contrast, when we held a referendum on Scottish independence in 2014, we did have a plan. We consulted people the length and breadth of the country. We even wrote things down. We may not have had all the answers, but we engaged and prepared, and presented a pretty extensive White Paper that people could read, digest and consider before they were taken to the polls on such an important issue. We felt that we had set the gold standard for referendums. When the then Prime Minister bumbled into Brexit without any proper forethought, he put the economy of the United Kingdom, people's livelihoods and our international reputation on the line. I hope that as the Government enter into the process of exit from the EU they will reflect long and hard on how badly they have failed the people of the UK with respect to a proper planning process.

There are questions that are important to people and businesses across the nations of the UK, about the working of the process but also about what it means for their lives and livelihoods. We so often get caught up in technical jargon and doublespeak. Brexit has been the ultimate case in point. People and businesses need to be able to plan for the future, and the Tory Government need to be open and transparent about what they are doing and how they are doing it, and to ensure that, as they promised, they will consult all the nations of the United Kingdom.

To use my own constituency as an example, Livingston was a new town, built in the 1950s and designated in 1962. It attracted significant EU structural funding. I have heard from people in my constituency who came from other parts of Europe to set up homes and businesses in Livingston, where business relies particularly on workers from the EU. The town is Scotland's third major retail hub, with the McArthurGlen outlet drawing in thousands of shoppers every week. The retail sector employs no fewer than 2 million workers in the UK, many of them in my constituency; and many of them are worried about their status.

My constituents and local businesses are not the only ones with concerns. The report published by the Exiting the European Union Committee earlier this month, entitled "The process for exiting the European Union and the Government's negotiating objectives", warns of an urgent need to

"provide certainty and reassurance to the individuals, their families and the businesses and services that rely on them."

JP Morgan commented yesterday, after the Prime Minister's Brexit speech, that not to have clear details, particularly for trade, was "very dangerous".

The Prime Minister said yesterday:

"Brexit must mean control of the number of people who come to Britain from Europe."

In Scotland, EU membership supports more than 300,000 jobs directly and indirectly. The Fraser of Allander Institute has predicted that Scotland could lose up to 80,000 jobs.

I know from the cases that come through my constituency office that the Home Office has rules and new regulations coming out of its ears; they change every week. It is so

disorganised that there are no proper, efficient systems for dealing with immigration. As the UK sets out the process for exit from the EU, I want to ask the Minister specifically, will the Government review the current processes? It is apparent that those processes are not working and therefore, instead of looking to review and improve them, they are going to close the door and not let in anyone else from the EU. The Minister shakes his head, but the fact is that people do not know what their status is going to be.

Just before we returned from the recess, both the CBI and the Federation of Small Businesses expressed serious concern about the lack of clarity as to EU workers, their status, and the impact on business. As we look forward, it is essential that the Prime Minister should stick to the commitment that she gave today in Prime Minister's questions to work with the devolved nations. She made specific reference to the Scotland plan and gave a commitment to working with the Scottish Government on the way forward. That is welcome news but the process is complex and Scotland's position and the result of the EU vote in Scotland must be respected.

The Scottish National party strongly believes that the best way to build a more prosperous and equal Scotland is to be a full member of the EU, and certainly advocates staying within the single market, even if the rest of the UK leaves. According to the UK Government's own analysis, leaving the single market could lower Scotland's GDP by more than £10 billion. Furthermore, the National Institute of Economic and Social Research suggests that Scotland's exports could be cut by more than £5 billion if we lose access to the single market. The EU is the main destination for Scottish exports; it receives 42% of Scotland's international exports. As the negotiations take place, it is vital that there is a more transparent process than we have seen today and that there is greater detail.

Triggering article 50 will directly affect devolved interests and rights in Scotland. The UK's current constitutional arrangements are underpinned by membership of the EU. Leaving the EU therefore requires reconsideration of the devolution settlement. Critically, the Exiting the European Union Committee report commented on the work that the Government still need to do before triggering article 50. It stated that

"it is essential that all the devolved governments, and the different regions of England, are duly involved in the process and have their views taken into account."

Separately, there is a need to devolve more powers to Scotland, in order to safeguard current EU rights and social protections in areas such as employment and to allow the Scottish Parliament to protect Scotland's wider interests, including any differential relationship with Europe.

The Secretary of State for Exiting the European Union told me directly in the Chamber yesterday that he wanted to ensure that there was no detriment to workers in Scotland from other parts of the EU. Yet the Tory Government have pursued pernicious and damaging policies such as those set out in the Trade Union Act 2016. Many of us wonder what they will do when the powers are transferred from Europe.

Of course any proposal to remove Scotland from the EU will need legislation from Westminster, but the First Minister of Scotland has made it crystal clear that any such legislation would require the consent of the

Scottish Parliament. The people of Scotland voted, by a majority, to remain in the EU. As we go through the process of exiting the EU, the UK Government must take account of what the people of Scotland voted for. They must not take us off a cliff edge into a hard Tory Brexit. They must do everything they can to accept the will of the people of the devolved nations by considering the plans that have been put forward.

**Mr Adrian Bailey (in the Chair):** I intend to call the Front-Bench spokespersons by 5.10 pm.

5.2 pm

**Jim Shannon (Strangford) (DUP):** It is a great pleasure to speak in this debate. I congratulate the hon. Member for Sittingbourne and Sheppey (Gordon Henderson) on setting the scene very well. He and I are of a similar mind, as are other hon. Members in this Chamber, but it is always good to give a balance to the debate, which is on a major issue for us all.

I have been vocal in my desire to see our sovereignty restored. I was overjoyed to learn that the Vote Leave campaign had been successful and that the will of the people, as demonstrated in the democratic vote, was to be followed. I have been disheartened by those, most often in the media, who have perpetuated the belief that there is still some way in which that may not happen, as the hon. Gentleman said. All the challenges that have arisen in the law courts are a vain attempt to circumnavigate the will of the people.

The same thing is happening in Northern Ireland at the moment, as Members following events over there will be aware. The will of the people was to elect a strong Democratic Unionist party team, and because the strength of that team was too overwhelming for Sinn Féin, it collapsed the institution, to take power back and change that outcome. I do not believe that that should be allowed to happen on the European question: we must stand fast on it. Our leave process must begin. Article 50 should be triggered. I congratulate the Prime Minister on her statement yesterday and on her clear and firm control of the steering wheel, which is in good hands as we move out of Europe.

I am not so simple-minded that I do not understand the massive intrinsic complexities that these steps bring with them. We need to be certain of what is achievable and how we achieve it. The bitter grapes of wrath against people who dared to exercise their democratic right by voting to leave must be put away. We must all work together to secure the best possible outcome for each and every constituent, regardless of how they voted. I have spoken at length to those who are preparing our strategies and policies for Brexit and I have been incredibly vocal about the need to ensure that the needs of Northern Ireland are taken into account, especially in the light of the events of the last week in Northern Ireland that have prevented those in our Assembly from being able to do their job and have input.

I am grateful for our party's team here in Westminster. My right hon. Friend the Member for Belfast North (Mr Dodds) continues to work closely with the Government and with Ministers in a very positive and direct fashion. He recently met Michel Barnier, the EU chief Brexit negotiator, privately in Strasbourg, to ensure that he, too, was informed of the distinctive challenges faced and the special arrangements required by Northern Ireland.

There is a need for flexibility to ensure minimal disruption to existing border arrangements under the common travel area, which predates the EU continuation of trade, with the Republic of Ireland. As my right hon. Friend has said, stability around those arrangements will be key in helping to secure the continuation of good relations and the peace that the EU has assisted in fostering. Article 8 of the Lisbon treaty outlines the European Union's desire to

“develop a special relationship with neighbouring countries” in the interests of

“prosperity and good neighbourliness...and characterised by close and peaceful relations based on cooperation.”

Being positive about how we are moving forward and taking people with us must be the character of the Brexit process. It must be in the best interests of all the people of the United Kingdom of Great Britain and Northern Ireland.

A withdrawal agreement will set out detailed transition provisions that should state the future relationship with the EU. Despite that, there are particular concerns about the UK's trading relationship with the EU. My concerns lie in such areas as the agri-food industry. EU exporters have been known to price competitively. Those who depend on imports from the EU face higher costs for some things. Our process and negotiations must ensure that fair costs in the import and export of goods from different countries are maintained. There are negotiations in place to allow New Zealand to supply lamb with zero duty. Those arrangements are in place. They are possible and they must be made available to us. Interestingly, in the news today, we heard the Government's statement that many countries are queueing up to sign trade contracts with us outside of Europe. That is an indication of the confidence that the rest of the world has, and it shows why we should be confident in what we are doing, too. That was good news.

Fishermen are not able to fish or work in their own waters, but Brexit will enable them to reclaim their rights to fish sensibly under sensible guidelines, with a sound business plan that will increase viability, create jobs and lead to a better future. The fishermen in Portavogie in my constituency and across Northern Ireland and the whole United Kingdom, including Scotland, want to have control. We have to have that.

There has been talk of changes to workers' rights due to a change in regulations, but I believe that the small and large businesses in our counties often go further than the European rights, such as by making enhanced and longer periods of maternity leave available. We are doing many things better than Europe intended. I am positive about workers' rights. I had the opportunity to meet the Secretary of State for Environment, Food and Rural Affairs in Northern Ireland. That was not by my invitation alone, but I was one of those who invited her. We had the opportunity to meet some companies to talk about workers' rights, some of the problems they have and how the Secretary of State sees the cross-border trade working.

After hearing what the Secretary of State said, I am confident that our agri-food industry will be able to co-operate and do business in the Republic of Ireland. I am also confident about the workers we have in our factories and their futures. Many have married, integrated, bought houses and are living in our areas. I have had

[*Jim Shannon*]

parents express concerns to me about university places in Europe and the availability of placements, but I point to the reciprocal arrangements that countries such as Switzerland and Norway have in place. We are already doing it. People should not get alarmed about what is happening. Arrangements are already in place that we can take advantage of.

I have raised many issues. I put it on record yesterday, and I will do so again today: I have faith and confidence in the Brexit team, in our Prime Minister and in those negotiating to deliver Brexit for us. We must trigger article 50 when our confidence in how we are achieving our goals is strong. I believe that the Secretary of State and the Brexit team are aware of that, and I have faith and confidence in their timing.

The onus on each Member in this House is to respect the democratic will of the people, to get involved in the process and to help to secure the best advantages for this country. They should stop creating roadblocks and putting up legal challenges that go against the will of the people as expressed in the referendum. We need to deliver on what the people said, and they want out. They want a constructive relationship with Europe, and that is as it should be. There are advantages to having trading partners, but there are more advantages to being out of Europe, and I look forward to that. We need the knowledge to foresee the bumps in the road and to help smooth the obstacles. We have a once-in-a-lifetime opportunity to improve the economy and expand our trading relationships with other countries. I am very confident about the future, and all those who voted out are also confident. Many of those who voted remain are also looking forward to those opportunities. Let us get it right and let us do it together.

5.9 pm

**Peter Grant** (Glenrothes) (SNP): I am pleased to sum up on behalf of the Scottish National party in this debate, and I commend the hon. Member for Sittingbourne and Sheppey (Gordon Henderson) for securing it.

In his opening speech, the hon. Gentleman reminded us that the requirement of the UK Government is to deliver and implement article 50 in accordance with the United Kingdom's own constitutional requirements. I am grateful to the hon. Member for Strangford (Jim Shannon) for reminding us, among other things, of the very special—indeed, unique—place that Northern Ireland has in the constitutional requirements of the United Kingdom. I hope that, whatever else happens, nothing in the implementation of article 50 will jeopardise in any way the very fragile and tenuous peace process that is still, thankfully, just about in place in Northern Ireland.

The hon. Member for Sittingbourne and Sheppey quoted some figures and made some assumptions about the percentage of the vote that various MPs received from the electorate. I must say that my hon. Friend the Member for Livingston (Hannah Bardell) actually bucked the trend that he referred to, because she got just under 57% of the vote in her election. Modesty forbids me from telling the House that I got just under 60%. Members will have worked out immediately that both those numbers are higher than 52%; indeed, they are also both higher than 55%, which is a number that is quite significant for

some of us. Admittedly, though, they are far short of 62%, which is the percentage that matters most to me in this debate, because 62% is how many of my people said they wanted to stay in the European Union.

**Gordon Henderson:** I will just point out that 62% was also the majority in my constituency here in England.

**Peter Grant:** I commend the hon. Gentleman for his great persuasive powers in achieving that result. I delicately remind him that I did not say 62% in my constituency; I said 62% in my country. There is an important difference.

The final comment that I will make in relation to the hon. Gentleman is that I share his distaste and despair at the tone of some of the debate before, during and after the referendum, and I certainly completely distance myself from the description that he referred to, which was used against all of the 17 million people who voted to leave the EU. I respect the right of people to take their own decisions. I may sometimes be horrified, dismayed, appalled or disappointed by the decisions that they take, but I will respect the decision that the people of England have taken and I also respect the decision that the people of Wales have taken. I ask Members to respect the views that have been expressed by the people of Scotland.

However, I gently have to remind the hon. Gentleman that it is not the first time in the last few years that opponents of change have told packs of lies to the population during a referendum, and I also have to say that I do not remember him protesting as loudly the last time it happened, which was in Scotland.

The debate is about the process for leaving the European Union, but it would be foolish to try to talk about the process without talking about where we want to be at the end of it, because knowing where we want to be can have a huge impact on the process that we choose to follow, and the way that we implement the process can significantly affect our chances of getting the results that we want.

What are the objectives and how have they been arrived at? Well, we have got some clarity on the first question, but not a great deal of clarity on the second. We now know something about the objectives. We now know that the Prime Minister's objective is not to have free movement of people, but we do not know exactly what she wants instead. We now know that the Prime Minister does not want to be part of the single market; we just do not know what she wants to be part of instead. And we now know—well, we knew already—that when we negotiate this avalanche of new trade deals with everybody and their dog, who, according to the Foreign Secretary, are queuing to do deals with this wee pocket of land in the north Atlantic, those deals will not be subject to adjudication by the Court of Justice of the European Union; we just do not know whose jurisdiction they will come under. In other words, we know a great deal about what the Prime Minister does not want, but we are not an awful lot further forward in knowing what she does want.

Shortly after the referendum, the Liberal Democrats—yes, they do sometimes have their uses—came up with the phrase that the referendum result told us that people wanted to leave but we did not really have any idea about where they wanted to go, and I am not convinced that things have changed very much since then.

We cannot even get reliable and consistent answers from the Government about how they will decide on their objectives. Yesterday, in answer to my question about the Scottish Government's paper, "Scotland's Place in Europe", the Secretary of State for Exiting the European Union told the House:

"I gave him"—

That is, Mike Russell MSP—

"an undertaking that we would debate that paper at the next JMC (EN), as it is known in Whitehall jargon, and that is what we will do. I have been very careful not to comment publicly on it".—[*Official Report*, 17 January 2017; Vol. 619, c. 798.]

He was referring to the Scottish Government's paper—

**Mr Adrian Bailey (in the Chair):** Order. I call Matthew Pennycook.

5.15 pm

**Matthew Pennycook (Greenwich and Woolwich) (Lab):** It is a pleasure to serve under your chairmanship, Mr Bailey. I congratulate the hon. Member for Sittingbourne and Sheppey (Gordon Henderson) on securing this important and timely debate, as well as the hon. Members for Strangford (Jim Shannon) and for Livingston (Hannah Bardell) on their powerful contributions. The hon. Member for Sittingbourne and Sheppey was forceful and direct in making his argument, and I will try to be the same.

I will start by saying that Labour accepts and respects the outcome of the referendum. It was the largest exercise of direct democracy in our country's history and more than 33 million votes were cast. It was a lengthy, wide-ranging campaign that culminated in a high public turnout and a close, but clear, outcome. Throughout, as the hon. Gentleman rightly said, the public were led to expect that the result would be honoured and implemented, and it should be. Labour accepts that we are exiting the EU and we therefore have no intention, should the Supreme Court uphold the High Court's November ruling on 24 January, of frustrating the start of that process by voting against the triggering of article 50 out of hand.

However, Labour believes that the Government have approached the matter in the wrong way by arguing, as they have done and continue to do, that Parliament should have no say in the matter. All the effort and cost that will have been incurred by 24 January could have been avoided if Ministers had simply assured the House at an early stage that a plan setting out the Government's basic negotiating terms would be forthcoming, and had proceeded with a vote on the triggering of article 50 on that basis. That is an approach that we would have welcomed.

Once article 50 has been served there will—I agree with the hon. Gentleman—be a hard two-year deadline within which to conclude a divorce settlement. However, the question of how long reaching that settlement and agreeing a new relationship with the EU 27 will take will be determined by the complexity of the negotiations to come. I agree, in this respect, with the hon. Member for Livingston—I am staggered that the Government did not do even the most rudimentary planning prior to 23 June.

From the speech that the Prime Minister delivered yesterday we do, at last, have some much-needed clarity on how the Government intend to approach the negotiations. I have to say to the Minister, however, that I find it

extraordinary that it has taken this long, and that the Prime Minister chose to make her announcement in a speech rather than in a statement to the House. Nor does Labour view that speech as a substitute for a detailed published plan of the kind that would allow parliamentary bodies and devolved Administrations to conduct effective scrutiny. With regard to the substance of the speech, it was disappointing to learn that the Government have walked away from the single market, whatever the cost to our economy, jobs and trade, before the negotiations have even begun and, in doing so, have put at risk our barrier-free trading relationship with the EU. It was also irresponsible and counterproductive of the PM to threaten the EU 27 with the prospect of turning Britain into a deregulated offshore tax haven if she falls short in her negotiations.

However, we acknowledge that the Government have accepted many of the demands that we have been making for months, and will now seek full access to the single market, free of tariffs and unencumbered by impediments, and something short of complete withdrawal from the customs union. They are also working towards a co-operative and collaborative relationship with the EU 27 on a range of issues including security, defence, foreign affairs and science and research. However, let us be clear that in aiming for each of those objectives—the ones that we have been pressing for, as well as her own red lines on immigration and leaving the jurisdiction of the European Court of Justice—the Prime Minister has set her Government and the Brexit team a herculean task. It will certainly be far tougher and more complex than the more cavalier Members on the Government Benches would have us believe.

What is more, for all the clarity that the speech did provide, it also had significant gaps. We have no idea, for example, what the basis is for the Government's conviction that there is a middle way on the customs union that will not fall foul of World Trade Organisation rules. I do not hold out much hope, but perhaps the Minister might like to enlighten us this afternoon. Nor are we any the wiser as to where the Government will come down when confronted with the difficult choices that will inevitably arise in the negotiations. We do not know, for example, whether they will prioritise the reduction of immigration over the economy and jobs, should the EU 27 not agree to give the Prime Minister the type of single market access that she seeks and we on this side believe is essential for our economic prosperity.

We have made some progress in that Ministers now clearly recognise how complex the negotiations will be and have therefore conceded, contrary to what the Secretary of State for Exiting the European Union argued for many months, that an agreement on a new relationship is not likely to be completed before the end of March 2019. As such, as we have long argued, some form of transitional arrangement now looks likely, but we are still none the wiser about precisely how long the Government expect that transitional arrangement to continue. Perhaps the Minister can enlighten us.

5.20 pm

**The Parliamentary Under-Secretary of State for Exiting the European Union (Mr Robin Walker):** It is always a pleasure to serve under your chairmanship, Mr Bailey. I congratulate my hon. Friend the Member for Sittingbourne and Sheppey (Gordon Henderson) on securing this

[Mr Robin Walker]

debate and on his excellent speech. He said that he was a simple soul, but he went on to demonstrate a grip of the facts and an erudition that rather belied that comment. He did a good job of not only representing his constituents but sharing the benefit of his commercial and negotiating expertise, which we welcome.

After the Prime Minister's speech and the Secretary of State's statement yesterday, I agree with the hon. Member for Livingston (Hannah Bardell) that it is a good thing that we debate these matters and the process of exiting the European Union. This is not the first time that I have stood in this Chamber in a debate while another debate on this process is going on in the main Chamber. That demonstrates the degree of parliamentary attention and scrutiny that the process is receiving.

**Hannah Bardell:** On a point of clarification, I am pleased that we are now debating the detail, but I hope that the Minister shares the view—I am sure it is held by many people across the country—that it would have been great if we had had that detail in the run-up to the vote so that people had the full information about what this Tory Government are taking us into through this process.

**Mr Walker:** The hon. Lady expresses an opinion about the past and the arguments that we had during the referendum. I think it is important to focus on the future and the process.

In the time that I have, I will make some brief remarks about the Government's key objectives. First, in answer to the direct question that my hon. Friend the Member for Sittingbourne and Sheppey asked, I want to clarify that the Government are committed to respecting the will of the British people and delivering on the referendum result. That is why I welcome this debate and the opportunity to focus on the process and how we can get the best deal for the UK. As the Prime Minister has said, we will trigger article 50 and begin the process of leaving the EU by the end of March. That timetable has given us a bit of time to prepare the negotiating strategy and engage constructively with stakeholders. Yesterday's announcements about our aims were informed by that consultation, which is ongoing.

We want a smooth departure from the EU and a new, positive, constructive and equal partnership for Britain and the EU—a partnership that will be good for Britain and good for the rest of Europe. That is why in her speech yesterday the Prime Minister set out a serious and ambitious vision of a new partnership with the EU for a global Britain, including a comprehensive plan covering our 12 negotiating objectives. I will not repeat them all, because all hon. Members will have followed that speech closely, but it is important that I reiterate their importance and, with the hon. Member for Strangford (Jim Shannon) in the room, say that one of the key principles is to maintain the common travel area with Ireland. In answer to the hon. Member for Livingston's point—[*Interruption.*] I will not give way, because I have limited time to deliver quite a lot of detail, but in answer to one of the points that the Scottish National party has made regularly, the Prime Minister put an emphasis on protecting the rights of EU nationals in Britain and British nationals in the EU.

To deliver those objectives, officials in my Department and Ministers have carried out a programme of sectoral regulatory analysis and engaged with every devolved Administration and regions across the whole UK to identify the key factors for businesses, communities and the labour force that will affect our negotiations. We are also building a detailed understanding of how withdrawing from the EU will affect our domestic policies to seize the opportunities and ensure a smooth exit process.

As my hon. Friend the Member for Sittingbourne and Sheppey said clearly, the way to start a negotiation is not to tell the people we are negotiating with exactly what we plan to do. Indeed, the House agreed without a Division on 12 October last year that nothing we do or say should undermine the UK's negotiating position. That was supported by a majority of more than five to one in a Division on 7 December. I welcome the support of my hon. Friend and the hon. Member for Strangford, and indeed that of the hon. Member for Greenwich and Woolwich (Matthew Pennycook), who sits on the Opposition Front Bench, for the article 50 process. My hon. Friend is right that we must leave the EU in accordance with the process set out in article 50 of the treaty on European Union, which he read out. That is the only lawful route for withdrawal from the EU under the treaties.

We expect the process to follow three stages: notification, negotiation and conclusion. First, we will notify the European Council of our intention to leave the EU under article 50. The Prime Minister has been clear that we will trigger article 50 by the end of March, and the House backed that timetable by a large margin in December. Triggering article 50 is the first step in making the United Kingdom a fully independent, sovereign country, free to make our own decisions. Our position remains that triggering article 50 is a matter for the Government, but as the House knows, we await the Supreme Court's judgment, which I note is expected to be handed down next Tuesday. I do not want to comment on possible scenarios until that judgment has been made, but let me be clear: whatever the outcome, the Government remain committed to triggering article 50 by the end of March.

Secondly, once article 50 has been triggered, we will then negotiate a withdrawal agreement with the EU. Article 50 makes it clear that there are two years to negotiate such a withdrawal agreement. The Prime Minister has been clear that by the time the two-year period ends we also aim to have reached an agreement about our future partnership. Article 50 itself, as my hon. Friend pointed out, talks about taking account of that relationship in the withdrawal agreement. From that point onwards, we believe a phased process of implementation in which Britain and the EU institutions and member states prepare for the new arrangements will exist between us.

The Government's priority is to ensure that we get the best deal for the UK. The UK is leaving the EU, but we are not turning our backs on Europe. If we approach the negotiations in a constructive spirit, as we intend to, we can build a partnership for a strong UK and a strong EU. Although we are confident that a fair deal along these lines can be achieved, we are clear that, for the UK, no deal with the EU is better than a bad deal. My hon. Friend has made his support for that approach very clear.

Thirdly, the precise timing, terms and means by which we conclude the process will be determined by the negotiations. However, the Prime Minister has confirmed

that the final deal that is agreed between the UK and the EU will be subject to a vote in both Houses of Parliament before it comes into force.

**Matthew Pennycook:** Will the Minister confirm that the vote that Parliament will have will be a take-it-or-leave-it vote, with “leave it” being the hardest possible exit on WTO default terms?

**Mr Walker:** The Prime Minister has made it clear that Parliament will have a vote. There will be plenty of opportunities during the process for Parliament to exert its views and to influence the process. I want to come on to some of those.

As I have already described, we have had a huge amount of parliamentary scrutiny. I do not have the time to run through all of it, but it is important to reiterate the commitment that the Secretary of State has made to keeping this Parliament at least as well informed as the European Parliament as negotiations progress. He has set out that he will provide as much information as possible, subject to that not undermining the national interest. It is clear that negotiations will be fast moving and will cover sensitive material, so we will need to find ways of engaging with Parliament throughout the process. We are working through the practicalities of that and will say more when the work is complete.

Parliament’s role will not be restricted to scrutiny and making recommendations. Leaving the EU will require legislation. In particular, the Government will be bringing forward legislation in the next Session that, when enacted, will repeal the European Communities Act 1972 and ensure a functioning statute book on the day that we leave the EU. In considering that great repeal Bill, Parliament will have a crucial role to play in determining the future legal framework of our country.

My hon. Friend made a very good point about the slang of Brexit and the fact that it should be “UKexit”, and the Prime Minister was very clear in her speech yesterday that we must deliver for the whole United Kingdom. The Government will continue to engage fully with the Scottish Government, Welsh Government

and Northern Ireland Executive to get the best possible deal for all parts of our United Kingdom as we leave the EU. We will give the devolved Administrations every appropriate opportunity to have their say, and we will look at any suggestions that they put forward. As my right hon. Friend the Secretary of State for Exiting the European Union confirmed yesterday, and as the hon. Member for Glenrothes (Peter Grant) said, the Joint Ministerial Committee will be discussing Scotland’s plans and proposals when it meets tomorrow.

The UK Government have made it clear that we intend to fully involve Gibraltar, Crown dependencies and overseas territories as we prepare for exit, to ensure that their interests are properly taken into account. As such, the first meeting of the UK-Gibraltar Ministerial Forum took place on 7 December. My very first debate in this Chamber was on Gibraltar. I have committed to quarterly meetings with the Chief Ministers of Jersey, Guernsey and the Isle of Man, and we meet again next week. UK Ministers and leaders of the overseas territories have committed to taking forward future engagement through the creation of a new joint ministerial council. Having those processes in place will ensure that we take into account the views of all parts of the UK and the territories whose interests we represent in the negotiations to come.

It is clear from today’s debate that there remain a wide range of views about the Government’s plans for leaving the EU. However, the process for leaving the EU is clearly set out in article 50. The Government are determined to respect the will of the people by invoking article 50 and beginning the process by March, and we must do that in a way that delivers for 100% of the people of this United Kingdom.

*Question put and agreed to.*

*Resolved,*

That this House has considered the process for the UK to leave the EU.

5.30 pm

*Sitting adjourned.*

# Written Statements

Wednesday 18 January 2017

## CABINET OFFICE

### Contingencies Fund

**The Minister for the Cabinet Office and Paymaster General (Ben Gummer):** In the autumn statement, the Chancellor announced that additional funding would be made available to the Department for Exiting the European Union for the 2016-17 financial year. However, as is normal in machinery of government moves, full legal and financial responsibility does not transfer between Departments until the legislation related to the relevant Supply estimates receives Royal Assent. Until then the main exporting Department for the function, the Cabinet Office, must seek an advance on behalf of the new Department.

Parliamentary approval for additional resources of £42,700,000 for this new expenditure will be sought in a supplementary estimate. Pending that approval, expenditure estimated at £42,700,000 will be met by repayable cash advances from the Contingencies Fund.

[HCWS421]

## HOME DEPARTMENT

### Hillsborough

**The Secretary of State for the Home Department (Amber Rudd):** In April 2016, at the conclusion of the fresh inquests into the deaths which resulted from the Hillsborough stadium disaster on 15 April 1989, Bishop James Jones was commissioned by my predecessor, my right hon. Friend the Member for Maidenhead (Mrs May), to produce a report on the Hillsborough families' experiences.

Since then Bishop James has met many of the Hillsborough families and discussed his review. Those discussions have helped shape the terms of reference for the review, which I am publishing today.

It is envisaged that Bishop James Jones will complete his review and produce his report in spring 2017. This report will then be published.

The Terms of Reference can be viewed online at: <http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2017-01-18/HCWS419/>.

[HCWS419]

## WORK AND PENSIONS

### Diffuse Mesothelioma Payment Scheme

**The Minister for Disabled People, Health and Work (Penny Mordaunt):** The Diffuse Mesothelioma Payment Scheme (Levy) regulations 2014 require active employers' liability insurers to pay an annual levy based on their relative market share for the purpose of meeting the costs of the Diffuse Mesothelioma Payment Scheme (DMPS). This is in line with the commitment by the insurance industry to fund a scheme of last resort for sufferers of diffuse mesothelioma who have been unable to trace their employer or their employer's insurer.

I can announce today that the total amount of the levy to be charged for 2016-17, the third year of the DMPS, is £40.4 million. This includes £5.2 million to accommodate a levy shortfall last year. The amount will be payable by active insurers by the end of March 2017.

Individual active insurers will be notified in writing of their payment amount (i.e. their share of the levy), together with how the amount was calculated and payment arrangements. Insurers should be aware that it is a legal requirement to pay the levy within the set timescales.

I am pleased that the DMPS has seen two successful years of operation, assisting many sufferers of diffuse mesothelioma. The second annual report for the scheme was published on 29 November 2016 and is available on the gov.uk website. I hope that members of both Houses will welcome this announcement and give the DMPS their continued support.

[HCWS420]



# ORAL ANSWERS

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