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**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES**

(HANSARD)

Thursday 23 February 2017

House of Commons

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The House met at half-past Nine o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

Oral Answers to Questions

TRANSPORT

The Secretary of State was asked—

High Speed 2

1. **Mrs Cheryl Gillan** (Chesham and Amersham) (Con): What steps are being taken to prepare for the construction phase of High Speed 2 phase 1. [908838]

The Secretary of State for Transport (Chris Grayling): HS2 Ltd let the early works contract for activities such as demolitions, site clearances and species translocations in November 2016, with work commencing after Royal Assent—you will be aware, Mr Speaker, that earlier this week the Bill passed its last stages prior to Royal Assent. The main works civil contracts to construct the main physical works for the railway, including tunnels, viaducts and embankments, are due to be let later this year. The initial works on the project will begin shortly after Royal Assent. I have been very clear that through the construction phase I expect HS2 Ltd and my Department to do everything we can to ensure that the impact of construction on those affected is mitigated wherever possible.

Mrs Gillan: It is ironic that I should have drawn the first Transport question on the day the Bill for phase 1 of HS2 gets Royal Assent. Although some people are crowing and backslapping each other about it, let us remember that it is tragic for many people. The impact is disproportionately felt by my local authorities, such as Buckinghamshire County Council, and our parish councils, such as Great Missenden. Will my right hon. Friend reassure me, my constituents and my excellent councils that the Department for Transport will reimburse parish, county and district councils for any reasonable expenses incurred as a result of the construction of this dreadful project, HS2?

Chris Grayling: I am well aware that when a project of such national importance is constructed, it inevitably has an effect on some of those who live on the route. I reiterate that we will do everything we can to ensure that the process is as reasonable and fair as possible for those affected. With regard to local authorities, I give my right hon. Friend that assurance and repeat the assurances made in the debate on Monday by the

Under-Secretary of State for Transport, my hon. Friend the Member for Harrogate and Knaresborough (Andrew Jones). HS2 is putting service-level agreements in place with every single local authority along the line of route to set out the additional funding that we will make available for the new railway line's construction process.

Mrs Louise Ellman (Liverpool, Riverside) (Lab/Co-op): I welcome Royal Assent being given to this much needed investment, but how will the Secretary of State ensure that the promises made about jobs and training opportunities during the construction of High Speed 2 actually materialise?

Chris Grayling: I take this very seriously. We have been very clear when letting contracts—most recently in the information that we put into the market about rolling stock—that we expect this project to leave a lasting skills footprint not just in the areas of construction but around the United Kingdom. A number of events have been held for potential suppliers to the project around the UK, and we have been very clear with all firms, both UK and international, that want to bid to be part of it that we expect them to leave that footprint. It is an essential part of the project.

Mr Dennis Skinner (Bolsover) (Lab): Is the Secretary of State aware that because of the decision to have a station at Sheffield, we will have two HS2 lines running through Derbyshire: a fast track and a slow track? Many villages throughout Bolsover will be affected as a result. There is one in particular, Newton, where more than 30 houses are due to be demolished. Will he meet a group of residents from that village to try to sort this matter out?

Chris Grayling: I am aware of the issue the hon. Gentleman refers to. I give him the same assurance that I just gave to my right hon. Friend the Member for Chesham and Amersham (Mrs Gillan): we will do our best to minimise impacts. The Minister alongside me, my hon. Friend the Member for Harrogate and Knaresborough, will answer these questions in more detail in the Adjournment debate tonight. Either he or I will also meet residents to discuss the issue.

Dr Rupa Huq (Ealing Central and Acton) (Lab): Some of the homes on the route that are worst affected are in East Acton, which faces 10 years of construction disruption, 24/7. Their gardens have been compulsorily purchased and the main access route is to be blocked. HS2's QC called my residents "tedious" for pointing out that they do not qualify for compensation under the rural support scheme and that unlike Camden they have not been granted exceptional status. I am encouraged to hear that the Secretary of State is putting emphasis on mitigation, because all my constituents have been offered is express purchase. Will he urgently meet them and the London Borough of Ealing? These people just want to preserve their suburban way of life and not be ridden roughshod over.

Chris Grayling: It is important that I remind the hon. Lady and reiterate what I said. The matters relating to her constituency—the routes through London and the route on phase 1—have been exhaustively examined, not simply by my Department but by Committees of

this House and the other place. Although we will always be open to representations about ways in which we can minimise impact, these issues have been exhaustively dealt with by this Parliament.

Diesel Cars

2. **Mr Barry Sheerman** (Huddersfield) (Lab/Co-op): What steps his Department is taking to reduce the number of diesel cars. [908839]

The Minister of State, Department for Transport (Mr John Hayes): We are working with local authorities to drive the improvements in air quality that are so needed in our more polluted cities. My right hon. Friend the Environment Secretary will consult on a new air quality plan later this spring.

Mr Sheerman: Diesel vehicles are part of the problem and we need urgent action on them, but is the Minister also aware of today's Environmental Audit Committee report on how Heathrow will affect pollution and climate change? I have just come back from Beijing and saw the level of pollution there. Will the Minister bear it in mind that that is not where we want to go for towns and cities in this country?

Mr Hayes: It is important to appreciate, as I know the hon. Gentleman does, that this is not a matter of some high-flown theory about what might happen in many centuries' time; it is about the wellbeing of people now in our cities and elsewhere. The direct relationship between air quality and health is well established. Pollutants are affecting the quality of life—more than that, they are affecting the health and wellbeing of our people. The issue is about the defence and promotion of the common good, which, as he and the whole House know, is always central to my heart.

Neil Parish (Tiverton and Honiton) (Con): I urge Ministers and the Government to do something about older diesel cars, either through taxation or a scrappage scheme. We can get electric vehicles in, but we also need to take diesels out, especially in our inner cities, with their hotspots of pollution. Unless we tackle that issue, we will not get the levels down.

Mr Hayes: Just this morning, I was with no fewer than 16 motor manufacturers looking at low-emission vehicles. It is vital that we promote electric cars. As you will know, Mr Speaker, this week we have published our Vehicle Technology and Aviation Bill, which deals with the electric car charging infrastructure, among many other things. One can deal with this by sanction and penalty or through encouragement, incentive and a change of mind. I prefer to look on the positive side of these things.

Mr Ben Bradshaw (Exeter) (Lab): The penalty is going to be the millions of pounds of fines faced by our constituents because of the Government's failure to act. When are we going to hear about some practical action from the Government to reduce the number of diesel vehicles? The Minister has not answered the question. Air pollution is the second biggest avoidable killer after smoking.

Mr Hayes: Let us be clear: we have made real progress to date. In 2016, the UK was the largest market for ultra-low emission vehicles in the EU and a global leader in this development.

I am sure that the right hon. Gentleman, in the spirit of bipartisan generosity that characterises all he does in the House, will welcome the announcement in the autumn statement setting out a further £290 million of funding for ultra-low emission vehicles. He says that he wants action, but what more action does he want than the policy, the legislation and the resources—we are taking action. Perhaps the right hon. Gentleman is feeling grumpy because it is Thursday morning, but he really ought to welcome that.

Charlie Elphicke (Dover) (Con): I point out to the Minister that figures from the London Assembly Environment Committee from 2015 set out why it is wrong to try to demonise diesel cars and their drivers. Diesel cars account for just over 10% of all emissions in London: the same amount, nearly, as Transport for London's buses; the same amount, nearly, as ageing trains; the same amount, nearly, as ground-based aviation services. The issue is not simply diesels.

Mr Hayes: As this short discussion on low-emission vehicles and emissions began, I thought, as you Mr Speaker, must have done, of Proust, who said, as you will remember:

"The only real voyage of discovery consists not in seeking new landscapes, but in having new eyes".

Using those eyes to see to the future is necessary if we are to be ambitious and have vision about where we can go with low-emission vehicles, particularly electric vehicles. We are making progress and we will continue to make more. The plan that I described, which we will draw up this spring, will set out exactly what that progress looks like.

Stewart Malcolm McDonald (Glasgow South) (SNP): On diesel vehicle manufacturers, the Minister knows of my particular interest in Volkswagen. Will he confirm from the Dispatch Box the extraordinary and contradictory evidence that the Select Committee on Transport received on Monday from Volkswagen's managing director, Paul Willis, and that Mr Willis has not given the Minister's Department everything it asked for?

Mr Hayes: The hon. Gentleman was at the sitting of that Committee, on which he serves, where he will have heard the extraordinary statements made by Mr Willis, which I described at the time as "little short of ridiculous." I have met Mr Willis and Volkswagen on numerous occasions and asked them for four things: a quicker retrofit to the vehicles affected; compensation for customers who are affected; a warranty for those retrofits; and the money the taxpayer has had to spend as a result of what Volkswagen did to be repaid in full. None of those things has yet been done to my satisfaction, which is why I have written again to Mr Willis, setting out exactly our Government demands—not Government demands, but demands on behalf of the people.

Danny Kinahan (South Antrim) (UUP): The public are perplexed about where we are going with diesel cars. Will the Minister be sure to remember that many people bought a diesel car because they knew it would be

cheaper to run, even though it was a more expensive car? They cannot afford to make the coming changes. Does the Minister recognise that?

Mr Hayes: It is certainly true that we need to make the transition to low-emission vehicles affordable. We are not in the business, as a Government who champion the cause of ordinary, hard-working people, of penalising people to the point at which they cannot go about their lives or access employment and other opportunities in a way in which the whole House would expect, so it is absolutely right that we take a measured view. Having said that, we have to make more progress, and being measured does not mean being complacent. As I set out earlier, we will make that progress, and we will change minds and behaviour through what we do.

Richard Burden (Birmingham, Northfield) (Lab): Following the Transport Committee hearing earlier in the week, am I right in thinking that Volkswagen situation now denies any wrongdoing in the UK but still feels obliged to fix 472,000 vehicles, with another half a million remaining to be looked at? The company says it has provided the Government with all the information requested, but the Minister denies that, and it is refusing to publish the report it commissioned from its lawyers, Jones Day. The Minister told the House in November that there would be a “steely fist” in his “velvet glove” if Volkswagen did not meet its obligations, so will he tell the House what that steely fist will actually mean and what he will actually do when he meets VW again next month?

Mr Hayes: First, to establish the detail of what Volkswagen has and has not done, and what the Government have asked it to do, it might be best if I let the hon. Gentleman and the House have a copy of the letter I have just written to Mr Willis, which sets out how and where Volkswagen has not done what the Government have asked. Secondly, as I said a moment ago, I am determined to use every avenue to pursue the interests of the consumer. The Secretary of State and I will travel to Berlin to meet German counterparts to have discussions because much of the evidence lies there, where the tests were done. Yesterday I met the legal representatives of the consumers who are moving a private prosecution against Volkswagen. I will leave no avenue unexplored and no stone unturned. My steely fist is now a galvanised steely fist.

Transport Modal Integration

3. **Mike Kane** (Wythenshawe and Sale East) (Lab): What assessment he has made of the level of transport modal integration in the north of England. [908840]

The Parliamentary Under-Secretary of State for Transport (Andrew Jones): The Government have strongly supported the north of England’s local authorities and local enterprise partnerships to come together to form Transport for the North. We have committed £50 million to Transport for the North to produce a comprehensive transport strategy covering all modes of transport in an integrated manner to support delivery of the wider northern powerhouse strategy.

Mike Kane: The Institute for Public Policy Research North report this week revealed that London gets £1,500 more transport spend per head than the north. For the cost of one Crossrail project we could connect the four major cities of the powerhouse and the four existing runways, utilising the spare capacity, adding £100 billion to the economy and creating 850,000 new jobs. Does the Minister agree with the report?

Andrew Jones: I am aware of the report, and we await the recommendations from Transport for the North on northern powerhouse rail, but the point about the report is that it offers a snapshot of where we are at the moment. It reflects where individual projects are in development and delivery. The situation will look extremely different in a few years.

Dame Rosie Winterton (Doncaster Central) (Lab): Is the Minister aware that a 21% cut, on top of existing cuts, to the mode shift revenue support grant will have a devastating effect on the rail freight sector in the north of England and could lead overall to up to 190,000 extra lorry journeys every year? Surely this is taking things in absolutely the wrong direction. Will he undertake to reverse the cuts?

Andrew Jones: I hear the right hon. Lady’s comments. Our policy is to get more freight on to the railways. One of the points of HS2 is to free up capacity on the existing network for more freight. I will relay her points about the mode shift revenue support grant to the rail Minister.

Mr Clive Betts (Sheffield South East) (Lab): The Government have said that one of the benefits of HS2 will be how well it links into, and integrates with, other forms of transport. Why, then, in the alternatives for HS2’s route through Sheffield and south Yorkshire is there no reference to how HS2 connects to HS3?

Andrew Jones: Northern powerhouse rail is being developed with the platform of HS2 being delivered—we are looking potentially to use parts of the HS2 network for northern powerhouse rail—but the final decisions on the routes through south Yorkshire have not been made. This is a live consultation, running until 9 March, and I ask that the hon. Gentleman participate in it.

HS2: A4010 Plan

4. **Mr Steve Baker** (Wycombe) (Con): When HS2 Ltd plans to produce a route management improvement and safety plan for the A4010. [908841]

The Parliamentary Under-Secretary of State for Transport (Andrew Jones): HS2 Ltd anticipates that draft route management improvement and safety plans, including that for Buckinghamshire covering the A4010, will be available for discussion and consultation with highway authorities in March.

Mr Baker: That is great news. I am glad that the people of Wycombe, Aylesbury and Buckingham will have an opportunity to scrutinise this essential emergency route. Will my hon. Friend take steps to enhance the safety of the route?

Andrew Jones: My hon. Friend makes an important point. Safety is critical as we go into the delivery phase of HS2. As a result of the petitioning process, the Secretary of State has committed to contributing £480,000 for permanent safety measures along the A4010 and A4129 in Buckinghamshire. The Government have also created a £30 million road safety fund for HS2, the details of which we will be announcing very shortly.

Harmful Emissions: Road Transport

5. **Clive Lewis** (Norwich South) (Lab): What steps he is taking to reduce harmful emissions from road transport. [908842]

The Minister of State, Department for Transport (Mr John Hayes): As you would expect, Mr Speaker, I am working closely with my colleagues in the Department for Environment, Food and Rural Affairs on the vital issue of air pollution, and as I said earlier, we intend to consult on a new air quality plan later this spring.

Clive Lewis: Given that 40,000 people die prematurely every year from air pollution and that the Government have lost two High Court cases over their lack of action, will the Minister now use his large, galvanised fist to push through clean air zones in cities such as Norwich to protect people's health?

Mr Hayes: Yes, I think the hon. Gentleman is right. Clean air zones play a vital role in that work. Sometimes all I need is the air that I breathe. Certainly, we all need and deserve clean air. He will know that Norwich is one of the cities that has already implemented a bus low-emission zone and that the Campaign for Better Transport has welcomed the themes to be addressed by the clean air zones, including the plans for local growth, air quality and health. It has said that these are "sound principles to underpin transport and planning".

He is right, however, that we need to do more on clean air zones, and we will consult on that. I am in weekly discussions with my colleagues in DEFRA accordingly. The key thing—if I might add this, Mr Speaker, at your discretion—is that it is really important that we not only have good, consistent national standards, but respect the local particularities of different places and cities, so the role of local government will be vital. These zones will not be vanilla flavoured. They will reflect local circumstances, but they must all work to high national standards.

Mr Speaker: We are all, I am sure, greatly educated in consequence, but at a cost in time.

Philip Davies (Shipley) (Con): One of the reasons for harmful road emissions in my constituency is the queues of traffic from Baildon through to Shipley, so when can we have a Shipley eastern bypass, which would be good for the local economy, alleviate congestion, and deal with these harmful emissions?

Mr Hayes: My hon. Friend's perspicacity means that he has managed to weave a point about local roads into a question about air quality. On that basis, I think the best thing for me to do is to agree to meet him to discuss its particularities in greater detail.

20. [908861] **Lilian Greenwood** (Nottingham South) (Lab): I am sure that the Minister is aware of the new report "Any Journey is Greener by Bus", which shows how bus patronage has grown in Labour-led cities such as Nottingham that have adopted new and innovative approaches, including greener buses, and reduced harmful emissions. That has brought about wider social and economic benefits. Given that bus use in the UK as a whole has fallen by about 7% in the past six years, and that in the past year mileage fell on commercial and local authority-supported bus services, are not his Government failing to support one of the most effective ways to tackle air pollution?

Mr Hayes: It will not come as any surprise to the hon. Lady to know that when I am in Nottingham I travel on the bus from my mother-in-law's home to the city, so I can speak with some authority about bus journeys in Nottingham. She is right that bus travel is a key part of this, which is why we have made an extra £150 million available specifically for cleaner buses. She is right, too, that we need to encourage that as part of our low-emission zones.

Ben Howlett (Bath) (Con): Encouraging parents to leave their cars at home and get their children on to local public transport can have a major impact on air quality. Has my right hon. Friend done any analysis of how much free bus travel for children will cost? The Labour metro mayor candidate has promised free bus travel for all children across the west of England, even though the devolution deal is £30 million a year. Is this another underfunded Labour promise?

Mr Speaker: Order. That is very wide of the substance of the question, so I think that a single sentence of eloquence from the Minister of State will probably suffice on this occasion.

Mr Hayes: Buses are good, walking is good, cycling is good—that was how I got to school.

Mr John Spellar (Warley) (Lab): The Minister promised new eyes, so will he use them to recognise that there are some 10 million diesel car drivers in the UK. Rather than joining in their demonisation by a hysterical media, will he hold a full and proper inquiry into the pros and cons of diesel, including for buses, trucks and trains, and thereby adopt a proportionate approach to what remedies might be necessary?

Mr Hayes: I think that the right hon. Gentleman will recognise from my immensely measured remarks earlier that I am not prepared to demonise anyone. I am certainly not prepared to put at risk the wellbeing of people who need to travel to work and school, and to access other opportunities—public services and so forth. Of course we need to be balanced in our approach to this.

Night Flights: London Airports

6. **Tom Tugendhat** (Tonbridge and Malling) (Con): What his policy is on reducing the number of night flights at London airports. [908843]

The Secretary of State for Transport (Chris Grayling): I fully recognise the effect on local communities of aircraft noise during the night, particularly the health effects associated with sleep disturbance. As my hon. Friend will be aware, we are consulting on future night flight restrictions at Heathrow, Gatwick and Stansted, including options that will reduce the amount of noise that airports are allowed to make while ensuring that we maintain the benefits to the economy of night flights on some key routes.

Tom Tugendhat: I hugely welcome the work on this that the Secretary of State is doing, but may I urge him to agree that the major European airports that have brought in quiet periods from 2200 hours onwards offer a very suitable example for airports such as Gatwick that are blighting the lives of many people in towns such as Edenbridge and Penshurst?

Chris Grayling: I am well aware of the pressures on my hon. Friend's constituency and neighbouring ones due to night flights and the way in which routes currently operate around Gatwick. As he will know, part of our consultation is about exactly how we use airspace, as well as how we limit the use of night hours for aircraft. I encourage him to take part in that consultation. I do believe, however, that new technology can help us to make a significant difference.

Jim Shannon (Strangford) (DUP): Will the Secretary of State outline his plans to ensure that air links are strengthened for routes from Northern Ireland to the UK mainland, and that any reduction in flights, wherever they may be, will not adversely affect those links or any enhanced provision for Northern Ireland?

Chris Grayling: That is clearly a very important issue. I am pleased that yesterday my Department announced the very important decision to continue support for the flight from Derry to Stansted. We decided that it was important to make the resource available for that to continue, and I hope that people in Northern Ireland will welcome that.

11. [908848] **Sir Alan Haselhurst (Saffron Walden) (Con):** Will my right hon. Friend, while acknowledging the growing importance of the package freight business, try to do more to ensure that prominent companies in that business replace what are often very ageing aircraft with more modern equipment, because such aircraft aggravate the noise factors in rural areas?

Chris Grayling: I absolutely agree with my right hon. Friend. I want airports to provide clear incentives to the airlines that use them to make sure that, if they use the night hours, they do so with a new generation of quiet aircraft, which can make a real difference to local people.

Mr Gregory Campbell (East Londonderry) (DUP): May I thank the Secretary of State and his Department for the public service obligation announcement about the Londonderry to London route? Will he also pass on our thanks to Lord Ahmad for the meeting that I suggested should take place in the House several weeks ago, which helped to resolve the matter? We now look

forward to the effective marketing of that route so that it can be successful beyond the two-year period that the PSO covers.

Chris Grayling: I am very happy to pass on those thanks to Lord Ahmad, who has done a great job as aviation Minister. I am glad that we have reached a resolution. I hope that the route will build up sufficiently such that it will become permanently commercial and will not need public support.

15. [908854] **John Howell (Henley) (Con):** For most people, night flights include those that arrive in the very early hours of the morning. Such flights affect my constituents in Henley, particularly when planes land in an easterly wind. To what extent will the Secretary of State take their views into consideration?

Chris Grayling: I am very sensitive to issues affecting not just people who live near the immediate approaches to airports, but those who live further away, such as my hon. Friend's constituents. That is why I believe that the better use of air space, particularly with state-of-the-art technology rather than the methods of 40 or 50 years ago, will enable us to provide much more respite for individual communities that are currently affected by aircraft noise.

Exiting the EU: Inbound Passengers

7. **Patrick Grady (Glasgow North) (SNP):** What assessment he has made of the potential effect of the UK leaving the EU on inbound passengers at airports and ports across the UK. [908844]

9. **Peter Grant (Glenrothes) (SNP):** What assessment he has made of the potential effect of the UK leaving the EU on inbound passengers at airports and ports across the UK. [908846]

10. **Chris Law (Dundee West) (SNP):** What assessment he has made of the potential effect of the UK leaving the EU on inbound passengers at airports and ports across the UK. [908847]

The Secretary of State for Transport (Chris Grayling): The Government are considering potential impacts on the border as part of our preparations for negotiating our departure from the EU. It is too soon to say what arrangements will be needed, but we are very conscious of the interest of the transport industry in future arrangements. We remain committed to putting passengers at the heart of our transport policy.

Patrick Grady: Does taking back control of our borders mean that the 23 million inbound passengers from the EU who pass through our airports each year will be subject to full border checks? Is the Secretary of State aware of research by the Tourism Industry Council that shows that that would require the resources of UK Border Force to be increased by 200%? Will he assure us that those costs will not be met from the £350 million he promised for the NHS each week?

Chris Grayling: It is already the case that when an EU citizen arrives in this country, they have to show their passport. I do not envisage that changing in the future.

Peter Grant: The reality is that since 2011 this Government have cut the UK Border Force budget by 15%, despite it having to cope with an 11% increase in passenger numbers over the same period. That is already having an impact on passengers. What discussions has the Secretary of State had with the Home Secretary to make sure that neither passengers nor border security are prejudiced or compromised after Brexit?

Chris Grayling: The hon. Gentleman will know that in recent years we have significantly increased automation at airports, with e-gates for passports, which provides a good way of balancing the need for effective border controls and the ability to live within our means.

Chris Law: Under service level agreements between the Government and UK airports, passengers from the European economic area are expected to queue for no longer than 25 minutes while those from outside that area are expected to queue for no longer for 45 minutes. Does the Secretary of State believe that those service level agreements will need to be revised post-Brexit?

Chris Grayling: I reiterate what the Prime Minister said recently: our desire post-Brexit is not to have long queues at our borders, but to have sensible arrangements that allow people to travel to do business, and controls on migration to the United Kingdom, which I think people voted for last year.

Mr David Nuttall (Bury North) (Con): Does my right hon. Friend agree that when the UK leaves the EU, we will be free to open dedicated entry lanes at our airports for UK citizens and citizens of our overseas territories, thereby speeding up entry to the UK?

Chris Grayling: As my hon. Friend knows, it will be for this House and this Government to decide how best to manage our borders post-Brexit. I am sure that he would wish to ensure that, where appropriate, there is the smoothest possible passage through our borders for people we wish to welcome to our country.

Nigel Huddleston (Mid Worcestershire) (Con): At a sitting of the Culture, Media and Sport Committee this week, several witnesses expressed concern about the time that would be required to undertake a considerable physical reconfiguration of airports. Is the Secretary of State having conversations with the airports about the possible scenarios?

Chris Grayling: I had a meeting with airlines and airports earlier this week and we will continue to consult the industry carefully. As I have said, people who arrive from all around the world already have to show their passports when they arrive in the United Kingdom, so I do not envisage the dramatic change that some are suggesting.

21. [908862] **Ms Tasmina Ahmed-Sheikh (Ochil and South Perthshire) (SNP):** It is of course likely that queues for inbound passengers will increase in the UK post-Brexit, which will have an effect on the UK's competitiveness in the pan-European tourism market. What assurances and evidence can the Secretary of State provide that

interdepartmental work is being done to ensure that there is as little disruption as possible and our tourism market, which is vital for jobs and the economy, is not adversely affected?

Chris Grayling: The hon. Lady makes an assumption that I simply do not accept. It is already the case that people arriving at our borders have to show their passports before entering the country. I do not envisage that changing. We certainly do not envisage a situation in which we create vast additional queues at our borders. We want a smooth, streamlined process so that people who have a right to come here can do so and be welcome.

Ms Margaret Ritchie (South Down) (SDLP): In addition to the ongoing discussions with UK ports and airports, what discussions have taken place with the Treasury about encouraging inbound passengers by reducing VAT on tourism?

Chris Grayling: Taxation is an issue for the Budget. Many representations are made by people across this House and across society to the Chancellor of the Exchequer about what he might or might not do in his Budget. I fear that the hon. Lady will have to wait for a short while to see what he has in store for us this year.

Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): To reduce delays at UK airports, EU nationals who arrive in the UK are processed faster due to what is called a "soft border" approach, using special lanes and scanning. Will the Secretary of State confirm that the Government intend to continue those measures after the UK has left the EU?

Chris Grayling: We will decide the detailed arrangements as the months go by but, as I have said, it is not our intention to create queues at our borders. It will remain the case that people have to show their passports when they arrive in the United Kingdom. There is a warm welcome for people from all around the world who come to the UK as tourists, as visitors or to do business, and there will continue to be so.

Drew Hendry: Currently EU nationals can use the expensive but effective e-passport gates. Will the Secretary of State confirm that those machines will effectively become redundant? If so, do the Government intend to offer them second hand to our European neighbours at bargain prices to recoup some of the cost?

Chris Grayling: Actually, I expect more use of technology in countries around the world to move people through passport lanes. I expect such a change to accelerate, rather than decelerate.

Road Tolls

8. **Christian Matheson (City of Chester) (Lab):** Whether he plans to review his Department's policy on road tolls. [908845]

The Minister of State, Department for Transport (Mr John Hayes): The Government have no plans to roll out tolling on existing roads. Successive Governments have taken the view that tolls are occasionally justified when

private finance enables some of the most expensive road infrastructure, such as significant river crossings, to proceed. It is right that the user pays, rather than the taxpayer, because the user benefits.

Christian Matheson: My constituents who work in Liverpool will need a pay rise of £1,000 a year just to stand still when the Mersey crossing tolls are introduced. Will the Minister consider a scheme whereby those who can demonstrate that they were in permanent employment on the other side of the water on the day the tolls were announced would have either some kind of tapered introduction or a discount to reflect the additional costs?

Mr Hayes: As I said, it is not unusual for Governments to use tolls to finance large estuary crossings. I would rather be straightforward with the hon. Gentleman about this matter because he is a diligent, popular and well-respected Member of this House and, more importantly, he is one of my friends. I cannot do what he wants and I would rather say that now. We did consider whether we could widen or add to the discount scheme, but we could not make that cost-effective, so I would rather be absolutely frank with him and just say that.

19. [908860] **Margaret Ferrier** (Rutherglen and Hamilton West) (SNP): Last week marked nine years since the Scottish National party scrapped the last of the transport tolls in Scotland. Since then, the average commuter travelling on the Forth and Tay bridges has saved around £2,000. In the same period, the average toll-paying commuter in England and Wales will have paid just under £4,000. If the Government are serious about helping what they call “just about managing” families, why will not the Secretary of State reassess his transport toll policy?

Mr Hayes: My goodness, what barefaced cheek from the SNP. It did indeed cancel the tolls, and the crossing closed because the SNP did not have enough money—*[Interruption.]* There was not enough money to make it work.

Cycling and Walking

12. **Margaret Greenwood** (Wirral West) (Lab): When he plans to publish the Government’s cycling and walking investment strategy. [908850]

The Parliamentary Under-Secretary of State for Transport (Andrew Jones): We will publish the strategy shortly, but I am not able to specify a precise date yet.

Margaret Greenwood: The Wirral Way in my constituency is a beautiful path that is popular with cyclists and walkers for the expansive views it gives over the Dee estuary, and, of course, the fresh air it affords and the internationally renowned bird life. The Government have committed more than £15 billion over five years for their roads investment strategy, but just £316 million for their draft cycling and walking investment strategy. What more will the Government do to increase cycling and walking in the United Kingdom?

Andrew Jones: We will publish our strategy shortly, but let me correct the hon. Lady. We are spending approximately 2% of the Department’s total budget in this Parliament on cycling, which amounts to just under

£1 billion out of a total budget of around £50 billion. We want to make cycling and walking the default choice for shorter journeys, and I recognise all the hon. Lady’s points about the very pleasant area that she represents.

Daniel Zeichner (Cambridge) (Lab): That was an extraordinary answer from the Minister because at Transport questions six weeks ago, the Secretary of State told us that we would not have long to wait for CWIS, but it is almost a year since the consultation was launched. The Department seems to have a problem with lateness: the Bus Services Bill—late; CWIS—late; taxi regulation—who knows?; and private parking measures—more than a year late. Will the Secretary of State tell us how many people in the Department are working on CWIS and give us a firm date—or is it just the Department being late?

Andrew Jones: That question did not quite capture the hon. Gentleman’s customary generosity at the Dispatch Box. It is clearly a load of nonsense. The Government are investing more in transport than any other Government in British history. Publication of the strategy is slightly delayed because so many people have responded to the consultation, which we will go through very shortly. The strategy is near publication and I will let the hon. Gentleman know exactly when we will publish it shortly.

Rail Services: Disabled Access

13. **Nick Thomas-Symonds** (Torfaen) (Lab): What steps he is taking to ensure that disabled passengers have equality of access to rail services. [908852]

The Parliamentary Under-Secretary of State for Transport (Paul Maynard): This is an issue worth waiting for, as I am sure the House will agree.

We are committed to improving the accessibility of the rail network. Currently 70% of train fleets’ operating passenger services meet modern accessibility standards, with the remaining vehicles due to be either upgraded or replaced by 1 January 2020.

Nick Thomas-Symonds: Has the Minister had a chance to read the Muscular Dystrophy UK Trailblazers’ “End of the Line” report, in which young disabled people identify problems with accessibility to train stations, to which the Minister referred, and the advance booking system? Will the Government commit to looking at both issues with a view to finding a solution?

Paul Maynard: Probably the most rewarding period of my time as a Member of Parliament has been spent chairing the Muscular Dystrophy UK Trailblazers all-party group and challenging and cross-examining the industry, so I am well aware of the report. It is worth pointing out that Passenger Assist bookings are increasing by 7% year on year. The challenge for the industry is to ensure that passengers who wish to just turn up and go get the same service as those who book through Passenger Assist. More than that, the industry should ensure that when Passenger Assist does not work properly, people have adequate recourse to an ombudsman’s system to get redress. That is not currently the case.

Jeremy Quin (Horsham) (Con): Can the Minister confirm that the number and availability of on-board supervisors at Southern Rail is increasing? As a result, can we expect to see an improvement in services for disabled passengers?

Paul Maynard: I am certainly keeping a very careful eye on Govia Thameslink Railway both in terms of official passenger assist bookings and the unofficial turn-up-and-go service. I am very keen to see the outcome of the mystery shopping exercises being conducted by the Office of Rail and Road. I want to ensure that all passengers who travel on GTR get the service they need from the on-board supervisors.

Pat Glass (North West Durham) (Lab): You will recall, Mr Speaker, that six weeks ago I asked a question at Transport questions about the experience of disabled passengers. I have subsequently been contacted by lots of people who have told me their stories—awful stories that shame us all. I want to ask the Minister about the Disability Discrimination Act 2005, of which this House can be rightly proud. Does the Act apply to train operating companies? I think we would all expect the answer to be yes. If so, what are the Government doing to make sure that train operating companies allow disabled passengers to travel? I have been told that in the past disabled passengers were able to turn up at the station and travel in the guard's van like a parcel. However unacceptable that is, we are taking that away. Do the Government accept that by encouraging train operating companies to take guards off trains, they are contributing to a breach of the Disability Discrimination Act?

Paul Maynard: I would be very concerned at any suggestion that it is appropriate, in any way shape or form, for passengers with a disability to travel in the guard's van. Indeed, most of our rolling stock these days does not have a guard's van to travel in. Like the hon. Lady, I have received a number of worrying complaints. I have met the Office of Rail and Road, which scrutinises the licence conditions under which all train operating companies operate. It is conducting a very careful evaluation of the thresholds for triggering licence conditions, which is why it is doing a mystery shopping exercise. Over and above that, I want to ensure that where individual passengers have an inadequate level of service, they too have a route to go down to seek redress from train operating companies.

Departmental Plans

14. **Roger Mullin** (Kirkcaldy and Cowdenbeath) (SNP): What discussions he has had with the Chancellor of the Exchequer on plans for his Department to be set out in the 2017 spring Budget. [908853]

The Secretary of State for Transport (Chris Grayling): I regularly meet the Chancellor, and plans for the spring Budget have been included in those discussions. At the autumn statement, my Department was allocated over £2 billion of additional funding as part of the wider national productivity investment fund. My focus is on making the best possible use of that funding for travellers and passengers across the country.

Roger Mullin: The collapse in the value of the pound has led to steep rises in fuel costs for motorists. Will the Secretary of State impress on the Chancellor the need to avoid any rise in fuel duty in the forthcoming Budget?

Chris Grayling: I am very proud that the Government, having inherited a fuel duty escalator from the Labour party, have been very good at keeping fuel duty down over the years. The hon. Gentleman will be aware that one current pressure is the rise in the oil price. I am certain that he will be confident that the Chancellor will keep this matter constantly under review, as the Government have demonstrated how important it is to be thoughtful about motorists when it comes to costs.

17. [908857] **Chris Davies** (Brecon and Radnorshire) (Con): As my right hon. Friend knows, Brecon and Radnorshire is the most beautiful part of the country to visit. With the height of the tourism season fast approaching, will he push the lacklustre Welsh Labour Government to spend more money to provide improvements to link roads in mid-Wales, so that even more people can discover what my right hon. Friend already knows?

Chris Grayling: I have both visited my hon. Friend and holidayed in his constituency, so I know that it is indeed a lovely area and we encourage people from around United Kingdom to visit it on a regular basis. He will be aware of how important we regard the transport links to such areas. On the English side of the border, we will always seek to ensure the right connectivity is in place to support tourism. It is simply a shame that the Welsh Labour Government have proved so ineffective in such a wide variety of ways of working.

Taxi and Private Hire Vehicle Regulation

16. **Alex Cunningham** (Stockton North) (Lab): What assessment he has made of the adequacy of taxi and private hire vehicle regulation. [908855]

The Parliamentary Under-Secretary of State for Transport (Andrew Jones): At the request of the Department for Transport, the Law Commission conducted a comprehensive review of taxi and private hire regulation in England and Wales. The Government are currently considering all the recommendations in the report, against the background of a rapidly changing industry. We will formally respond to the Law Commission and announce our intentions once that scrutiny is completed.

Alex Cunningham: That is useful. However, I share Stockton Borough Council's concern at the fact that a taxi driver whose licence had been revoked following inappropriate conduct with young female passengers was able to go on working for the same company, driving a minibus. There are countless other examples, including examples of sex offenders doing likewise with public service vehicle licences. When will the Government actually do something, and change the law to close this loophole?

Andrew Jones: Loopholes are, of course being closed, and we are working with the Home Office on the issue, but it is critically important and has, I think, united the House before. We can have a further conversation about it outside the Chamber.

Daniel Zeichner (Cambridge) (Lab): The theme continues. Last month, two taxi drivers in Southend who had been stripped of their licences by the council were found to be working in the town once again, having simply gone to another authority to obtain licences. The Conservative councillor responsible for such matters has been quoted as saying that the loophole has left the council “impotent to protect the public.”

Does the Minister think it reasonable for the council to be left “impotent”? When will the Government actually take some action?

Andrew Jones: In fact, we are strengthening the law in this area. The Government tabled an amendment to the Bill that became the Policing and Crime Act 2017 to allow the issuing of statutory guidance to licensing authorities. That is obviously work in progress. This is a critical issue which is taken seriously by the Department and also by the Home Office, and action is clearly being taken.

Roads: East England

18. **Sir Henry Bellingham** (North West Norfolk) (Con): What steps his Department is taking to improve the road system in east England. [908858]

The Minister of State, Department for Transport (Mr John Hayes): My hon. Friend is well aware of the investment that we have made in the A47, which affects his constituency and indeed mine, to some degree. I know that he has been a consistent and effective campaigner for improvements to the road, and I look forward to continuing to work with him to complete those improvements.

Sir Henry Bellingham: Given that nearly 30 years ago, back in 1988, the then Transport Secretary promised to dual the entire length of the A47, will the Minister give serious priority to the six schemes that are currently planned, and ensure that they start as soon as possible?

Mr Hayes: There is indeed a series of schemes for improvements along the road, particularly in the parts where it could be dualled, and, as my hon. Friend will know, Highways England is looking into the matter. However, I think that I should meet my hon. Friend on the road, with representatives of Highways England and my officials, to look at the specificity of this, because I owe him and the House that at least.

Mr Speaker: I am sure that the image will be graphically captured for posterity.

Topical Questions

T1. [908863] **Kevin Hollinrake** (Thirsk and Malton) (Con): If he will make a statement on his departmental responsibilities.

The Secretary of State for Transport (Chris Grayling): As you know, Mr Speaker, we are a Government who make big decisions and are ambitious for the future of our country. This is an important week for my Department in terms of legislation. We will shortly see the Bus Services Bill back in the House of Commons to bring improvements to bus services throughout the country; earlier in the week we introduced the Vehicle Technology

and Aviation Bill, which will ensure that we are at the head of the game when it comes to the new generation of vehicle technology; we have published, in draft, the Spaceflight Bill, which will also take us forward in an important area of new technology; and, as we heard earlier, this is the week in which we see the completion of the progress of the High Speed Rail (London - West Midlands) Bill.

Kevin Hollinrake: The current Highways England scheme for improvements to the A64, which is a key road in my constituency, involves spending £135 million on a roundabout when what we need is a dual carriageway between York and Malton. Will the Minister agree to meet me and members of the A64 Growth Partnership to discuss how we can secure the best scheme for local residents and the best value for the taxpayer?

Chris Grayling: We are well aware of the importance of the A64 to my hon. Friend's constituency and, indeed, to the economy of Yorkshire. I should be happy to meet my hon. Friend, as will my hon. Friend the roads Minister. We will ensure that progress in the road's development continues as we move towards the start of the next investment period.

Andy McDonald (Middlesbrough) (Lab): A report by the Office of Rail and Road on Highways England revealed that the road investment strategy is in chaos. The agency is £1 billion over budget, the cost of 31 projects has more than doubled, and there is little evidence that 60 major schemes can be delivered on time. The strategy is beginning to look more like a fantasy wish list than a deliverable plan to improve England's road network. Will the Minister take this opportunity to try to reassure the House that it is not the comedy of errors that it appears to be, and will he guarantee to deliver it on time and on budget?

Chris Grayling: Let us be clear about the road investment programme. It is a £13 billion programme that is currently delivering improvements around the country, and is on track. It is absolutely not the disaster that the hon. Gentleman says it is. Let me also remind him—Conservative Members will remember—how ineffective 13 years of Labour government were in dealing with infrastructure challenges. We will not be taking any lessons from Labour Members.

Andy McDonald: It is about time the Government took responsibility. Labour has been warning consistently that this Government have been over promising and under delivering on investment in England's road network. We were promised the biggest upgrade in a generation, but the ORR is now warning of the deterioration of England's roads. The number of people killed and seriously injured on our roads is already rising, so can the Minister explain how he will guarantee road user safety and mitigate the increased safety risk caused by his Government's failure to manage investment in England's roads?

Chris Grayling: The Labour party neglected our roads for 13 years. The hon. Gentleman needs to travel around the country today and see the schemes that they did not do, that we are doing: dualling the A1; building the link road between the M56 and the M6; smart motorways; starting the progress, finally, on the A303 and developing

the tunnel there; as well as smaller schemes around the country. Last week I was in Staffordshire, seeing an important improvement to the A50. None of that happened when the Labour party was in power. It is, frankly, bare-faced cheek to hear them saying what they are saying now. I also remind the hon. Gentleman that in the autumn statement we provided an additional £75 million to improve Britain's most dangerous roads.

T5. [908867] **Tom Tugendhat** (Tonbridge and Malling) (Con): I was hoping to ask some questions about spaceflight, but, sadly, when others are able to focus on the stars, some of us are stuck in the gutter just outside East Croydon waiting for Southern rail to get us in. Can the Secretary of State tell us a little bit about not just how Tim Peake is getting to the space station, which is obviously wonderful, but how some of us can, perhaps, get into London Bridge on time?

Chris Grayling: My hon. Friend is identifying the fact that the problems on the Southern rail network are not simply about the trains; they are also about the track and infrastructure. That is why we are now spending £300 million, in addition to the money I announced last September, on things like points replacement, track replacement, and replacing the small things on the infrastructure that go wrong regularly and cause frustrating delays for commuters. We are now moving ahead with that quickly, and it is very important in making sure that my hon. Friend spends less time on a train outside East Croydon and more time in this House asking about space.

T2. [908864] **Patricia Gibson** (North Ayrshire and Arran) (SNP): The Minister has told us today that he is pursuing the interests of consumers, but can he explain why we still have no timescale for UK drivers of Volkswagen cars to have them fixed and compensation paid, as has happened for US consumers, and will he tell us who in the UK Government will be taking responsibility as they face legal action from the EU Commission for their poor response to the scandal?

The Minister of State, Department for Transport (Mr John Hayes): Having been a little unkind to the Scottish National party earlier, let me be rather more generous now: the hon. Lady is right, and this is a matter for the whole House to work together on. As I made absolutely clear earlier, Volkswagen's behaviour has been unacceptable. It is vitally important that we move ahead with rigour, but with care, too, to make sure that consumers are properly dealt with by Volkswagen as a result of this unacceptable behaviour.

Sir Alan Haselhurst (Saffron Walden) (Con): As most of East Anglia has a two-track railway at best, does my right hon. Friend accept that it is very difficult to reconcile the ambitions of the Mayor to have increased frequency services to inner London train stations while there is a growing need for faster services to Norwich, Chelmsford, Stansted airport and Cambridge, without providing extra track capacity at key points?

The Parliamentary Under-Secretary of State for Transport (Paul Maynard): My right hon. Friend is certainly right to observe that on any crowded part of the network—be it in the south-east or elsewhere—we have to make

choices over the stations that are served. He rightly points out that that choice will involve outer stations in the south-east versus inner London stations. I can certainly assure him that this ministerial team is more than aware of those challenges, and I am sure my officials can benefit from his wisdom on this part of the network and look forward to his meeting with them.

T3. [908865] **Mr Barry Sheerman** (Huddersfield) (Lab/Co-op): Today marks another step towards the national folly that is High Speed 2. May I beg the Secretary of State, even at this late stage? Here is a project that is totally out of control in terms of expenditure—zooming past £60 billion—with the chief executive having resigned. Will the Secretary of State change his mind, and invest this money in fast network rail in the north of England and the NHS?

Chris Grayling: Of course, it is not an either/or. We are currently spending money on the Ordsall Chord in Manchester, which will provide a dramatic improvement to services in the Manchester area and enable more services across the Pennines. We also have the most ambitious improvement plan that the northern rail network has seen in modern times. So I am very proud of what we are doing transport-wise in the north of England. I would simply say that if we are going to meet the capacity challenges of the future, we are going to need to build a new railway line, and if we are going to build something new, why would we not build something state-of-the-art? That, I am afraid, is the view of the overwhelming majority of Members of this House?

Martin Vickers (Cleethorpes) (Con): The Minister of State will recall our meeting in December with representatives of Vivergo Fuels, where jobs are under threat. The renewable transport fuel obligation consultation has now closed. Will he enlighten us as to when he is going to make a decision and lift those threats of redundancy?

Mr John Hayes: My hon. Friend is right to suggest that we are looking closely at these matters following the consultation. He will know that I held a meeting with all those concerned recently. We will consider the representations that we have received and make a decision as soon as possible.

T4. [908866] **Roger Mullin** (Kirkcaldy and Cowdenbeath) (SNP): In the light of this morning's release from the Government, what guarantee can the Minister give us that any savings resulting from reducing pay-outs to innocent victims of motor traffic accidents will be passed on to drivers?

The Parliamentary Under-Secretary of State for Transport (Andrew Jones): We are working hard to ensure that the benefits of technology and improvements in road safety are passed on to drivers through motor insurance premiums. We are working particularly with younger drivers, and a research programme on this is under way. I will write to the hon. Gentleman with details of the work we are undertaking.

Mr David Nuttall (Bury North) (Con): I am sure the whole House will be disappointed that my hon. Friend the Member for Tonbridge and Malling (Tom Tugendhat)

was unable to ask about space flight, so will my right hon. Friend the Minister please set out what steps he is taking to ensure that the UK becomes the world leader in commercial space flight?

Mr John Hayes: Ah, the final frontier! And who better to take us there than Britons? Our journey to the stars will be informed, and we will become the premier site for satellite launches and lead the way in commercial space flights, as we set out in our document earlier this week. Mr Speaker, I see you as Captain Kirk and me as Mr Spock. Other parts will be played by members of the cast.

Mr Speaker: We will leave that open to the imagination, but I think it is safe to say that the right hon. Gentleman will always shine brightly on the outer edges of the galaxy.

Nick Smith (Blaenau Gwent) (Lab): At the last Transport questions, and again today, the Minister of State, the right hon. Member for South Holland and The Deepings (Mr Hayes) has been bullish about Volkswagen executives facing criminal charges for the diesel emissions scandal in the UK. How is that going?

Mr Hayes: It is important that we work with the Germans on this. The tests were done in Germany, and they have much of the evidence that we need to proceed with all that we are doing to force Volkswagen to do the right thing. It is also important that we work with and support the private prosecution that is being brought by consumers. I am doing both, and I will bring the results of all that work back to the House in due course. The hon. Gentleman can be sure that I am absolutely determined to defend the interests of people against this soulless corporate behaviour.

Nusrat Ghani (Wealden) (Con): The A27 Reference Group has long campaigned for investment, and my constituency of Wealden—and especially my town of Hailsham—are in desperate need of modern roads. Will the Minister agree to meet me and representatives of the A27 Reference Group to discuss how we can secure extra funding for the A27?

Mr Hayes: I can hardly wait. Coffee, tea, supper—whatever my hon. Friend wishes. I will be happy to meet her and her friends to consider these matters.

T7. [908870] **Lilian Greenwood** (Nottingham South) (Lab): Seeing the first Aventra train undergoing trials on the existing Crossrail network east of Liverpool Street earlier this month was a proud moment for the workers at Bombardier, and indeed for the whole east midlands rail supply chain. Given Bombardier's success with sales of Aventra to the East Anglia franchise, does the Minister share my hope that we will see this train being deployed more widely across Britain?

Chris Grayling: Yes, but I actually have a slightly different ambition. I have an ambition to see that train deployed in other countries as well. I have already told the Japanese Transport Minister that, although he has good trains on the suburban network in Tokyo, our Bombardier trains from Derby are better and that he should buy some for his network.

Tim Loughton (East Worthing and Shoreham) (Con): Back on planet Earth, the recent ASLEF ballot was obviously disappointing, and the guarantee of a second person on the train clearly remains a bone of contention. Will the Secretary of State consider making it a performance indicator measure when, in exceptional circumstances, a train leaves without that second person?

Chris Grayling: I am happy to look carefully at that option. It is not my policy or the Government's policy to remove people from trains. Ways of working will change, but we will need more people, not fewer, delivering services to customers on our railways as demand grows.

T8. [908872] **Ms Tasmina Ahmed-Sheikh** (Ochil and South Perthshire) (SNP): Some 54% of all train delays in Scotland are due to the Tory Government's responsibility for Network Rail, so the Secretary of State must agree with my colleagues here and in the Scottish Government that critical functions, such as capacity planning, major projects delivery, and legal and property management relating to Scotland, could and should be devolved to the Scottish Parliament. Are the Government sitting on their hands for purely political reasons, and not because it is in the best interests of the people of Scotland?

Chris Grayling: The thing is that I have seen the SNP make such a hash of education in Scotland that I do not trust it with the transport system. We benefit from having a national rail infrastructure operator as part of the United Kingdom.

Philip Davies (Shipley) (Con): Is the Secretary of State in a position to confirm that Bradford will be one of the stations on the northern powerhouse rail?

Paul Maynard: I imagine that there is a strong case for that. We are waiting to see what Transport for the North has to say about northern powerhouse rail, but I will be surprised if Bradford does not feature in those plans.

Nic Dakin (Scunthorpe) (Lab): I support the hon. Member for Cleethorpes (Martin Vickers) in raising the issue of Vivergo Fuels and the danger that the 2% crop cap may pose to an important local business. Will the Minister meet MPs of all parties from the region to consider the matter before determining what to do?

Mr John Hayes: I have had meetings about that. I know how closely the hon. Gentleman has worked with colleagues from across the House to promote the interests of his constituents and others. I will happily have more meetings. It is a challenging matter, but we must get it right. The hon. Gentleman is right that we do not want unintended consequences, so I will of course be delighted to meet.

James Berry (Kingston and Surbiton) (Con): Will my right hon. Friend update the House on the proposals for Crossrail 2? If there are to be any delays, will he tell us what can be done about overcrowding on our trains, such as the one I was on this morning, in the meantime?

Chris Grayling: I am waiting for Transport for London to deliver the business case for Crossrail 2. I am expecting that in the next few weeks, but we are taking action on

capacity in the meantime. I will be at Waterloo station this afternoon to see one of the new generation of trains that will be operating in the coming months on the routes that serve both our constituencies. The works taking place at Waterloo this summer will allow 10-coach trains, rather than eight-coach trains, to serve our suburban networks. That is good news for passengers.

Ruth Cadbury (Brentford and Isleworth) (Lab): The Department for Transport is currently consulting on the airports national policy statement. Why are residents in Chiswick, Brentford, and Osterley not being told in that consultation that the approach path to runway three will be over their heads? Will he meet my constituents to explain the noise impact that the runway will have?

Chris Grayling: The important thing to understand about the consultation, and about airspace management in particular, is that more precise technology will enable us to provide a much more varied management of airspace in a way that minimises impacts on communities. Much more precise flightpaths are one of several measures that we can take to minimise those impacts. We have been pretty clear in the consultation. We are consulting all the areas that will be affected by the airport's expansion, and we are expressing a desire for views and opinions from across the House and across the affected areas.

Margaret Ferrier (Rutherglen and Hamilton West) (SNP): On a point of order, Mr Speaker.

Mr Speaker: Points of order ordinarily come later, but if it flows from Question Time and is brief and not disputatious, we will hear it briefly.

Margaret Ferrier: Thank you, Mr Speaker. I seek your guidance. In response to my earlier question, the Minister suggested that ending toll charges in Scotland had led to bridges in Scotland being closed. When the Forth road bridge was damaged it was repaired ahead of schedule. The Queensferry crossing is being completed on time and significantly under budget without the need for tolls. Perhaps the Minister of State would like to take this opportunity to correct his earlier comments.

Mr Speaker: I very much doubt that the Minister wishes to do so. The hon. Lady, who is well informed and I imagine has a very good vocabulary, has just feigned ignorance of the word "disputatious." I said that her point of order should not be disputatious, but it was disputatious. I think we will leave it there. I am not knowledgeable upon the matters to which she has referred and, more importantly, I have absolutely no responsibility for them myself, which is a great source of relief.

ROYAL ASSENT

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

Commonwealth Development Corporation Act 2017
Cultural Property (Armed Conflicts) Act 2017
High Speed Rail (London - West Midlands) Act 2017.

The Secretary of State for Transport (Chris Grayling): On a point of order, Mr Speaker. I wonder whether you might indulge me. As you have now confirmed Royal Assent for the HS2 Act, I thank everyone in the House who was involved in its passage. It has been a long and arduous process, particularly for those who served on the Committees in both Houses. I thank them for their work.

Mr Speaker: The Secretary of State's courtesy will be warmly appreciated on both sides of the House, and I thank him for what he has just said.

Jamal al-Harith

10.40 am

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab) (*Urgent Question*): To ask the Home Secretary to make a statement on the case of Jamal al-Harith.

The Minister for Security (Mr Ben Wallace): I make it clear at the outset that the United Kingdom takes the security of its people, interests and allies very seriously, and we will not hesitate to take action in accordance with our inherent right of self-defence. The Government strongly discourage British nationals from travelling to conflict zones and work hard to dissuade and prevent people from travelling to areas of conflict.

It is, however, the long-standing policy of successive Governments not to comment on intelligence matters. The monitoring of individuals is an intelligence matter, and the Government do not and cannot comment on individual cases. Neither can the Government comment on whether particular individuals have received compensation payments.

In November 2010, the then Lord Chancellor and Secretary of State for Justice, my right hon. and learned Friend the Member for Rushcliffe (Mr Clarke), informed the House of Commons that the Government had secured a mediated settlement of the civil damages claims brought by detainees held at Guantanamo Bay in the early 2000s. The details of that settlement were subject to a legally binding confidentiality agreement, and we are therefore unable to confirm whether any specific individual received such a settlement.

More broadly, the Government's priority is to dissuade people from travelling to areas of conflict in the first place, and our strategy works to identify and support individuals at risk of radicalisation. More than 150 attempted journeys were disrupted in 2015. Since Channel, the Government's process to identify and provide support to individuals at risk of being drawn into terrorism, was rolled out in 2012, there have been more than 4,000 interventions to prevent radicalisation, but we have been clear that we will seek to prosecute those who travel abroad to commit criminal or terrorist attacks. Our brave men and women of the intelligence services and law enforcement agencies work every day to make sure that the risk to our citizens is minimised.

Yvette Cooper: It has been reported that Jamal al-Harith died in a suicide attack in Mosul, and in doing so killed several others on behalf of a barbaric extremist regime. If the reports are correct, he was a deeply dangerous man involved in the worst kind of extremism and terrorism that I am sure is widely condemned on both sides of the House.

We know that Jamal al-Harith was released from Guantanamo Bay in 2004, and it is reported that he received a payment from the Government after concerns that defending his case would lead to the revelation of intelligence and the compromising of national security.

The former independent reviewer of terrorism legislation has provided information about the case, as has the former Home Secretary, Lord Blunkett. Everyone understands that some information cannot be revealed for intelligence reasons. However, the Minister has provided far too little information about such a serious case.

[Yvette Cooper]

Can he confirm whether Mr al-Harith was made any payment? Notwithstanding the subsequent welcome legislation to tighten the law, which had cross-party support, does he agree that people across the country will feel sickened at the idea of large payments being made to someone who may have been involved in serious terrorist activity?

We know that Mr al-Harith was subject to monitoring after 2004. Was he subject to monitoring between 2010, when the compensation payments are reported to have been made, and his reportedly leaving the country in 2014? Was he considered for a control order or a terrorism prevention and investigation measure? Can the Minister confirm that no one is currently subject to a TPIM? It is reported that al-Harith left to join ISIL in 2014. Was he being monitored at that time? Was he on any border watch lists at the time? We ask that question because, legitimately, we want to know whether this occurred because of a lack of intelligence about his case or whether there was some failure in the border watch list system, in which case there are legitimate questions for this House to pursue.

What happened to the payment allegedly made to Mr al-Harith? Do the Government know whether any of that money was subsequently used to fund terrorist or extremist activity? Was any monitoring in place in respect of any of these compensation cases? Has any attempt been made since Mr al-Harith left for Syria and Iraq to recover any of the payments that have been made? Is any of that payment left now? Can the Minister at least say whether the Government are now reviewing this case and will at least provide a report to the Intelligence and Security Committee, which will be able to listen to all the questions relating to intelligence so that we can understand whether such a serious case has been properly pursued, and that every possible action has been taken on behalf of both our national security and the British taxpayer?

Mr Wallace: I thank the right hon. Lady for her questions. Like her, and like my constituents, we will be outraged and disappointed by the sums of money that have been paid. As for the sums that have been paid, and that are reported to have been paid, I cannot comment on individual cases. Unlike former Home Secretaries, the Government are bound by their legal obligations—we cannot break those legal commitments—but I can say that some of the vulnerability that led us to have to pay those damages occurred when the right hon. Lady was a member of the Labour Government and when those individuals brought claims against us.

It is important that we recognise that that is why some of these claims had to be paid out and why, in response to those outrageous sums of money that have been reported, this Government and the coalition Government brought forward the consolidated guidance—David Cameron brought that forward—to make sure that our intelligence services act within the law and get the full support of the law in order to do their job. That is also why we brought forward the Justice and Security Act 2013 to introduce closed material proceedings so that in future claims brought by such people, held in Guantanamo Bay in 2004, can be challenged in court without revealing sensitive intelligence information and

we can, thus, defend many of those claims. It is also why that Act brought in stronger powers for the Intelligence and Security Committee, in order that it can investigate such incidents and give confidence to this House that such events are properly investigated, with lessons learned if they need to be and allegations put to rest if they are found to be false. That happened as a result of these types of payments; that action was taken under the coalition Government of David Cameron to make sure that we minimise the risk of this ever happening again.

Victoria Prentis (Banbury) (Con): As you are aware, Mr Speaker, before I came to this place I worked as a Government lawyer. Although I did not work on this specific case, colleagues in the department in which I worked were involved in it.

Kevin Brennan (Cardiff West) (Lab): That is called hearsay evidence.

Victoria Prentis: No, it is not.

In this country, we have a proud tradition of law: law that supports not only people who are attractive to the general public, but those with whom the general public would not have sympathy. The question I wish to put to the Minister is this: to what extent has he worked and have this Government worked to enable the rule of law to be upheld and to enable the “secret courts” Act to come into effect so that we can study these cases properly?

Mr Wallace: I am grateful to my hon. Friend for her question. First, as I said earlier, by introducing consolidated guidance to guide our intelligence services when they operate abroad; by introducing the 2013 Act, which allows for closed material proceedings; and by beefing up the ISC, we have put in place a much more robust and defensible structure so that we are not the victim of people coming along and trying to sue us for actions we may or may not have taken. That is the most important part of it. It is also important to point out to the House that we will act in accordance with our inherent right of self-defence. We will always put first the defence of our citizens and our nation, and we will make sure that we do that to the best of our ability.

Ms Diane Abbott (Hackney North and Stoke Newington) (Lab): Terrorism is the scourge of modern democracies. It has meant that the frontline of international conflict has moved from the battlefield to our homes and high streets. There will therefore be natural public concern about the case of Jamal al-Harith, who was allegedly paid £1 million in compensation by the UK Government following his incarceration in Guantanamo. There will also be natural public concern that the Minister has chosen to hide behind the notion of sensitive intelligence in order to fail to answer even the simplest factual questions about this case. I repeat: was there any payment? We do not need to know exactly how much, but was there any payment? Is there any truth in the idea that the settlement was designed to prevent al-Harith from making embarrassing revelations about our acquiescence in and enabling of the torture of a UK citizen? Given the monitoring of British detainees after their release from Guantanamo, how was he able to leave the country and travel to Syria in 2014? Will the Government review this case and refer it to the Intelligence and Security

Committee, which we believe would be the appropriate, and secret, method of dealing with these very important issues?

Mr Wallace: I can perhaps answer the last point. Of course, the Intelligence and Security Committee now has the power, because of the 2013 Act, to properly investigate these issues. Members of that Committee will be listening to this debate and will have read the media reports, and it is entirely for them to choose what they wish to investigate. If they do choose to investigate, we will of course comply, as we are obliged to and as we would wish to. It is very important that we do that.

The right hon. Lady asks me to disclose intelligence operations concerning an individual. I cannot do that; it has never been the practice of this Government, the previous Government or the Government before that. We are not hiding behind that phrase; we are having to oblige ourselves in line with the legally binding confidentiality agreement made between Her Majesty's Government and the parties involved. I am sure the right hon. Lady is not trying to encourage me to break the law and reveal details of the compensation.

Dr Andrew Murrison (South West Wiltshire) (Con): It is reported that around £20 million has been paid to 16 former Guantanamo Bay detainees. This morning, Lord Blunkett suggested that that sum should be formally reviewed because the public will be dismayed. They will be particularly concerned if any of that money has gone to fund terrorism. Will the Minister undertake to review the £20 million, or thereabouts, that is reported to have been paid to these individuals?

Mr Wallace: My hon. Friend raises an important point about the destination of, or what happens to, any money paid to individuals. One reason why only this Tuesday we took through the House the Criminal Finances Bill, which covers terrorist financing, is to give us even more powers to track money destined for terrorism and deal with it. It is incredibly important that we do that. The comments of the former Home Secretary Mr Blunkett are of course a matter for him. No doubt he may be questioned by the Intelligence and Security Committee about the role that he and his colleagues played at the time in making sure that British citizens' interests were protected when they were in Guantanamo Bay, which may have led to these claims being made in the first place.

Angela Crawley (Lanark and Hamilton East) (SNP): I associate myself with the comments made by the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper). The Scottish National party is of course committed to protecting the people of Scotland and keeping our communities safe, while recognising that that commitment needs to be balanced with the protection of civil liberties. We recognise that the ways in which people are becoming radicalised are constantly evolving, so we must remain vigilant and refresh our approach in doing so. Police forces throughout Scotland have been extremely vigilant, and for many years have been working closely with the Scottish Muslim community to prevent violent extremism and radicalism.

It has been suggested that Jamal al-Harith was able to travel to Mosul because the Home Office, when it was under the current Prime Minister, weakened the surveillance of terror suspects because of issues of

resource. What will the Government do to meet their duty of care and vigilance in monitoring those who have been vulnerable to radicalisation and to address any resource issues so that they can do that effectively?

Mr Wallace: May I say how impressed I have been, in my time as Security Minister, with the Scottish police and their work across the United Kingdom to protect UK citizens and people living in Scotland from the threat of terrorism? I have been to visit them, and their work on Prevent and on fulfilling the Contest strategy agreed between the UK and Scottish Governments is the reason that we are seeing people in many areas prevented from travelling and dissuaded from radicalisation. I am grateful to the Scottish Government for their role in ensuring that people in Scotland are safer. Of course, everything we do is within the rule of law and the rights of the country to take action in self-defence. I urge hon. Members to look at the Government memorandum to the Joint Committee on Human Rights, in which we restated our view on when we are legally able to take action against individuals.

The hon. Lady mentioned funding. We have increased funding for Prevent year on year, to ensure that we focus on dissuading people as much as on putting money into pursuing people, tracking them down and trying to stop them.

Sir Julian Brazier (Canterbury) (Con): I was a strong supporter of the Justice and Security Act 2013, which was bitterly opposed by elements in this House—some of whom were on our Benches, I am sorry to say—but it was quite a modest step in the right direction. Does my hon. Friend accept that public confidence in the system is at the absolute heart of the concept of the rule of law and that the current framework of human rights, as it affects areas such as our ability to monitor suspects, is unsatisfactory? That is one more reason to review human rights law in this country.

Mr Wallace: I hear the points that my hon. Friend makes, but I remind him that this House took the Investigatory Powers Act 2016 through collectively. The Government conceded a huge number of amendments, tabled by all sides, and we worked across parties to deliver the Act. We believe that it is a robust and successful piece of legislation that complies with human rights obligations, but also ensures that our people are kept safe and gives law enforcement agencies and intelligence services the powers they need in the 21st century to face the threats posed to us today.

Mr Alistair Carmichael (Orkney and Shetland) (LD): The root cause of the problem is the operation of the detention camp at Guantanamo. The Government supported President Obama's aspiration to see it closed or its numbers reduced. The current President said when he was campaigning that he would "load it up with some bad dudes".

Do the Government now support President Obama's position or President Trump's?

Mr Wallace: Before the Government comment on the actions of the United States, we should see what those actions are. From my personal experience as a young officer doing counter-terrorism in Northern Ireland,

[Mr Wallace]

I can say that torture and degrading people do not work. They do not get the results that anyone wants; in fact, they usually extend conflict. People should know that the use of torture should not be tolerated. On Tuesday, I was therefore delighted to introduce a new power in the Criminal Finances Bill to allow the Government and law enforcement agencies to freeze the assets of people guilty of human rights abuse anywhere in the world.

Tom Tugendhat (Tonbridge and Malling) (Con): I am grateful to you, Mr Speaker, for calling me to ask a question on this important subject. I declare an interest: when these incidents were happening, I was an Army officer serving in Her Majesty's Intelligence Corps. Although I was not aware of the particular incidents that arose in this case, I am aware of the situations that could have given rise to it. I have to say that I welcomed the decision of the then Home Secretary, David Blunkett. It is difficult to know when and how to make evidence public that could endanger the lives of fellow citizens. The then Home Secretary took a difficult decision, which might have resulted in a payment that—let us be honest—none of us is comfortable with. However, if that payment saved the lives of others by not revealing sources, it was the right decision not only politically but morally, and we should defend him. I ask the Minister to talk not about that decision but about the changes that have happened which mean that instead of making those payments, we can now have a proper trial—admittedly in a closed court—to review the evidence and see what the real decision should be.

Mr Wallace: My hon. Friend is right. At the heart of some of this was our inability to test allegations in an open court, and that is why we passed the Justice and Security Act 2013, which brought in the closed material proceedings. Hand in hand with that was the reassurance of a beefed-up Intelligence and Security Committee, to make sure that there was no abuse or any other issue. We should not forget that many in the House opposed the 2013 Act, which could have left us facing even more claims and pay-outs.

Mr David Winnick (Walsall North) (Lab): Understandably, there is much justified concern about public money being given to those engaging in terrorism, and obviously we all deplore that. However, those of us who campaigned against British nationals being held in Guantanamo Bay are not going to offer any apology whatever. We were right to so campaign. If people are suspected of terrorist offences and there is evidence, they should be tried. In many respects, Guantanamo gave ammunition to terrorists and potential terrorists, and that should not be forgotten for one moment.

Mr Wallace: I have not come to the House to ask the hon. Gentleman to apologise for campaigning against Guantanamo Bay. My and the Government's view is that the best place for these things to happen is in a court of law, with evidence presented. I sat on the Opposition Benches listening to a Labour Government constantly try to cut corners in terrorism legislation, trying to mix intelligence with evidence; the hon. Gentleman and I were probably in the same Division Lobby on the

90 days issue. It is my long-held experience that these things should be done in a court of law, through the rule of law, and with appropriate evidence. I have not come here to ask him to apologise; I pretty much agree with what he said.

Philip Davies (Shipley) (Con): I hope that those who celebrated the release from Guantanamo Bay of Jamal al-Harith will reflect on what he has done since his release.

Following on from the question asked by my hon. Friend the Member for South West Wiltshire (Dr Murrison), will the Minister say whether the Government are exploring any options to recover the compensation paid to the people from Guantanamo Bay? Taxpayers have been ripped off and terrorists have prospered from appalling activities. The public are rightly disgusted, and they want to know what the Government are trying to do to rectify the situation.

Mr Wallace: My hon. Friend makes a valid point. I will go from here and make sure that any legally binding agreements are correctly monitored and that, where there is a breach, we recover any moneys we can.

Anna Turley (Redcar) (Lab/Co-op): The British public will be completely bewildered by the lack of information from the Minister today. They will be appalled: this is not simply an issue of the individual case, but a policy issue that we need to reflect on in the House. The debate is already raging out there among the British public and the media, along with an awful lot of misinformation.

There are questions that the Minister needs to answer about monitoring. Is he confident that we are monitoring our suspects? How are people able to leave the country, given that there are checks at the border? Crucially, how are we monitoring people through our money laundering laws, to notice any changes in behaviour? The Government must come clean on those policy issues. The Minister said that the Government are discouraging people from travelling to Syria, but it looks to the British public as though they have funded that.

Mr Wallace: It is a regrettable part of the operation of the security services—and, often, our police—that we cannot sing about our successes as much as we would like. Every day and every week, we manage to prevent people at the border from going across to do harm, either within Europe or further afield. We often have to do that on the basis of intelligence that we cannot reveal, but we use our powers in a number of terrorism Acts that have gone through the House.

As the hon. Lady mentioned, there are occasions on which we have to discuss whether we could have done more or less. That is why we gave more power to the Intelligence and Security Committee: so that it can ask all the deep, searching questions without putting at risk agents, methods, capabilities and technologies that we need so diligently to protect to make sure that more and more people are kept safe from a more and more determined group of terrorists who operate in the name of Daesh.

Jeremy Quin (Horsham) (Con): There was a long campaign to return British citizens from Guantanamo Bay and for them to face a proper trial. Does the

Minister share my disappointment that more effort was not made at that stage to consider how sensitive information could be heard in camera to allow those trials to take place? Will he confirm that that lacuna has since been addressed by the Government?

Mr Wallace: My hon. Friend makes an interesting point that Guantanamo Bay goes back way before the coalition Government got into power. It is interesting that it took until 2010 or 2011 when we started making plans for the Justice and Security Act 2013 to do that. The question about what was done before is a matter for a former Government.

Alex Salmond (Gordon) (SNP): May I dissociate myself from these disgraceful attacks from the Tory Benches on the *Daily Mail* for campaigning to release British subjects from Guantanamo Bay? Lord Carlile was a Government adviser, and he has stated that Jamal al-Harith and others were paid compensation to prevent the release of security information through the courts into the public domain. It is a bit late for the Minister now to rest on confidentiality, so perhaps he will tell us the date of the confidentiality clause he cited, or is that too confidential?

Mr Wallace: First, I do not think that anyone has heard from this Dispatch Box an attack on the *Daily Mail*, although I know the right hon. Gentleman would like to put up a straw man to make some allegations. As I said previously, we made a legally binding confidentiality agreement in November 2010. The key words there are “legally binding”, not “confidentiality”. As I am sure he will understand, that puts an obligation on this Government and not, by the sound of things, on former Home Secretaries or reviewers of terrorism. Even a Scottish National party Government would be legally obliged to stick to the confidentiality agreement, and he knows it.

Mr David Nuttall (Bury North) (Con): Does my hon. Friend agree that, as there were 16 applications for closed material procedures in the first two years after the Justice and Security Act 2013 was passed, millions of pounds of British taxpayers’ money may have been saved simply because the security services are now free to present the evidence they have?

Mr Wallace: Hopefully the closed material procedures are doing exactly what we wanted: seeing off vexatious claims, testing the evidence and ensuring that, where the allegations are unfounded, the UK Government are not vulnerable to paying out money or compensation.

Mr Kevan Jones (North Durham) (Lab): The Minister has admitted that his Government have made these payments. I accept his point about confidentiality, but I ask him a simple question. What was the decision-making process in agreeing these payments? Which Ministers agreed to them? Did the current Prime Minister agree to those payments when she was Home Secretary, or is that covered by the confidentiality agreement?

Mr Wallace: I think the best thing would be for me to write to the hon. Gentleman. I was the Parliamentary Private Secretary to my right hon. and learned Friend the Member for Rushcliffe (Mr Clarke) in the Ministry

of Justice at the time. If I were to say that my memory of the time is that the Ministry of Justice or the Government signed the payments off, I may be misleading the House inadvertently. The best thing is for me to write an accurate response to the hon. Gentleman, but he will know, as a former Minister, that we all take responsibility and that the whole Government stand by their legally binding commitment.

Charlie Elphicke (Dover) (Con): Does my hon. Friend agree that the best way to deal with tragic cases such as this one and the many other cases of this nature is to prevent radicalisation in the first place? Once radicalisation has happened, we need to support our intelligence services and our border officials at ports such as Dover, and work internationally with other countries to ensure that we can deal with the consequences.

Mr Wallace: My hon. Friend makes an important point that the whole way in which we can tackle this threat is by working together both internally in the United Kingdom at our borders between all the agencies—SO15, the intelligence services, the home police, Border Force and everything else—and with our international partners. We do that more and more to ensure that when people threaten to come to this country or to leave and do harm elsewhere, we interdict them, deter them and deal with them to the best of our ability.

Sammy Wilson (East Antrim) (DUP): It is a pity that we have not heard any regret at all from the Labour party, which lobbied intensely to have this dangerous terrorist released in 2004. Given the fact that this man was on the loose, can the Minister explain why and how our security was so slack that he was able to leave the country and to use the funds available to him to finance terrorism and kill people?

Mr Wallace: The hon. Gentleman knows, from his own personal experience, the efforts that go into countering terrorism—the resource, the man hours, the risks taken. As a Northern Ireland Member, he will also know that it is an “easier said than done” job. It is very hard to deal with all the threats every day, and people have to make judgments. It is important to understand that we can rarely advertise our successes, whereas unfortunately, in some cases, people choose to focus on other areas that come to light. It is important to remember that people make judgment calls in good faith to keep people safe, and it is not an easy thing to do. I have the highest regard for our intelligence services and police, who have to make life-and-death decisions every day without any reward, recognition or benefit.

James Berry (Kingston and Surbiton) (Con): Does my hon. Friend agree that this case shows the moral, legal and security dilemmas thrown up when someone is suspected of terrorism or of intending to commit an act of terror but there is not sufficient evidence to convict them, even in closed session? There were loud protests in favour of closing Guantanamo Bay, and now an outcry when a former detainee goes on to commit an act of terror.

Mr Wallace: There is always a balance to be struck in how we live in our society. Britain is open for business and open for trade, and that implies an element of open

[Mr Wallace]

borders. We have to allow some to-ing and fro-ing for us to prosper. This is also about a balance between the rights of individuals and the rights of the state to interfere in people's lives. It is a very tricky balance, and a live balance, that is struck every day, and we do it within the rule of law. We are grateful, as are any Government, when we get the House's support for measures such as the Justice and Security Act 2013 that improve the accountability of our law enforcement and intelligence agencies. That is the challenge, and it will not change no matter who is sitting on the Treasury Bench. It is a balance we must always try to strike and do better with.

Diana Johnson (Kingston upon Hull North) (Lab): The Minister did not answer the question that my right hon. Friend the Member for Normanton, Pontefract and Castleford (Yvette Cooper) posed: is anybody currently on a TPIM? Given we know that UK citizens have travelled to fight for Daesh and then returned to this country, I would be surprised if there were not some people on TPIMs to protect people in this country.

Mr Wallace: The hon. Lady will know that there is a bulletin of TPIM numbers every year. If my memory serves me correctly, the latest number was nine, or perhaps six. [Interruption.] It is six—there we are. That number will obviously be refreshed, however, and when the new one is published, hon. Members will be able to see the latest number. I can assure her, however, that TPIMs are just one of the tools in the toolbox we use to monitor or deter people from taking dangerous action. We use them when we need to, and will continue to do so.

Mr Khalid Mahmood (Birmingham, Perry Barr) (Lab): I thank my right hon. Friend the Member for Normanton, Pontefract and Castleford (Yvette Cooper) for dragging the Home Office to the House, although it is obviously totally unprepared and has no understanding of the issue or concern about what has happened. The former Home Secretary, now the Prime Minister, cut our border staff by 15% and allowed this individual to go through the gates unhindered. Despite the TPIMs, no one had sight of this individual. It is no good hiding behind the security services. Why have the Government not dealt with this issue using those measures?

Mr Wallace: The hon. Gentleman might like to reflect on some of his comments. It was this Government who brought in exit checks, which did not exist under the Labour Government, so people could leave the country come what may. People do not just travel through e-gates unmonitored—of course they are monitored—so his allegation is wrong. And no one was dragged to the House. He should realise that I like the sound of my own voice, and I am happy to stay here all afternoon to answer questions on this issue, if he wants.

Mr Ben Bradshaw (Exeter) (Lab): It is not good enough for the Minister, as the Prime Minister's official spokesman did yesterday, simply to hide behind intelligence as an excuse for not answering the most basic questions about this dreadful case, so let me try a policy question: what assessment has he made of the impact of the

coalition Government's disastrous decision to scrap Labour's control orders and his ability to monitor people like this?

Mr Wallace: The right hon. Gentleman forgets the position of Labour's control orders before the courts. Funnily enough, as I pointed out earlier, his Government did not seem to have quite the right regard for the Human Rights Act 1998 or the rule of law that they should and were constantly seeing their measures struck down. We do believe that TPIMs are a good policy—one of the tools in the toolbox to enable us to monitor these people. We will use them wherever we can and whenever we need to do so, to make sure that we do everything to keep people who pose a threat under control. So far, we have not abandoned them or failed to use them when the need presents itself.

Stephen Timms (East Ham) (Lab): Can the Minister assure us that he knows the current status and whereabouts of the other three people released from Guantanamo Bay alongside Mr al-Harith in 2004?

Mr Wallace: I cannot comment on our operations, or on knowledge or surveillance, but I can assure the right hon. Gentleman that, as I have said, the powerful Intelligence and Security Committee can ask all these detailed questions and investigate unilaterally these issues to make sure that, if it needs the answers, it can get them and reassure the House on whether or not enough is being done.

Kevin Brennan (Cardiff West) (Lab): I welcome the Minister's commitment to my hon. Friend the Member for North Durham (Mr Jones) to write to him and tell him which Minister took the decision about the compensation. The Minister mentioned the introduction of exit checks. Presumably, this individual was subject to an exit check when he left the country. Can the Minister give an account, from the Government's point of view, of what happened in this case after that individual left the country?

Mr Wallace: As I said at the very beginning, I cannot comment on the individual case or the intelligence behind it. However, as I have said, the Intelligence and Security Committee is perfectly able to look into it. The point about which Minister took the decision is a bit of a red herring. The United Kingdom Government were obliged to make certain agreements because of the vulnerability they found themselves in as a result of 2004 and the allegations made when a number of Members on your Benches were members of the Government.

Mr Speaker: Not on my Benches. In fact, I do not have a Bench but a very comfortable Chair.

Chris Bryant (Rhondda) (Lab): Basically, the Prime Minister, when she was Home Secretary, and/or the Justice Secretary, agreed £1 million or thereabouts for a man who went on to commit a significant terrorist act that killed many people. Why the Minister thinks that he can hide behind legal confidentiality and security so as not even to assuage any of the basic concerns that all our voters will have is a mystery to me. The man is dead, for a start, and secondly the Bill of Rights says that no proceeding in Parliament shall be impeached or questioned

by any court of law or any other place. The Minister can tell us everything he wants today, if only he had the courage to do so.

Mr Wallace: They always save the best for last, Mr Speaker. The hon. Gentleman uses the word himself: it is the word “legally” that is important and seems to have missed his attention. This is a legally binding confidentiality clause between parties. If he wants to investigate more, I refer him to the Intelligence and Security Committee, which has all the powers given by this Government and the coalition Government to make sure that it gets to the bottom of the issues.

Business of the House

11.18 am

Valerie Vaz (Walsall South) (Lab): Could the Leader of the House please give us the forthcoming business?

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

MONDAY 27 FEBRUARY—Estimates day (2nd allotted day). There will be a debate on future flood prevention, followed by a debate on health and social care.

TUESDAY 28 FEBRUARY—Estimates day (3rd allotted day). There will be a debate on the Government’s productivity plan, followed by a debate on intergenerational fairness. Further details will be given in the *Official Report*.

[The details are as follows: Second Report of the Environment, Food and Rural Affairs Committee, Future flood prevention, HC 115, and the Government response, HC 926; Second Report of the Environmental Audit Committee, Flooding: Cooperation across Government, HC 183, and the Government response, HC 645. First Report of the Health Committee, Impact of the Spending Review on health and social care, HC 139, and the Government response, Cm 9385; Second Report of the Committee of Public Accounts, Personal budgets in social care, HC 74, and the Government response, Cm 9351; Tenth Report of the Committee of Public Accounts, NHS specialised services, HC 387, and the Government response, Cm 9351; Twelfth Report of the Committee of Public Accounts, Discharging older people from acute hospitals, HC 76, and the Government response, Cm 9351; Sixteenth Report of the Committee of Public Accounts, Improving access to mental health services, HC 80, and the Government response, Cm 9389; Twenty-fifth Report of the Committee of Public Accounts, UnitingCare partnership contract, HC 633, and the Government response, Cm 9413. Second Report of the former Business, Innovation and Skills Committee, Session 2015-16, The Government’s Productivity Plan, HC 466, and the Government response, HC 931. Third Report of the Work and Pensions Committee, Intergenerational fairness, HC 59, and the Government response, HC 964.]

At 7 pm the House will be asked to approve all outstanding estimates.

WEDNESDAY 1 MARCH—Proceedings on the Supply and Appropriation (Anticipation and Adjustments) Bill, followed by Second Reading of the Bus Services Bill [*Lords*].

THURSDAY 2 MARCH—Debate on a motion relating to International Women’s Day, followed by a general debate on Welsh affairs. The subjects for these debates were determined by the Backbench Business Committee.

FRIDAY 3 MARCH—The House will not be sitting.

The provisional business for the week commencing 6 March will include:

MONDAY 6 MARCH—Second Reading of the Vehicle Technology and Aviation Bill.

I should also like to inform the House that the business in Westminster Hall for 2, 6 and 9 March will be:

THURSDAY 2 MARCH—Debate on the ninth report of the Work and Pensions Committee on support for the bereaved.

[Mr David Lidington]

MONDAY 6 MARCH—Debate on an e-petition relating to high heels and workplace dress codes.

THURSDAY 9 MARCH—Debate on the second report of the Scottish Affairs Committee on demography of Scotland and the implications for devolution.

In addition, I should like to inform the House that, following discussion through the usual channels, the 10 minutes allocated for oral parliamentary questions to the Leader of the House that have previously taken place on a six-weekly rota will now be used as additional time for questions to the Secretary of State for Culture, Media and Sport. A new questions rota is now available from the Vote Office. Members should be reassured that I shall continue to appear at the Dispatch Box every Thursday morning at business questions, and they will be able to use that opportunity to ask any questions that they might otherwise have asked at orals.

Valerie Vaz: I thank the Leader of the House for confirming that he will still be here for business questions, even though he is such a talented former Minister for Europe that I think his talents should be deployed elsewhere.

I am still going to ask for the date of the recess. The Deputy Leader of the House is very keen to know when he will be able to go on holiday, because he will need to respond to the pre-summer recess Adjournment debate and he needs to order a new tie.

Following a point of order by my hon. Friend the Member for City of Chester (Christian Matheson), the Leader of the House kindly mentioned the year of the relevant legislation. I have asked the Library about it and it is called the Data Protection (Processing of Sensitive Personal Data) (Elected Representatives) Order 2002, which enables the processing and disclosure of sensitive data to elected representatives. The Library was very helpful and I am sure that if hon. Members want a copy, it will provide one.

This is a photo-opportunity Prime Minister and Government—all photos and no substance or any thought for the British people. Not content with being the first to visit the United States, when she should have been networking in Europe, the Prime Minister then photo-bombed the House of Lords, in the company of the Leader of the House—no wonder we cannot get the recess date. Instead of photo-bombing, the Prime Minister needs to focus on what is going on in her own Cabinet. She may have got up off the sofa to sit at the Cabinet table, but she needs to hold a discussion with her Cabinet members, because they are completely out of control.

The Prime Minister needs to think about our young people, because they are our future. Just before the Christmas recess, the Government snuck out a statement on removing the cap on tuition fees, so students will face a tuition fee rise in perpetuity. A Labour Government, by the way, would have reduced fees and kept the cap. Yesterday the Prime Minister talked about children and their aspirations, but this generation is saddled with debts of £44,000 each before they even start out in life. There are two statutory instruments that are a tax on aspiration, so could the Leader of the House please schedule a debate—similar to that which we had in

2010—on this disgraceful increase in tuition fees by statutory instrument? We want to debate and scrutinise those SIs and vote on them.

The Prime Minister mentioned the Great Get Together, which has been organised to remember our colleague Jo Cox. The Prime Minister said that we should recognise the things that unite us, but at the same time the Government are presiding over the decimation of the staff at the Equality and Human Rights Commission. People have been handed redundancy notices via email and the Government are cutting the very organisation that can help people and communities to trust each other. It is there to help eradicate racism, misogyny and anti-Semitism—there has been a rise in hate crime—just as all of us try to do, including you, Mr Speaker. Could we have a debate on early-day motion 944, tabled by the Member for Glasgow South West (Chris Stephens)?

[That this House notes with great concern the decision of the Equality and Human Rights Commission (EHRC) to sack 10 staff members on 9 February 2017 via email and with only one day's notice; further notes that seven of those who were sacked are of black and minority ethnic (BME) origin, six are disabled and all are trade union members; is further concerned that staff were denied the opportunity to seek employment within the Civil Service due to the implementation of Payment In Lieu of Notice; believes that this in particular discriminates against BME, disabled and female staff who may struggle to find further employment; notes that staff have taken part in several days of strike action in recent months against compulsory redundancies and budget cuts within the Commission; understands that the EHRC was established to help eliminate discrimination, reduce inequality and protect human rights in the UK; and calls on the Government to intervene and reinstate all sacked staff members and to properly fund and staff the EHRC to ensure that discrimination and inequality within the UK is eradicated.]

The Government are not interested in education. Many Members of all parties, including the hon. Member for High Peak (Andrew Bingham), who raised the issue yesterday after meeting headteachers, and my right hon. Friend the Member for Leigh (Andy Burnham), who raised concerns about the aspirations of boys, are alarmed at the new funding formula cuts to our schools. The Prime Minister said that the Government were looking at a new formula—she said, “It is a consultation”. Will the Leader of the House guarantee that there will be a statement immediately following the consultation? When will the consultation come to an end?

The Government are not interested in businesses. What a lesson in disorganisation and chaos we have had on business rates. For every £1 generated by local businesses on the high street, 70p goes back to the local economy. Most businesses on the high street pay more in business rates than in corporation tax. The Secretary of State for Business, Energy and Industrial Strategy says that he will look into the short-term and long-term effects of business rates. He should have done that before he introduced the policy. A loophole that was missed by the Treasury will allow online multinationals to see a fall in their business rates while a small independent bookshop sees a rise. Will the Leader of the House ensure that there is a full impact assessment of the proposals before they are enacted?

Which other disorganised and chaotic Government would get away with the Secretary of State for Health saying, as he did on the BBC last week, that performance

in the some parts of the NHS is “completely unacceptable” and then doing absolutely nothing about it? Yesterday, the Prime Minister mentioned Mid Staffs, but she forgot to mention that Sir Robert Francis, who led the inquiry, said earlier this month that the NHS was facing an “existential crisis”, with a “disconnect” between what the Government were saying and people’s experiences on the ground. May we have a statement on the Government’s plan of action to restore the NHS and listen to clinicians and staff? A 10-point plan would do.

When the City of London warns that the loss of banking jobs to the EU threatens financial stability, the Government need to listen and to be transparent with the British people about those warnings.

My hon. Friend the Member for Cambridge (Daniel Zeichner) and I heard yesterday that, for people working in the Museum of Archaeology and Anthropology in Cambridge, once their contracts are over, that will be it—their funding will come to an end and there will be no more jobs.

Education is a mess; health is a mess; businesses are under threat; a judge says that the Government are making slow progress on allowing civil partnerships for heterosexual couples; and research funding is ending. Who are this Government serving?

Someone who has served this House well is my hon. Friend the Member for Bolsover (Mr Skinner), although he is not in his seat at the minute. He had a birthday during the recess and is now 85. I am sure the whole House will join me in belatedly wishing him a happy birthday and in looking forward to the documentary on his life: “Nature of The Beast”.

Mr Lidington: I am afraid that I cannot yet give the hon. Lady a date for the summer recess. In my experience, my hon. Friend the Deputy Leader of the House can barely be torn away from his desk, so assiduous is he in his commitment to his work in government and on behalf of his constituents. I will try to give the hon. Lady and the whole House notice of the summer recess dates as soon as I can.

I completely agree with the hon. Lady on the significance of the 2002 order. I recall that it was brought in at a time when hon. Members from all parts of the House were, as now, finding a number of public authorities reluctant to disclose information that they were seeking on behalf of constituents who had approached them. I intend to write to all Members to draw their attention formally to the order.

I am rather disappointed by what the hon. Lady said about the House of Lords. It is important that Ministers respect the constitutional role of the House of Lords. In my experience, both in government and in opposition, Members of the other place like the fact that Ministers and, occasionally, Opposition spokesmen go and listen to what they have to say. That is exactly what my right hon. Friend the Prime Minister and I were doing earlier in the week.

We could have a long debate, which you would not want me to move into, Mr Speaker, about the opportunities for young people in our society. I simply say to the hon. Lady that it is under this Government that we are seeing a rise in the number of schools that are rated good or outstanding, which is giving our young men and women the best start in life. Employment in the United Kingdom

is at a record high, and enabling young people to have a decent education and then a job gives them the best start of all. The housing White Paper then spells out how, through generating additional housing supply, we will help young men and women get a foot on the housing ladder, which so many cannot currently afford to do.

The hon. Lady asked about tuition fees. The maximum fee cap will not increase in real terms for anyone who goes to university.

The hon. Lady and others have asked me in previous Thursday sessions about the measures that the Equality and Human Rights Commission has taken. It is publicly funded, but at arm’s length from ministerial direction. Like every other part of the public sector, it has to take responsible decisions about how to set priorities for the finite taxpayers’ resources that it has been allocated.

I will write to the hon. Lady and put a note in the Library about the exact date when the consultation on the new funding formula for schools is due to end. From memory, it is later in March, but I will confirm that in writing.

Let us not forget that business rates are based on the rental value of business properties, and rental values change over time. I was not quite sure whether the hon. Lady was saying that the Opposition would rather that the valuation were based on rental values that are now seven years out of date. The Government have brought forward the revaluation that needed to be done, but as the Secretary of State for Business, Energy and Industrial Strategy said yesterday, he is working with the Chancellor of the Exchequer to see whether we can find further ways to ensure that some relief is given to individual businesses that might be particularly adversely affected by the revaluations.

We could also debate the national health service for a long time. I simply remind the hon. Lady yet again that the NHS is getting record funding under this Conservative Government. The numbers of doctors and nurses and, critically, of our fellow citizens who are being treated by immensely professional and hard-working staff, are increasing.

Far from being disunited, the Government are pursuing a determined course to try to address some of the deep-seated social and economic challenges that our nation has faced for many years in a way that benefits people in all parts of our United Kingdom and all parts of society. If the hon. Lady is looking for chaos, she should look behind her and particularly around the table when the shadow Cabinet meets weekly. I suspect that she has to look at the name plates to remind herself who is entitled to be at those meetings.

Sir David Amess (Southend West) (Con): Notwithstanding the debate in Westminster Hall next Thursday, will my right hon. Friend find time for a debate on funeral poverty? Although I applaud the work of the hon. Member for Swansea East (Carolyn Harris) and my hon. Friend the Member for Rugby (Mark Pawsey), and the legislative proposal of the hon. Member for Airdrie and Shotts (Neil Gray), I am still convinced, having recently met people from the sector, that the Government could do more to help people in financial difficulties at a distressing time.

Mr Lidington: My hon. Friend makes an important point. As he will know, the current arrangements mean that people in need can have their costs reimbursed. That can cover necessary costs for burial and cremation and up to £700 for other expenses. My understanding is that, in the last year for which we have figures—2015–16—29,000 awards were made of more than £1,400 on average. However, the Government are exploring various options for simplification and making access to the schemes that we have easier. I am sure that any thoughts and proposals that my hon. Friend has will be gratefully received by the Ministers responsible.

Pete Wishart (Perth and North Perthshire) (SNP): I thank the Leader of the House for announcing the business for next week.

I suppose the Leader of the House can safely put away the abolition of the Lords Bill. All we really needed was a selfie of him and the Prime Minister visiting the Chamber this week. After threatening to lead the great Brexit rebellion, the brave tribunes in ermine led the nation all the way to the top of the Woolsack hill and all the way back down again—while leaving the taxi meter running. Am I the only Member of this House disturbed by the former Lord Speaker's allegations? This is taxpayers' money. Does the Leader of the House not agree that at least some sort of investigation is warranted into what is going on down there with their expenses?

Will the Leader of the House assure us today that the Government have no intention of debating early-day motion 943 in Government time?

[That this House has no confidence in Mr Speaker.]

This is a pathetic early-day motion in the name of the hon. Member for Rochford and Southend East (James Duddridge), which invites us to express no confidence in you, Mr Speaker. It has secured a paltry five signatures, so will the Leader of the House confirm that that is the end of the sorry business?

On Monday and Tuesday, we have our annual estimates day. One of the key features of estimates day is that the estimates do not have to be debated. When trying to debate estimates last year, I lasted one minute and 37 seconds. We are just about the only advanced democracy in the world where departmental spend is not scrutinised and debated. When will this absurdity end?

Lastly, Mr Speaker, I am sure you will welcome the news that David Bowie secured two Brit awards last night. I think everybody welcomes that. There are a few bleary eyed hon. Members who perhaps over-indulged at last night's ceremony. Our music industry is one of our great success stories, contributing £4.1 billion in gross value added to our economy. I am sure the Leader of the House, in a more conciliatory tone, would like to welcome not just the enormous cultural contribution our recording artists make, but the economic contribution, too.

Mr Lidington: On the hon. Gentleman's first point about the House of Lords, I do not know any detail beyond the reports of the television programme, but it is clearly right that evidence about specific allegations needs to be investigated by the appropriate authorities in that House, just as should be the case in this House. However, there has also to be due process. One has to proceed on the basis of evidence, not just allegation.

The hon. Gentleman will have noticed that I have not announced any plans to debate early-day motion 943.

On estimates, this is a long-running campaign pursued by the hon. Gentleman and his colleagues. The Government are awaiting the Procedure Committee report on estimates procedure and I will want to reflect carefully on it when I see it. The Government will respond to whatever recommendations the Committee may wish to make.

I am very happy to endorse the hon. Gentleman's salute to the economic and cultural impact of our arts sectors and creative industries, and the enjoyment so many people derive from them. It is important to remember that the arts and creative industries are major generators of wealth and employment, as well as bringing first-class entertainment to people. I rather suspect that when the hon. Gentleman went to the awards last night he was hoping against hope that perhaps next year there might be a guest slot for MP4, so we could see him and his colleagues in all their entertaining glory. [HON. MEMBERS: "Hear, hear."]

Mr Ian Liddell-Grainger (Bridgwater and West Somerset) (Con): My right hon. Friend will agree that corruption in local government is totally unacceptable. May we have an urgent debate on this subject? The Serious Fraud Office is investigating a multimillion pound council tax scam by Taunton Deane Borough Council and its officers. The leader of the council is also under fire for failing to declare a conflict of interest and his links with well known local building firms are a bit more than dodgy. I also understand that a club has been set up to extract funds from favoured companies. It is called the monument club, but is known locally as the monumental rip-off club. There is a very nasty smell coming out of Taunton Deane and this place needs to air it urgently.

Mr Lidington: My hon. Friend has made some serious allegations. He has told the House that the Serious Fraud Office is involved. As he knows, the Serious Fraud Office is completely, and rightly, independent of political direction from Ministers. Any evidence must be placed before the appropriate authorities, and then it is for them to decide what further to do.

Several hon. Members *rose*—

Mr Speaker: Order. As usual, I would like to accommodate the very large number of Members who are seeking to ask a business question, but I should point out that both the debates that are to follow—the Opposition day debate in the name of the Democratic Unionist party, and the debate under the auspices of the Backbench Business Committee—are well subscribed. I therefore hope that the House will help me, and Members will help each other, with pithy questions and answers—led, in this important matter, by no less a figure in the House than Dame Rosie Winterton.

Dame Rosie Winterton (Doncaster Central) (Lab): I absolutely agree with what was said by the hon. Member for Perth and North Perthshire (Pete Wishart) about early-day motion 943, and I welcome what the Leader of the House said in response.

The Leader of the House did not mention when the next debate on Brexit would take place. May I urge him to ensure, when he does allow that debate, that it

focuses on the impact of Brexit on the English regions, so that the Secretary of State for Exiting the European Union has an opportunity to tell us what analysis he has conducted of how it will affect areas such as Yorkshire and the Humber, and what plans he has to convene the meeting in York about which he has spoken but which does not seem yet to have materialised?

Mr Lidington: I can assure the right hon. Lady that there will be plenty of opportunities for the House to debate all aspects of our exit from the European Union, but I shall discuss with my colleagues the particular bid that she has made.

Bob Blackman (Harrow East) (Con): In the absence of the hon. Member for Gateshead (Ian Mearns)—we wish him well and a speedy recovery—let me, on behalf of the Backbench Business Committee, thank my right hon. Friend for securing this afternoon's debates with protected time. Next week we shall debate international Women's Day and Welsh affairs. May I ask for protected time to be considered for those two debates, the subjects of which have traditionally been allotted a whole day of debate in the House?

We have a full waiting list of debates. If every Thursday from now until Prorogation were allocated to us, we could fill them straight away, even before further requests are made. Moreover, we have had to shoehorn debates into 90-minute slots in Westminster Hall to meet the demand from Back Benchers. May I gently remind my right hon. Friend that the House rose very early on Monday? We could have had a Back-Bench business debate in the time that was available.

The Backbench Business Committee has sanctioned two requests for Budget-related debates which we would like to schedule before my right hon. Friend the Chancellor presents his Budget. If timings could be made available for those, we would appreciate it.

Last night I hosted an event to mark the centenary of the Rotary Foundation. The foundation provides a prime example of how polio can be eradicated, but it can also be eradicated through the use of international development funds. May we have a statement from the Secretary of State for International Development about the money this country has used, quite wisely, to help to eliminate polio throughout the world?

Mr Lidington: I cannot offer an immediate debate or statement on that last issue. However, my hon. Friend is right to draw attention to its importance, and to the achievement of voluntary as well as Government action in helping to reduce the incidence of this dreadful disease.

As for the other points that my hon. Friend has made, let me first join him in sending best wishes to the Chair of the Backbench Business Committee, the hon. Member for Gateshead (Ian Mearns). I spoke to him on the phone earlier this week. He seemed to be in fine form, and was hoping to be able to return to the House as soon as possible.

I will consider the hon. Gentleman's request for protected time on 2 March. I understand his point about the pressure on Backbench Business Committee time, but I have to say that in my experience, Back-Bench debates, as well as Government debates, sometimes finish unexpectedly early and at other times run right against

the buffers. It is always very difficult to predict. However, for both the Government and the Backbench Business Committee, the question of setting priorities is, I am afraid, unavoidable.

Chris Bryant (Rhondda) (Lab): The Speaker's Committee for the Independent Parliamentary Standards Authority will meet next Tuesday, and I understand that IPSA will produce its new scheme for the future. Many Members on both sides of the House simply feel that IPSA is not meeting its requirement to provide adequate and proper support. There are Members who say they will never stand again because of the way they have been treated; there are families who are finding it difficult to get along and provide proper support for their children; and there are, in particular, Conservative colleagues from seats close to London who, when we have late nights, find it impossible to know whether they will be able to stay in a hotel. Surely it is time that we had a proper, full review of IPSA's operation.

Mr Lidington: The Speaker's Committee for the Independent Parliamentary Standards Authority will be one of the highlights of next week for me, as well as for other Members. We need to defer judgment on the new scheme until we have seen its detail. Very strong representations have been made by colleagues right across the House to IPSA on different aspects of the current scheme, and on the way in which advice is offered to Members. Let us see how it responds. I do not think it would be sensible to go back to the days when Members themselves tried to set the rules on expenses or salaries; we are better with a system where that is done independently.

Mr David Nuttall (Bury North) (Con): May we please have a debate on the ease of registering to use Government websites? If someone does not have a passport, driving licence or credit record, it can be very difficult indeed, if not impossible.

Mr Lidington: I cannot offer an immediate debate. The great majority of people do have digital access and expect to engage with both public and private services in that way, and we are right across government to try to make it easier for them to do so. We know that not everyone, particularly the most vulnerable in society, has the official credentials that are often demanded of them by Governments, which is why we have set up the new scheme—gov.uk verify—for letting people prove their identity more easily online. I hope that may provide part of the answer to the problem my hon. Friend has identified, but we clearly need to continue to focus on the matter.

Ann Clwyd (Cynon Valley) (Lab): The all-party group on human rights held a screening last night of the Ross Kemp documentary, "Libya's Migrant Hell". Will the Government make a statement on how we are helping those people in Libya, because we saw the most dreadful scenes of women being raped and beaten, and of the holding camps, where there is not enough food? We have some responsibility, and I would like a statement.

Mr Lidington: The right hon. Lady has a long history of championing the cause of refugees and others in dire need around the world. She knows that the Department

[Mr Lidington]

for International Development and the Foreign Office are seeking to support the very fragile Libyan Government in trying to establish control over their own territory and to ensure that decent standards in the treatment of refugees—and, for that matter, Libyan citizens—are maintained. We will do what we can, and I will make sure that DFID Ministers are alerted later today to the right hon. Lady's concerns, but the reality in Libya is that we need order and governance on the ground to be able to start work to improve standards, as both she and I would like.

Julian Knight (Solihull) (Con): Andy Street, our party candidate for west midlands mayor, has pledged, if elected, a special fund to bring 1,600 hectares of brownfield land into use. May we have a debate on the need to focus on brownfield land first, before we tamper with the green belt, particularly around my constituency of Solihull?

Mr Lidington: I am delighted to hear about the creative thinking that Andy Street is characteristically bringing to questions of housing and planning in the west midlands, and I very much hope he will have the opportunity to put those proposals into effect as the elected mayor. As my hon. Friend will know, the housing White Paper states, in terms, that local authorities should bring forward brownfield land for development, and the Government are eager to explore ways of ensuring that obstacles such as the risk of land contamination are addressed so that we can get that development done.

Alex Salmond (Gordon) (SNP): Does the Leader of the House, or indeed any other member of the Government, know roughly what the two-year process of Brexit negotiations will actually yield? If so, will he arrange a statement to tell the rest of us?

Mr Lidington: We know that the exit negotiations have to be conducted under the process set out in article 50 of the treaty. The other 27 Governments and the European institutions have made it clear that they are not prepared to engage in negotiations until article 50 has been triggered, so the straight answer to the right hon. Gentleman is that we do not yet know the details, but the Prime Minister and the entire Government are committed to seeking a deal that delivers on all the principles that were set out in the Government's White Paper.

Andrew Selous (South West Bedfordshire) (Con): May we have an early debate, followed by legislation, to prevent the unacceptable practice of large developers buying freehold land on which they then sell new houses on a leasehold basis? Taylor Wimpey has, to its credit, stopped that practice, and I very much hope that Persimmon and Galliford Try will do likewise. Many young people and first-time buyers using the Help to Buy scheme feel that they are being ripped off by this practice, which is unnecessary and unacceptable, and we need action.

Mr Lidington: I am grateful to my hon. Friend for raising this issue today. Developers should be building homes for people to live in, not creating income opportunities from ground rents or charging fees to

alter properties or selling on freeholds to investors or financial institutions. Other than in a very few exceptional circumstances, I do not see why new houses should not be built and sold with the freehold interest at the point of sale. My hon. Friend the Housing Minister has said that he intends to stamp out the

“unfair, unjust and unacceptable abuse of the leasehold system”—*[Official Report, 20 December 2016; Vol. 618, c. 1354.]*

and our housing White Paper highlights the Government's commitment to consult on a range of measures to tackle all unfair and unreasonable abuses.

Danny Kinahan (South Antrim) (UUP): Two weeks ago, I raised the matter of a colleague having made a freedom of information request in relation to the renewable heat initiative and being fobbed off with the response that there was too much information involved. He resubmitted his request, only to get another excuse. We have an election in Northern Ireland that is based on the renewable heat initiative, so will the Leader of the House confirm that Her Majesty's Government have not been in discussions with anyone in the Executive and that they know nothing about the renewable heat initiative?

Mr Lidington: I certainly do not know anything about the renewable heat initiative, other than what I have read in the press. All Government Departments in the UK have a set of rules that govern how we respond to FOI requests. A definition is used in calculating disproportionate cost that applies right across the Government. In my experience, refining a request to make it more precise can often enable it to pass the test of not incurring disproportionate cost. If the hon. Gentleman would like to have a word with me, perhaps outside the Chamber later today, I will see whether there is anything I can do to assist him further.

Tom Tugendhat (Tonbridge and Malling) (Con): Will the Leader of the House encourage the Government to give some time to talk about not only the economic value of our high streets but the culture that they bring? Business rates are being widely discussed at the moment, but it would be wrong to focus solely on the economic output of our high streets and not on the nature of the society that they create. Without their high streets, the towns that I represent—including Edenbridge, West Malling and Tonbridge—would simply be dormitories for London and lose the very essence that keep our county and our country so great.

Mr Lidington: My hon. Friend makes a good point. In a world where everyday lives and the nature of businesses are being transformed rapidly by digital technology and social change, it is important to find ways to enable our high streets to continue to thrive both economically and culturally, as my hon. Friend says, while adapting to the new challenges of this century. High streets that remain fossilised tend to fail. There are good examples from around the country of where local high street business communities have successfully adapted, and I hope that we can find mechanisms to disseminate that good practice.

Diana Johnson (Kingston upon Hull North) (Lab): The Minister for the Northern Powerhouse has a big job of work to do, and I imagine that he was dismayed

by this week's Treasury figures showing that transport infrastructure investment in 2016-17 is £190 per head in Yorkshire and the Humber but £1,943 per head in London. May we have a debate on what the northern powerhouse actually means for areas such as Hull, where people pay taxes and fares on the railways but do not seem to get a good deal?

Mr Lidington: As I would expect, the hon. Lady champions the cause of Hull, but the Government are investing £13 billion to improve transport across the north of England, to improve journeys for local people, and to help industry. That is possibly only because we are pursuing economic policies that generate the wealth that enables us to provide that support. I can list a number of projects, including £1 billion to upgrade rail infrastructure, the work with the rail franchises in the north, and the £2.9 billion of road improvements across the north. The position is getting better, but continuing that spending relies upon a strong, productive economy.

Philip Davies (Shipley) (Con): Can the Leader of the House give us the anticipated timetable for the Prisons and Courts Bill? In the meantime, may we have a debate about assaults on prison officers? As we all know, the number of assaults has gone up, but the number of extra days added to the prison sentences of those who commit the offences has gone down since 2010 from an average of 20, which was pretty low anyway, to just 16. We should prevent people who have been convicted in prison of assaulting a prison officer from being released halfway through their sentences. May we have a debate to try to influence the Government's Bill?

Mr Lidington: When my hon. Friend gets the chance to study the Prisons and Courts Bill, he will find that it contains a number of measures that will be welcomed by prisons governors and prison officers. They are designed to help prison staff to run establishments in a way that is safe for staff and for prisoners alike, and to ensure good discipline, order, and productive work and educational opportunities. I cannot give him the timescale for the debates on the Bill, but there will be questions to the Secretary of State for Justice on 7 March and he may have the opportunity to pursue some of these matters then.

Ian Paisley (North Antrim) (DUP): The revelations from the former Lord Speaker about the peer and the taxi call that House into complete and total disrepute. The peer acted as though this place was basically a smash-and-grab cash machine. For the Leader of the House to shrug that off and say, like Manuel, "I know nothing about the horse," is not good enough. Has a question been put to the former Lord Speaker to reveal the name of the peer? If not, will an investigation take place into who that peer was? Will the former Lord Speaker be questioned over her allegations?

Mr Lidington: Like this House, the House of Lords is self-governing when it comes to the conduct of its Members. We currently have reports of allegations without people being named, but where there is evidence that there has been malpractice, it should be investigated. If the evidence is proven, appropriate disciplinary action should be taken.

James Berry (Kingston and Surbiton) (Con): Thank you, Mr Speaker, for allowing me a hat trick of questions this morning. In my speech on the Christmas Adjournment last year, I raised the need for social media companies to take responsibility for addressing hate speech and extremism on their platforms, rather than leaving it to the police to do their dirty work at the taxpayer's expense. As there has been no real improvement from social media companies, may we have a debate on how to make them face up to their responsibilities?

Mr Lidington: I cannot offer an immediate debate in Government time, but it strikes me that this would be an extremely appropriate subject for debate under the auspices of the Backbench Business Committee or in Westminster Hall. My hon. Friend makes a powerful point, and most of us in this place are pretty sickened by the racist, vicious, misogynistic and anti-Semitic material that is sent to our constituents and, frankly, is often used to intimidate Members of this House, too. It is a practice that needs to stop, and I hope that the internet companies will live up to their corporate responsibilities.

Julie Cooper (Burnley) (Lab): Is the Leader of the House aware that the mechanism to introduce an elected mayor is open to abuse? In my constituency of Burnley an outsider has peddled a petition that makes unfounded claims that an elected mayor would mean lower council tax and an end to landlord licensing. The misleading petition has placed a duty on Burnley Borough Council to hold a costly referendum. Will the Leader of the House allocate time so that those processes, and the abuse of them, can be investigated?

Mr Lidington: I am certainly aware—the Tower Hamlets case is a conspicuous demonstration—of the possibility of abuse in a mayoral election. I cannot offer an immediate debate in Government time. It is of course important that, where there are allegations of fraud or other types of malpractice, they are independently and rigorously investigated and people are brought to justice.

Chris Davies (Brecon and Radnorshire) (Con): I commend the Leader of the House for announcing that this House will have the opportunity to vote on allowing Welsh to be spoken in the grandest of all Committees, the Welsh Grand Committee. Does he agree that that is another example of a Conservative Government championing the Welsh language, as we have since introducing the Welsh Language Act 1993? May we therefore have a debate in this House on that momentous decision?

Mr Lidington: I am grateful to my hon. Friend for his words. If I attempted to address the House in Welsh, I would probably undo all the good will that we may have obtained through yesterday's announcement. I am pleased by his welcome, and indeed by the welcome from Welsh Members on both sides of the Chamber. The announcement is a demonstration of the Government's respect for the Welsh language and its centrality to the sense of national and cultural identity in Wales, and that respect will continue.

Ms Tasmina Ahmed-Sheikh (Ochil and South Perthshire) (SNP): Yesterday, Perth and Kinross Council passed a budget that guarantees local services will invest in jobs, education and social care, which is a great deal for local

[Ms Tasmina Ahmed-Sheikh]

taxpayers. Contrarily, however, council tax in England and Wales is, on average, £300 to £400 higher than in Scotland. May we therefore have a debate in Government time on why England is the highest council taxed part of the United Kingdom?

Mr Lidington: One would have to look at the variations in council tax levels and in central Government grants to local authorities in different parts of the kingdom. The point about devolution is that it gives Scottish authorities a choice on how to raise money. The Scottish Government have chosen to impose additional taxes centrally on constituents right across Scotland, making people in Scotland the most highly taxed anywhere in the United Kingdom.

Kevin Brennan (Cardiff West) (Lab): May we have a debate on the case of Juhel Miah, the Welsh maths teacher who was removed from a plane, in front of his pupils, on his way to the United States? As a former teacher, I find that absolutely shocking. Is there not a contrast between the way in which we are rolling out the red carpet for President Trump, whatever our views on that, and his treating our school teachers like criminals?

Mr Lidington: It is perfectly fair for the hon. Gentleman to raise that case, which is disturbing because it is contrary to the declared policy of the United States Government on British citizens. My understanding is that the decision was taken at a more local level in that particular case, but I will draw his concern to the Foreign Secretary's attention.

Jim Shannon (Strangford) (DUP): On 22 April 2013, in the outskirts of Aleppo, Metropolitan Mor Gregorios Yohanna Ibrahim and Metropolitan Paul Yazigi were abducted by an unidentified group of men. Amid all the ensuing confusion and accusations, and despite the efforts of many involved in this case, there has been no resolution to it—there has been a deafening wall of silence. Almost four years have elapsed since the abduction. All reports indicate that the two gentlemen are still alive, but every effort to free them has met with a wall of silence. Will the Leader of the House arrange a statement from the Foreign and Commonwealth Office on this important, urgent case?

Mr Lidington: I will make sure that FCO Ministers are aware of this, but the reality, as the hon. Gentleman knows, is that we have no British embassy in Syria at the moment, and the situation in and around Aleppo remains dire in humanitarian terms. We all hope and pray that the metropolitans are alive and will be released in due course.

Simon Danczuk (Rochdale) (Ind): Rochdale Boroughwide Housing has mismanaged College Bank flats for years and now, instead of dealing with that, proposes to demolish those iconic tower blocks. Such action will do nothing to tackle the housing crisis, so surely it warrants a statement from the Minister for Housing and Planning or a debate.

Mr Lidington: There will be questions to that Minister and other Communities and Local Government Ministers next Monday—27 February—which might give the hon.

Gentleman an opportunity to raise that matter, but I fear that it is primarily one for the local authority rather than the Department.

Kirsten Oswald (East Renfrewshire) (SNP): The Leader of the House will have seen headlines about armed drones operating from RAF Waddington with a kill list targeting UK citizens, without the leave of this House. If the reports are right, what has happened to the commitment to coming to the House at the earliest opportunity if lethal force is used in self-defence? May we have an urgent debate on the number of UK citizens targeted, the legal and evidential basis for that, and whether the kill list extends beyond areas where military action has been authorised by this House?

Mr Lidington: My right hon. Friend the Defence Secretary has been clear about this. Of course the House did vote in favour of permitting the Government to extend the military operations being carried out in Iraq on to Syrian territory as part of a campaign to check and then defeat—and, we hope, eradicate—Daesh. He has been clear that we and the coalition against Daesh will pursue people who are a threat to our security and to the safety of British citizens, wherever those people may come from. We act, as always in our military operations, within the law, but the message to anybody tempted to go to join Daesh must be that they do so at great risk to themselves.

Ms Margaret Ritchie (South Down) (SDLP): May I draw the attention of the Leader of the House to my early-day motion 938?

[That this House calls on the Government to introduce a cap on the total charges any bank can place on overdrawn personal current accounts; further calls on the Competition and Markets Authority to note the 2016 decision not to introduce a mandatory cap on overdraft charges; notes the high levels of interest that can arise as a result of daily charges accruing over time; and expresses deep concern over the disproportionate impact these charges have on low-paid households and on those relying on insecure sources of employment.]

May we have a statement from the Treasury or a debate on this matter, because it is important that the Government consider a cap on the total charges that any bank may place on overdrawn personal current accounts? As a constituency MP, my experience has been that these charges place an undue burden on many people who find themselves in uncertain employment.

Mr Lidington: I encourage the hon. Lady to attend Treasury questions next Tuesday—28 February—when she can put that point directly to the Chancellor a short time before the Budget.

Kirsty Blackman (Aberdeen North) (SNP): In January, the Chartered Institute of Taxation, the Institute for Fiscal Studies and the Institute for Government published “Better Budgets: Making tax policy better”, which contains recommendations about ways in which Parliament and Government can improve how they make tax policy. Will the Leader of the House commit to looking at that report and getting back to me about what actions he intends to take to realise those recommendations?

Mr Lidington: It would, of course, primarily be for Treasury Ministers to consider their response to the recommendations in that report, but I shall ask them to write to the hon. Lady to explain their response to it in the way she suggests.

Brendan O'Hara (Argyll and Bute) (SNP): On Saturday, I will be in Campbeltown to meet the management and workers of CSWind, a manufacturer of wind turbines that is in the process of laying off employees because, as a company spokesman says, the UK Government's "energy policy has resulted in a slow-down of development of onshore wind projects."

Is that an intended or unintended consequence of the change in Government policy? May we have an urgent statement about the catastrophic consequences of the Government's energy policy for the already fragile economy of my Argyll and Bute constituency?

Mr Lidington: Despite the hon. Gentleman's strictures, the facts are that the United Kingdom is the world's leading player in the offshore wind market and we are now on track comfortably to exceed our ambition of delivering 30% of the UK's electricity from renewables by 2020-21. Instead of carping, he should be standing up and applauding what the Government have done.

Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP): Small businesses are vital to our economy, so I congratulate Cake Stuff and DNDP couriers, the winners of my small business constituency awards this year. DNDP is an inclusive business that employs people with disabilities. May we have an debate on providing entrepreneurship support for disabled people so that we can harness and realise everyone's potential?

Mr Lidington: First, I unreservedly congratulate the businesses in the hon. Lady's constituency on what they have achieved and on winning those awards. She draws attention to an important point: we need to ensure that people with disabilities have access to employment opportunities that are equal to those of people without disabilities. Of course the United Kingdom now has more people with disabilities in employment than ever before, but there is a great deal still to be done. Yes, that requires action by the Government, but it also requires action by innovative, forward-looking businesses that can see the advantages of inclusion.

Alison Thewliss (Glasgow Central) (SNP): May we have a debate on UK visa policy and its negative contribution to the UK economy? In 2014, two of my constituents, Dhruv Trivedi and Vandana Pillai, who originate from Mumbai in India, were brought over as part of the UK Trade & Investment Sirius programme under tier 1 graduate entrepreneur visas. They set up their own business and became part of Entrepreneurial Spark and Scottish EDGE, and they have raised significant funding for their company. However, all that has recently been put at risk by the UK visa and immigration system. They have had their tier 1 entrepreneur visas rejected on a technicality, putting at risk all they have worked for, the investment they have secured, and the Government's commitment to them by bringing them here in the first place. They currently have no valid leave to remain. May we have a debate on this important

subject? It makes no sense to bring people over here to be part of the economy and to contribute, but then to kick them out.

Mr Lidington: If the application was rejected on a technicality—clearly I do not know any of the details of the case—I would hope it would be possible to find a remedy via the Home Office system. In any visa system there has to be a balance between getting the brightest and the best in the world to come here to take job opportunities and study, which we all want to see, and at the same time ensuring that we have proportionate and effective immigration controls.

Angela Crawley (Lanark and Hamilton East) (SNP): The Leader of the House will be aware of his Government's policy of taxing victims of domestic abuse for using the Child Maintenance Service. Women's groups, charities and members of the public have said that the tax puts single parents and children at risk. Some 30% of CMS users are victims of domestic violence, and tens of thousands of women are losing money because they cannot engage safely with their ex-partner. This national scandal must be addressed by the House, so may we have a debate in Government time, on the Floor of the House, about this injustice?

Mr Lidington: As the hon. Lady will know, the Government have demonstrated their commitment to trying to help people who are victims of domestic violence. The Prime Minister takes a very close and strong personal interest in this issue and, as she has said within the past week, the Government are committed to looking again at the whole range of laws that apply to domestic violence to consider what changes should be made. If the hon. Lady would like to provide me with some details of the particular problem she raises today, I will certainly draw it to the attention of the appropriate Ministers.

Sammy Wilson (East Antrim) (DUP): The Leader of the House will be aware that there will be Assembly elections in Northern Ireland next week. It has been revealed this week that the even-more-holier-than-thou sister party of the Liberal Democrats, the Alliance party, has been seeking to manipulate phone-in programmes by encouraging its members to give fake names and addresses and claim to be members of other political parties—a tactic that it says has worked at previous elections. So far, the BBC has provided very little coverage of this story, which is yet another example of the biased way it has conducted itself during the election campaign. May we have a debate in the House on the political bias of this publicly funded body and how it has breached its charter?

Mr Lidington: The hon. Gentleman has made his point powerfully. The BBC in Northern Ireland, as in everywhere else in the United Kingdom, is under an obligation, particularly during any kind of election campaign, to demonstrate that it is impartial with regard to rival political parties, but it must be for the BBC, not Government Ministers, to take responsibility for editorial decisions.

Steven Paterson (Stirling) (SNP): Last week I was part of a delegation that visited Cyprus, where we met the President, Members of Parliament and many of

[Steven Paterson]

those involved in the peace process that is currently showing such promise. Given the UK's close relationship with Cyprus, may we have a debate on this important issue so that opinions and perspectives from both sides of the House can be aired?

Mr Lidington: I know from my previous ministerial experience that the Government are utterly committed to doing whatever we can to help to bring about a reconciliation between the different communities in Cyprus and to support them in reaching a settlement that will not only reunite the island, but endure for the long term. A reunited Cyprus could provide such opportunities to Turkish and Greek Cypriots alike. It is good that, in President Anastasiades and Mr Akinci, we have two leaders who are genuinely committed to seeking that peace and reconciliation.

Gavin Newlands (Paisley and Renfrewshire North) (SNP): The Scottish Huntington's Association is based in my constituency. It is concerned that no legislation exists to prevent insurance companies from discriminating against people with genetic conditions such as Huntington's disease. Those who might carry a gene cannot access insurance at an affordable rate or, in some cases, have no access whatever. May we have a debate on this deeply worrying discrimination?

Mr Lidington: That might be a good topic for a Westminster Hall debate. The hon. Gentleman has identified what I think is going to be an increasing challenge for our society. Insurance companies have a business model that is based on the assessment of risk, and more genetic information will allow that risk to be calculated much more precisely than in the past. That starts to get us into a situation in which certain people find it very difficult indeed to get insurance, so that is certainly an issue that is well worth highlighting.

Patrick Grady (Glasgow North) (SNP): May we have a debate on the definition of new money? On Wednesday, the Department for International Development issued a press release announcing £100 million of "new support" for South Sudan in the wake of the famine declaration. It turns out that that is not in fact new money, but money that was already budgeted for in the 2017-18 spending round. Will the Leader of the House arrange for the Secretary of State for International Development to urgently clarify what new and additional funding the Government are prepared to provide to assist people who are literally starving to death in South Sudan?

Mr Lidington: Nobody in any part of the House would wish to underplay the gravity of the crisis in South Sudan. The declaration of famine was shocking but, frankly, not unexpected. It derives from the prolonged

political crisis and civil war in that country, and the situation has been steadily worsening since the conflict began back in 2013. The Government have provided more than £500 million of humanitarian, health and education support over the past three years, and that support has helped to prevent famine in previous years. That was on top of the £100 million that we have given to help refugees who have fled South Sudan. As I understand it, the £100 million for 2017-18 is on top of the £500 million that has already been spent over the past three years. Clearly, DFID Ministers always keep under review allocations within their budget, particularly with regard to the need for urgent humanitarian relief. We also need to ensure that the money that we spend is going to help those who are in genuine need and will be effective in bringing about the results that we want to see.

Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): Her Majesty's Revenue and Customs has lost a court case in which it wrongly sued one of my constituents, Mr Munro, for £250,000. That action cost Mr Munro £125,000 and he has no effective recourse to HMRC. May we have a statement from the relevant Minister on how to rectify that type of injustice?

Mr Lidington: I would say two things. First, as the hon. Gentleman probably knows, HMRC operates independently from ministerial direction when it handles the cases of individual taxpayers. That is for a good reason: we would not want Ministers to have the power to intervene in cases that related to individuals' tax affairs. Secondly, the hon. Gentleman says that the case went to the courts and that his constituent was successful. I would normally expect the court to consider the question of costs, but if there has been the injustice that he describes, and if he lets me know the details and why the court apparently did not address it, I will refer the matter to the Minister with overall responsibility for HMRC.

Peter Grant (Glenrothes) (SNP): Have the Government any plans to copy the excellent initiative of the Scottish Cabinet to hold regular meetings—not only Cabinet meetings, but public meetings—in places other than the capital? If so, may I recommend the kingdom of Fife as an early destination? That would not only give the Leader of the House and his colleagues the chance to visit a particularly beautiful part of these islands, but allow him to point out to his colleagues in the Department for Transport that the Forth bridge is open.

Mr Lidington: The answer to the hon. Gentleman's first question is yes. The Cabinet met in the north-west of England quite recently. I would be very attracted by the idea of a Cabinet visit to the kingdom of Fife, and I will ensure that No. 10 is aware of his wish to welcome us.

Point of Order

12.22 pm

Philip Davies (Shipley) (Con): On a point of order, Mr Speaker. On 18 January, I asked the Ministry of Justice, in a written question:

“how many and what proportion of sentences for each category of offence are suspended sentences.”

On 16 February, the prisons Minister, my hon. Friend the Member for East Surrey (Mr Gyimah), replied:

“The information requested can be found on GOV.UK”.

Clearly it took a month for the Ministry of Justice to find the information on gov.uk before it could give that answer to me. It did not indicate where on gov.uk the information could be found.

This is not the first time that such a thing has happened. It is becoming an increasingly regular occurrence with the Ministry of Justice. It seems clear to me that it is doing it deliberately to try to ensure that the information never comes to light. I will refer the matter to the Procedure Committee, but I wonder whether you, Mr Speaker, can do anything to ensure that Departments, particularly the Ministry of Justice, give us open and transparent answers rather than using this rather dishonourable tactic.

Mr Speaker: I am grateful to the hon. Gentleman for that point of order. My response is consistent with what I have said previously on the matter. First, responses should be timely, and he suffered an untimely response—he had to wait rather longer than he should have. Secondly, responses to Members’ parliamentary questions should be substantive, and he did not receive a substantive reply. Thirdly, it is one thing for a Minister answering a

written question to refer to a website on which further and more detailed information might be available that would be of interest to the Member concerned, but it is quite another matter simply and blandly to refer to a website, without guidance or direction and saying nothing about where on it the Member should look, and to imagine that that is a satisfactory substitute for a straight answer to a straight question—it is not.

I know that the Leader of the House and the Deputy Leader of the House take very seriously their responsibility to ensure that Ministers provide timely responses that are substantive and do not use that ruse or device. They have heard the hon. Gentleman’s point of order and my response. I thank the hon. Gentleman for raising the matter.

BILL PRESENTED

PRISONS AND COURTS BILL

Presentation and First Reading (Standing Order No. 57)

Secretary Elizabeth Truss, supported by the Prime Minister, the Chancellor of the Exchequer, Secretary Amber Rudd, Secretary Justine Greening, Secretary Jeremy Hunt, Secretary David Mundell, the Attorney General, Sir Oliver Heald and Ben Gummer, presented a Bill to make provision about prisons; make provision about practice and procedure in courts and tribunals, organisation of courts and tribunals, functions of the judiciary and of courts and tribunals and their staff, appointment and deployment of the judiciary, and functions of the Judicial Appointments Commission; and make provision about whiplash claims.

Bill read the First time; to be read a Second time tomorrow, and to be printed (Bill 145) with explanatory notes (Bill 145-EN).

Opposition Day

UN-ALLOTTED HALF DAY

Armed Forces: Historical Cases

12.25 pm

Sir Jeffrey M. Donaldson (Lagan Valley) (DUP): I beg to move,

That this House acknowledges the service and sacrifice of the armed forces and police during Operation Banner in Northern Ireland as well as in other theatres of conflict in Iraq, Kosovo and Afghanistan; welcomes the recent decision to close down the Iraq Historical Allegations Team; and calls on the Government to take steps to ensure that current and future processes for investigating and prosecuting legacy cases, whether in Northern Ireland or elsewhere, are balanced and fair.

On behalf of my right hon. and hon. Friends, I am delighted to move this motion in the name of the Democratic Unionist party. Let me say at the outset that our party holds veterans of our armed forces and those who have served in the police, not only in Northern Ireland but across the United Kingdom, in the highest esteem. We have always sought to use our parliamentary time to raise issues that are of concern to those people; I am glad to do so again today. I welcome the opportunity for this debate, and I thank all Members present, including the Ministers from the Northern Ireland Office and the Ministry of Defence.

Although policing and justice issues are now devolved to the Northern Ireland Executive, the legacy of our troubled past remains a matter for this Parliament and the UK Government to deal with. Our motion refers to other theatres of conflict, including Iraq, Kosovo and Afghanistan, and I pay tribute to all those who served in each of those operations, especially to those who died in the service of our country. I know that other right hon. and hon. Members will wish to refer to those people. I hope the House will forgive me if I concentrate mainly, and with good reason, on the situation in Northern Ireland.

I remind hon. Members that Operation Banner was the longest-running military operation in the history of the Army. During the period known as the troubles in Northern Ireland, there were more than 3,500 deaths, of which more than 2,000—some 60%—were murders carried out by republican paramilitary terrorists, mainly from the Provisional IRA, while more than 1,000—some 30%—were carried out by loyalist paramilitaries. British and Irish state forces were responsible for 10% of the deaths, almost all of which occurred as a result of entirely lawful actions, when soldiers and police officers acted to safeguard life and property and uphold the rule of law. In fact, a member of the security forces in Northern Ireland was three times more likely to be killed than a member of the IRA. If we contrast that with Iraq, for example, where terrorist insurgents were three times more likely to be killed than members of the armed forces, it sets the Northern Ireland situation in context.

Let me restate for the record that paramilitary terrorists were responsible for some 90% of the deaths in Northern Ireland—on both sides of the border, that is—whereas 10% of the deaths are attributable to state forces. Those deaths include more than 3,000 unsolved murders arising from our troubled past. What a terrible legacy that is—one of pain, loss and a deep sense of injustice on the part of the victims and their families.

Let me be clear that there can be no moral or legal equivalence between our police or armed forces and those who were members of illegal, criminal terrorist organisations. Let us contrast how the two have been treated. It is a well accepted principle that in a democracy no one should be above the law, yet—as will become clear from my remarks—there appears to be one rule for those who serve our country and another for those whose objective is to destroy it. Unfortunately, the legacy issues were not adequately addressed, never mind resolved, in the deeply flawed Belfast agreement of Good Friday 1998. Instead, in that agreement the Government of the day agreed to release early from prison those prisoners sentenced for offences linked to the troubles in Northern Ireland and who were members of a terrorist organisation on ceasefire and supporting the peace process.

In effect, the terrorists, who were found guilty of crimes including murder, were released from prison after serving only two years in jail. They included, for example, the notorious Shankill bomber, Sean Kelly, from the constituency of my right hon. Friend the Member for Belfast North (Mr Dodds). Kelly was sentenced to nine life terms in prison for the murder of nine innocent civilians on the Shankill Road. He served just seven years in jail—less than one year for each life he destroyed.

In addition, in September 2000, beyond the terms of the agreement, the then Secretary of State, now Lord Mandelson, announced that the Government would no longer seek the extradition of those Provisional IRA prisoners who had escaped from prison, including several who had escaped from the Maze prison in my constituency in 1983. They included convicted terrorists such as Dermot Finucane, brother of the late Pat Finucane and former head of the Provisional IRA southern command, and Kevin Barry Artt, who had been convicted of the murder of the deputy governor of Maze prison, Albert Miles, who was shot in front of his wife. What an appalling atrocity! They also included Liam Averill, convicted of the sectarian murder of two Protestants, who escaped from the Maze prison dressed as a woman in 1997. Their extradition was not sought by the Government of the day. In addition, perhaps up to 30 Provisional IRA terrorists have been granted the royal prerogative of mercy and allowed to go free.

In 2001, the then Labour Government sought to extend the concession further so that an amnesty would be introduced for all members of terrorist organisations on ceasefire. In a letter dated 4 May 2001, the then Secretary of State, Dr John Reid, wrote to the Prime Minister, Tony Blair:

“In the Hillsborough statement of 8 March we accepted publicly for the first time that it would be a natural development of the Early Release Scheme to discontinue the prosecution of pre-Good Friday Agreement offences allegedly committed by supporters of organisations now on ceasefire.”

In the same letter, Dr Reid made it clear that the legislation to provide for that amnesty

“should exclude members of the security forces from the amnesty arrangements, though we should not underestimate the difficulty of holding this line in Parliament in the face of an inevitable press campaign.”

You bet, Dr Reid! We opposed it vigorously and stopped it in its tracks. I am confident that this Government

would never consider such a concession to those who have committed murder on the streets of Northern Ireland and Great Britain.

Note that an amnesty was offered—an amnesty was put on the table for terrorist organisations while members of our security forces were to be excluded, just as they were excluded and ignored in the agreement of 1998. Dr Reid was certainly right about the opposition that he would face to such a reprehensible scheme.

But things did not stop there. A secret deal was then done between the Northern Ireland Office and Sinn Féin, to the benefit of Provisional IRA terrorists who were still on the run—fugitives from justice. They were wanted for questioning about serious terrorism-related offences, including murder. Letters of comfort were issued by the Northern Ireland Office to each of those terrorists, sometimes delivered by the postman Gerry Kelly from North Belfast, informing them that there were no warrants in existence and that they were not wanted in Northern Ireland for arrest, questioning or charge by the police. The issuing of those letters by the Northern Ireland Office resulted in the disgraceful situation of an alleged IRA member, John Downey, being able to escape conviction in the courts in London for the murder of four soldiers in the Hyde Park bombings of 1982. I could go on, but it is important that we focus now on the sacrifice of the security forces—of those who served our country.

According to the Sutton Index of deaths during the troubles in Northern Ireland, 520 members of the regular Army, Royal Navy, Royal Air Force and reserves, and veterans, were murdered by terrorists during Operation Banner. In addition, 243 members of the Ulster Defence Regiment and Royal Irish Regiment, and veterans, were murdered by terrorists. Some 325 members of the Royal Ulster Constabulary and other constabularies, and retired police officers, were murdered by terrorists. Twenty-six prison officers and former prison officers were murdered by terrorists. That amounts to 1,100 men and women in the service of the Crown who were murdered by terrorists, and countless others seriously injured and left to bear the mental and physical scars of this reign of terror.

Tom Tugendhat (Tonbridge and Malling) (Con): I am grateful to the right hon. Gentleman for giving way; he is speaking powerfully about the victims of terror. One of the victims who is not counted is my uncle, who now sits in the other place. He was attacked brutally by IRA men while representing our country in Brussels. I understand why the right hon. Gentleman mentions the statistics, but they hide so many scars. Victims are hidden because they are not listed, yet they bear those scars today, even if they were unharmed physically.

Sir Jeffrey M. Donaldson: The hon. Gentleman is absolutely right. As I said, countless others were seriously injured and left to bear the mental and physical scars of this reign of terror.

It is evident that little effort has been made to bring to justice those responsible for the heinous crimes committed by the terrorist organisations responsible for 90% of the deaths during the Northern Ireland troubles. Yet enormous resources—hundreds of millions of pounds of taxpayers' money and countless hours of valuable police time—have been devoted to hounding the security forces: to vigorously pursuing investigations against veterans of the armed forces and retired police officers.

The Chief Constable did establish the Historical Enquiries Team that sought to re-examine the unsolved murders in Northern Ireland, but it could review only the previous police investigations and lacked full police powers to renew the investigation of these killings. It was eventually wound up, and the Police Service of Northern Ireland established a new Legacy Investigation Branch as a temporary measure until wider agreement could be secured on the legacy issues.

Today, the PSNI Legacy Investigation Branch devotes a wholly disproportionate level of its resources to the investigation of killings linked to the security forces and hopelessly inadequate resources to the thousands of unsolved terrorist murders. Recently, two retired veterans of the Parachute Regiment, aged 67 and 65, were charged with murder in connection with the shooting of IRA commander Joe McCann in Belfast in 1972. That follows the decision to prosecute a 75-year-old veteran of the Life Guards who has been charged with the attempted murder of a man in County Tyrone in 1974.

While the families of thousands of innocent victims, including the police officers, soldiers and prison officers involved in more than a thousand murder cases, wait in vain for some action to be taken to investigate those crimes, the police are devoting resources to investigating the small number of killings linked to the state.

Sir Gerald Howarth (Aldershot) (Con): I am extremely grateful to the right hon. Gentleman for giving way; I apologise for not having been here at the start and for not being able to stay for the whole debate. I salute him and his colleagues in the Democratic Unionist party for securing this hugely important debate.

The right hon. Gentleman has just mentioned the disproportionate number of investigations of former soldiers and police officers. Is he aware that the Director of Public Prosecutions for Northern Ireland has issued what is effectively a fatwa to news organisations across the United Kingdom? If they have the temerity to make any criticism of Mr McGrory, they will be served with legal proceedings. Does that not illustrate the attempt being made by some in Northern Ireland to ensure that they get a soldier in the dock for something that happened 45 years ago? It is completely immoral.

Sir Jeffrey M. Donaldson: It is important that we all recognise and respect that we do have freedom of the press in Northern Ireland. The facts, some of which I have outlined, speak for themselves. Many in Northern Ireland wonder why the justice system is so focused on what the state did, and devotes so little of its energy and time at what the terrorists did.

Dr Andrew Murrison (South West Wiltshire) (Con): I am following the right hon. Gentleman's remarks closely, as ever. Does he agree that the end result of all this is that Sinn Féin is winning the war, by which I mean that it is managing to shift public opinion so that, somehow, the troubles become an issue to do with the actions of the British state and not to do with the murderous barbarism of terrorism during that period? Would he also say that it is having some measure of success in that endeavour?

Sir Jeffrey M. Donaldson: The hon. Gentleman is absolutely right. Although the IRA did not win the war in Northern Ireland, Sinn Féin is trying to win the

[*Sir Jeffrey M. Donaldson*]

propaganda war and rewrite the history of the troubles. Let me absolutely clear that, for our part, it will not be allowed to rewrite the history of the troubles in Northern Ireland.

As I have said, it is evident that the current resources devoted to legacy investigations are heavily skewed towards investigating what the police and the Army did, and that not enough is being done to address what the terrorists did, despite the fact that they were responsible for more than 90% of the deaths in Northern Ireland and other parts of the UK. It is wrong that the full powers and finances of the state are devoted to prosecuting the men and women who stood on the frontline in the most difficult of circumstances to defend the entire community and uphold the rule of law.

Mr Gregory Campbell (East Londonderry) (DUP): My right hon. Friend is delivering a powerful speech. A number of veterans groups have been organising events over the past few weeks to highlight the problems that we are highlighting today. One group attempted to organise a peaceful demonstration and the peaceful laying of a wreath in Londonderry only a couple of weeks ago, but it was forced to cancel as a result of threats from dissident organisations. Does my right hon. Friend agree that that compounds the problems that he is highlighting today in Parliament?

Sir Jeffrey M. Donaldson: There are some in Northern Ireland who talk much about respect, equality and discrimination; yet the same people were silent when it came to the violent threats made against some veterans who simply wanted to exercise their civil liberty to march to the Cenotaph in Londonderry and lay a wreath in remembrance of their comrades—some respect and equality there. Some people in Northern Ireland politics speak with forked tongue.

When we add to all these things the fact that legacy inquests and investigations by the Office of the Police Ombudsman for Northern Ireland are laying bare the modus operandi of the counter-terrorism operations by the Army and the police that brought the terrorists in Northern Ireland to their knees and helped to secure the relative degree of peace that we enjoy today, we should all be concerned. Our national security and the security of every UK citizen is put at risk when we allow the operations of the security forces to be exposed in this way through the legal system. We must bear in mind that there is a continuing threat. A police officer was targeted by Republican terrorists in County Londonderry yesterday, and another was shot while in the constituency of my right hon. Friend the Member for Belfast North. That terrorist threat remains, yet we are exposing how the security forces counter that violent extremism and terrorism. We can be sure that putting soldiers and police officers in the dock while the terrorists walk free is an expediency that will cost us dear in years to come if we do not do something about it now.

Mrs Anne-Marie Trevelyan (Berwick-upon-Tweed) (Con): The right hon. Gentleman is highlighting a critical issue that I hear about from young and older armed forces personnel and from those who consider joining. The pressure and risks of serving our nation and the long-term impact that that could have on personnel and their

families decades down the line is preventing people from signing up and encouraging others to leave earlier than they otherwise would.

Sir Jeffrey M. Donaldson: I thank the hon. Lady for her timely intervention. She is absolutely right that this is not only affecting the morale of those who serve at present but acting as a huge disincentive for recruitment to our armed forces. Who wants to put themselves in the frontline in such circumstances, whereby these young men and women will be betrayed a few years down the road because of so-called human rights lawyers? It simply is not right, as is being realised—rather belatedly—with the welcome decision to close down the Iraq Historic Allegations Team. Consider the damage to the morale of our armed forces and the consequences this has had, with a marked downturn in recruitment and retention. While so-called human rights lawyers get rich with the lucre of returns such cases can bring—mainly from the public purse—the men and women defending our country on the frontline find it hard to avoid a sense of betrayal. I have heard that from many of them. All right-thinking people should rail against this.

The Stormont House agreement reached between the Government and political parties in Northern Ireland made it clear that there would be no amnesty for terrorist-related crimes, and it proposed a new set of institutions to deal with our troubled past. Let me be clear that this party stands by the Stormont House agreement. We stand by our commitment not to accept an amnesty for the terrorists. We endorse the institutions proposed under the agreement, including a new historical investigations unit that would have full police powers, and would take over the work of the PSNI's legacy investigation branch and the responsibility for reinvestigating the unsolved murders linked to the troubles in Northern Ireland. We welcome and support that. The sooner we can get that new institution up and running, the better for everyone, especially the innocent victims. However, the Stormont House agreement has not yet been implemented due to an impasse that has arisen between the Government and Sinn Féin over national security.

It is a ridiculous state of affairs that the political party linked to the largest terrorist organisation that is responsible for the most murders during the troubles has a veto over the implementation of a policy that would give the innocent victims access to proper investigation and the prospect of justice. In a democracy, this is surely not right. It cannot be right that Sinn Féin is being handed a veto over a proper investigative process into the murders of the people who were killed by the Provisional IRA. It is a nonsense. Sinn Féin talks about respect and equality. Well, then, let us have some respect and equality for the innocent victims of the IRA, and let us see the Stormont House agreement taken forward and Sinn Féin's veto swept aside.

Tom Elliott (Fermanagh and South Tyrone) (UUP): I apologise that I will not be here for the end of the debate, as I have to attend a constituency event this evening in memory of the Enniskillen bomb victims. Does the right hon. Gentleman accept that there is a need to build into the proposed historical investigations unit a process that allows an investigation into the cases that have already run through the Historical Enquiries Team, otherwise those people will be left with nothing other than a review, and not a new investigation?

Sir Jeffrey M. Donaldson: I thank the hon. Gentleman for his support for the institutions proposed under the Stormont House agreement. At present, in fairness to the victims and families who have waited a long time, the proposal is that the historical investigations unit would pick up where the historical inquiries team left off in chronological order. It would be wrong to go back to the beginning and start again, leaving the people who have already waited many years having to wait even longer. Nevertheless, if there is new evidence or there are new evidence-gathering techniques with the potential to lead to a prosecution in the cases already reviewed by the HET, of course we believe that the HIU should examine them. We have no objection in principle to that happening. We believe that all innocent victims in Northern Ireland should have access to justice and be treated equitably and fairly.

It is important that the Government now proceed with the Stormont House agreement and get on with publishing the draft legislation to give innocent victims and others the opportunity to comment on the proposals, so that at last we can begin the process of implementing what has been agreed and the focus will no longer be solely on what the state did. That will shift the focus and address the issues already raised in the House about the attempt to rewrite history, because the IRA and the other terrorist organisations will be put under the spotlight. What they did will be examined and brought to the fore.

It is wrong that our retired veterans of the military and the police have to spend their latter days looking over their shoulders, still waiting for the knock at the door, while the terrorists who skulked in the shadows and destroyed countless lives on the streets are left without a care in the world about the prospect of being pursued for their crimes. That simply is not right. The terrorists must be pursued and held accountable for their crimes. We will therefore vigorously oppose any attempt to grant an amnesty to any terrorist organisation. The time has come for the Government finally to do something to protect the men and women who served our country. They were not provided for in the 1998 agreement, while the terrorists were. Special provision was made for the terrorists in 1998, in the form of the early release scheme, and other concessions have been made since, as I outlined earlier, but nothing has been done for those who served the Crown. That is wrong and needs to be addressed.

The Government must therefore give urgent consideration to introducing a statute of limitations for soldiers and police officers who face the prospect of prosecution in cases that—this is very important—have previously been the subject of full police investigations. Let me clear about that: we are talking about cases that were previously the subject of rigorous police investigations relating to killings and deaths that occurred before 1998. The Government need to look at this. It is wrong that our veterans are sitting at home wondering whether a third or fourth investigation will take place into their case simply because some hot, fast-thinking, “make a quick buck” human rights lawyer in Belfast thinks it is a good idea to reopen their case. That is what is going on.

We believe therefore that this matter has to be addressed. We can no longer ignore it. Certainly, we on these Benches have not been ignoring it. We believe not only that a statute of limitations should apply to Northern Ireland and Operation Banner but that consideration

should be given to other military deployments, including in Iraq, Kosovo and Afghanistan. This is not an amnesty, as each case will have previously been the subject of a thorough investigation; rather it is an appropriate and necessary measure to protect the men and women of our armed forces from the kind of witch hunt years after their retirement that has left many feeling that their service to their country is neither respected nor valued.

Tom Tugendhat: I thank the right hon. Gentleman for his generosity in giving way. I hope that he will forgive me for mentioning that I published a paper with Policy Exchange, entitled “The Fog of Law”, in 2013 that addressed many of these issues, of which he is touching on the essence. We are talking here about human rights. What really do they mean? Surely, they are the rights of people to live in peace and dignity, not the rights of some to persecute those who have tried to protect others.

Sir Jeffrey M. Donaldson: I thank the hon. Gentleman for his valid intervention. He is absolutely right, and we appreciate the work he has done in this field and his commitment to his former comrades.

Tom Elliott: Just to clarify, would the right hon. Gentleman’s proposed statute of limitations cover police officers in Northern Ireland as well? I should have said at the start that I welcome this debate and thank him for bringing it to the House.

Sir Jeffrey M. Donaldson: I thank the hon. Gentleman for his comments. The answer is yes they certainly would be, because the police are not covered by the provisions in the 1998 agreement or the concessions made to the terrorists—and neither should they be. We see no moral or legal equivalence between the armed forces and the police and illegal criminal terrorist organisations. We do not want them to be treated the same. We believe that our police officers, soldiers and veterans should be treated fairly, but they are not being treated fairly.

I repeat what I said in a recent debate in Westminster Hall, when I referred to terrorist atrocities committed in Northern Ireland and across this United Kingdom. They include the Kingsmill massacre, McGurk’s bar, the La Mon hotel bombing, Bloody Friday in Belfast, the M62 coach bomb, the Birmingham pub bombings, the Narrow Water atrocity, where members of the Parachute Regiment were cruelly cut down in cold blood, Droppin’ Well, the Grand hotel in Brighton, where the Provisional IRA attacked our very democracy, Newry police station, the Enniskillen war memorial, the Lisburn fun run, the Ballygawley bus bomb, Shankill road, Greysteel, Loughinisland, Canary Wharf, Omagh and many others that I will not list but that were equally atrocious. No one can ever sanitise this horror and inhumanity. No rewriting of history will allow the exoneration of the evil men and women who went out to commit these atrocities in cold blood. These were acts of terrorism, and they can never be regarded as anything but.

I support the efforts to bring a real and lasting peace to my country. My comrades and colleagues here, some of whom served in our armed forces and some of whom have seen constituents cut down in cold blood, want to see a meaningful, lasting peace in Northern Ireland. We want that for the next generation, as well as for our own, but as a former soldier of the Ulster Defence

[Sir Jeffrey M. Donaldson]

Regiment, proud to have served in that regiment, the largest regiment of the British Army, which fought alongside other military units, alongside the Royal Ulster Constabulary, with great courage and at a huge cost, during the longest-running military operation in the history of the British Army, Operation Banner, I believe we owe it to those men and women to protect them.

Sammy Wilson (East Antrim) (DUP): Is my right hon. Friend disturbed by the comments attributed to Justice Weir, who is looking at some of these legacy cases, in which he talked about the UDR as having been set up simply to prevent its members from doing worse things in society?

Sir Jeffrey M. Donaldson: I am a former member of the UDR. My father served for over 25 years in that regiment. My brother also served in it. Comrades I patrolled alongside were cut down in cold blood by the Provisional IRA. I feel deeply insulted by the suggestion from a Justice of the High Court of Northern Ireland that somehow the *raison d'être* of the UDR was to keep people out of trouble. My only motivation was to stop trouble, to bring to book those engaged in trouble and to protect the community, including Mr Justice Weir and all those who were the targets of terrorism.

My party is not prepared to stand back and see our former comrades vilified. We are not prepared to stand back and see the security forces and the police hounded for serving their country. Standing in the gap between democracy and tyranny, they defended us; now, we must defend them.

12.59 pm

The Secretary of State for Northern Ireland (James Brokenshire): I appreciate the opportunity to speak in this important debate. Let me be clear from the outset. Operation Banner, as the House is aware, lasted for nearly 30 years. It was the longest single continuous deployment of the armed forces in British military history. During that period, over 250,000 people served. The armed forces and the RUC combined lost over 1,000 men and women to terrorism. There were over 7,000 awards for bravery, and the Royal Ulster Constabulary was rightly awarded the George Cross. As this Government's Northern Ireland manifesto at the last election made clear,

"we salute the remarkable dedication and courage of the Royal Ulster Constabulary and our Armed Forces in defending the rule of law and in ensuring that the future of Northern Ireland would only ever be determined by democracy and consent."

Quite simply, without their contribution, what we know today as the Northern Ireland peace process would never have happened. All of us across this House and throughout our United Kingdom owe them a huge debt of gratitude, just as we owe them an enormous debt for the work they have done and sacrifice they have made in other parts of the world referred to in the motion: in Kosovo, in Iraq, and in Afghanistan.

Wherever they operate, we quite rightly regard our armed forces as the best in the world. The Government ask them to put their lives on the line in order to defend us and our way of life. In return, they rightly expect the fullest support from the Government, and this Government, through my right hon. Friend the Defence Secretary and his colleagues, are determined to provide it.

Dr Murrison: Does my right hon. Friend agree that that support should extend to the provision of the costs of engaging a solicitor to advise those who have been sent letters by the Ministry of Defence inviting them to unburden themselves about the events of 30 or 40 years ago in order to assist the police with their inquiries? I am sure that he would not want those individuals inadvertently to incriminate themselves or those they were operating with all those years ago. If he is correctly suggesting that we should be properly supporting our veterans who served in Op Banner, then that must surely extend to finding the cost of engaging solicitors to advise those individuals properly and appropriately.

James Brokenshire: The Government have always acknowledged their ongoing duty of care to our former soldiers. Our policy is that where veterans face allegations concerning actions they took in the course of their duties, taxpayer-funded legal support, including counsel where appropriate, will be provided for as long as it is needed. In addition, I am advised that the Ministry of Defence can assist veterans with welfare support, either directly or in partnership with other agencies such as Combat Stress, depending on the veteran's individual needs and circumstances.

Dr Murrison: Will my right hon. Friend give way?

James Brokenshire: I will.

Dr Murrison: I am grateful, because this is very important. My right hon. Friend says, in effect, "if allegations have been made". These letters, as I understand it, contain no allegations but will be disturbing nevertheless to the predominantly elderly gentlemen who receive them, who will need proper advice on whether to unburden themselves in the way that is suggested or whether to ignore the letters. I think that that advice can come only from a solicitor. My question is whether the MOD will provide the costs of the provision of that legal advice.

James Brokenshire: I will certainly take my hon. Friend's point away and discuss it with colleagues from the Ministry of Defence to seek clarity for him and for those who may be in receipt of those letters.

I must also be clear to the House that we will never accept any kind of moral equivalence between those who sought to uphold the rule of law and terrorists who sought to destroy it. For us, politically motivated violence in Northern Ireland was never justified, whether it was carried out by republicans or loyalists. We will not accept any attempts to place the state at the heart of every atrocity or somehow to displace the responsibility for actions from where it may lie. I want to underline that we will not accept attempts to denigrate the contribution of the security forces and to give any kind of legitimacy to violence.

Ian Paisley (North Antrim) (DUP): I agree wholeheartedly with the point that the Secretary of State is making. Yesterday at the Dispatch Box, the Prime Minister outlined what can only be described as the new gold standard for investigations. She made four commitments. She said that the system will reflect the fact that 90% of all killings were carried out by terrorists. She said that it would be "wrong to treat terrorists more favourably than soldiers or police officers."

She said that the investigative bodies have a “duty to be fair, balanced and proportionate”.—[*Official Report*, 22 February 2017; Vol. 621, c. 1014-1015.]

She said that no disproportionate investigations will take place. How will the Government give effect to that gold standard, which we welcome?

James Brokenshire: The points that the hon. Gentleman raises are very much embodied in the Stormont House agreement and the legacy bodies and institutions referenced by the right hon. Member for Lagan Valley (Sir Jeffrey M. Donaldson). If I may, I will come on to those issues in greater detail later.

Being the best in the world means operating to the very highest of standards. We expect nothing less, and I know that our armed forces would not have it any other way. As the noble Lord Stirrup put it in a recent debate in the other place:

“The need to act lawfully is not a side consideration for the Armed Forces; it is an integral part of the ethos and training.”—[*Official Report, House of Lords*, 24 November 2016; Vol. 776, c. 2076.]

We believe in the rule of law, and the police and armed forces are charged with upholding the law. They cannot operate above it or outside it. Where there is evidence of criminality, it should be investigated without fear or favour. In our view, however, what characterised the overwhelming majority of those who served was discipline, integrity, restraint, professionalism, and bravery—and we should be proud of them.

Sir Henry Bellingham (North West Norfolk) (Con): Soldiers were of course subject to the rule of law, including, notably, the sergeant and platoon commander in the Argyll and Sutherland Highlanders who were charged with the murder of two civil rights campaigners, Michael Naan and Andrew Murray, in 1981 and convicted. Many were investigated and some were actually prosecuted and convicted.

James Brokenshire: My hon. Friend makes that point about the upholding of the rule of law. I will come back to what we judge are the right next steps in terms of balance, proportionality, and giving effect to new arrangements to deal with the legacy issues embodied in the Stormont House agreement.

As my right hon. Friend the Prime Minister made clear in the House yesterday, it is appalling when people try to make a business out of trying to drag our brave troops through the courts. In that context, the motion welcomes the Government’s decision to wind up the Iraq Historic Allegations Team following the solicitors disciplinary tribunal hearing and the consequent decision to strike off Phil Shiner. This called into question the credibility of a large number of IHAT’s remaining case load, which will now revert to the Royal Navy police. To be clear, the Government have a legal obligation to ensure that criminal allegations against the armed forces are investigated, but we remain determined to ensure that our legal system is not abused, as it clearly was by Mr Shiner, falsely to impugn the reputation of our armed forces. We should all support the decisive action taken by my right hon. Friend the Defence Secretary in that case.

Tom Tugendhat: My right hon. Friend, who is himself a solicitor, is making an essential point about the rule of law as it must be practised by honourable members of the legal profession. He is highlighting the important

role that the Solicitors Disciplinary Tribunal played in finding this man guilty of deception of the most abject kind. Will he comment on how the shadow Attorney General can possibly continue to defend that extraordinary individual and yet claim that she will represent Her Majesty’s Government should the Labour party ever be elected?

James Brokenshire: It is important to underline that the Solicitors Disciplinary Tribunal’s hearing resulted in a decision to strike off Phil Shiner, and the credibility of a large number of IHAT’s remaining case load has now been firmly called into question. It is important that we respect, recognise and uphold that determination by the Solicitors Disciplinary Tribunal.

Ian Paisley: The Secretary of State is touching on the very important point of transparency and fairness in all of these investigations. The public prosecutor in Northern Ireland was formerly the solicitor for Sinn Féin. He handed in the names of the on-the-run people on behalf of Sinn Féin, and the Government dealt with that matter. Of course, that was brought to the attention of the Northern Ireland Affairs Committee when it investigated the on-the-run case. Does the Secretary of State agree that, given the perceived conflict of interest that the Director of Public Prosecutions for Northern Ireland has in his knowledge of senior republicans and their involvement in very serious and organised crimes, he should resile from involvement in all further parts of this matter?

James Brokenshire: I am afraid that I do not agree with the hon. Gentleman. The Public Prosecution Service of Northern Ireland has pursued prosecutions against a number of individuals for serious terrorist crimes during the troubles, and it continues to do so, as well as pursuing other cases. It is wrong to suggest that the PPS is in some way only applying itself to one side. I know that there are strong feelings in that regard, but it would be wrong to personalise the matter in this way. It is important, in terms of upholding the rule of law, that we should also uphold the independence of the police and of prosecutors. It is important to frame the matter in that context, but I acknowledge that people may have strongly held views.

Sir Gerald Howarth: Will my right hon. Friend convey a message to this individual and say that sending out letters to organs of the press in this country, saying that any criticism of him will be met by legal action, is completely unacceptable? He is publicly accountable and publicly paid, and if we want to criticise him, we will do so and he will not resort to law to try to shut down newspapers that report our criticism.

James Brokenshire: There is always the right of complete free speech in this House and, clearly, the right, which we uphold as a democracy, of the freedom of the press. However, we need to be careful in our comments when we seek to personalise matters. We know the consequences of that from the past. I acknowledge that there are strongly held views, but I underline the independence of the prosecution service and of the police. That is something that we should absolutely treasure, while of course holding people to account and being able to comment publicly. The freedom of our rule of law is important, but equally the press and this place have the freedom to debate matters robustly and vigorously.

Several hon. Members *rose*—

James Brokenshire: I know that many Members want to contribute to the debate. I will take further interventions, but I want to make progress.

Sir Gerald Howarth: May I just ask something about that point?

James Brokenshire: I will make some progress.

As right hon. and hon. Members are well aware, addressing the legacy of the past has been one of the most difficult issues since the Belfast agreement nearly 19 years ago. What is clear today, as this debate highlights, is that the current structures in place are simply not delivering for anyone, including victims and survivors on all sides who suffered most during the troubles. The rawness of the continuing pain and emotion of families and survivors is stark, and yet the need to make progress is absolutely clear.

The legacy of the past continues to cast a shadow over our society in Northern Ireland. It retains the ability to destabilise politics and it has the capacity to be used by those who wish to fuel division and promote terrorism to achieve their objectives. Of course, people are always going to retain their own views of the past, which will be shaped by their own experiences of it. I acknowledge that the Government's view of the troubles will not be shared by everyone, or vice versa; but we should strive to reach consensus on the structures needed to address it, and in a way that helps move Northern Ireland forward.

The inquest system was not designed to deal with highly complex, often linked cases involving large amounts of highly sensitive material. The office of police ombudsman has to deal with historical allegations of misconduct, rather than focus on cases today. The Police Service of Northern Ireland has to devote substantial resources to dealing with legacy cases when I know that it would prefer some of them to be spent on policing the present. Taken as a whole, I recognise concerns that the current mechanisms focus disproportionately on cases involving, or allegedly involving, the state, leaving many victims of terrorism feeling ignored as a result.

None of that is to criticise any individuals, not least the police and prosecuting authorities, all of whom uphold the law independently of Government. I support them in their difficult work. The right hon. Member for Lagan Valley mentioned earlier the shocking case of a police officer, who was about to go to work and serve their community, discovering that a device had been planted underneath their car. The consequences of that could be absolutely horrific. That underlines the bravery, determination and sheer public service that PSNI officers and others show day in, day out to uphold the rule of law and keep our communities safe, and the shallowness and evil of terrorism that seeks to undermine that. I know that the House will absolutely underline that strong message of support to them and the work that they do.

My comments are a recognition, which is widely accepted, that we need new and better structures for addressing the issues. The status quo is not sustainable. The Government have a duty to seek better outcomes for victims and survivors, and we need legally robust mechanisms that enable us to comply with our international obligations to investigate criminal allegations.

The Stormont House agreement was arrived at in December 2014, following 11 weeks of intensive cross-party talks with the UK Government, the five largest parties in the Northern Ireland Assembly and the Irish Government on matters falling within their responsibility. The agreement contained the most far reaching set of proposals yet for addressing the legacy of Northern Ireland's troubled past, including the historical investigations unit, the independent commission for information retrieval, the implementation and reconciliation group, and an oral history archive.

A number of different options were discussed during those talks. Amnesties were quickly dismissed by all the participants and are not the policy of this Government. We believe that the so-called legacy bodies set out in the Stormont House agreement continue to provide the most effective way to make progress on this hugely sensitive but hugely important issue.

Delivering the Stormont House agreement, including the legacy bodies and reforming legacy inquests, was a key Northern Ireland manifesto pledge for the Conservative Government at the last election, and we remain committed to that. In doing so, however, I am also committed to the need to ensure that former soldiers and police officers are not unfairly treated or disproportionately investigated. That is why any legislation we introduce will explicitly set out that all of those bodies, including the historical investigations unit, will be under legal obligations to operate in ways that are fair, balanced and, crucially, proportionate.

Sir Gerald Howarth: The House will be greatly reassured by the concern of the Secretary of State and the Government about the lack of proportionality on the part of the authorities in Northern Ireland, but can he not understand that the disparity between the two is overwhelming? One side were a bunch of terrorists hiding in the shadows, dressed not in military uniform; the other side were trying to enforce the Queen's peace in Northern Ireland. All the incidents involving the latter are meticulously recorded. One cannot go to the National Archives in Kew and find the IRA's records of the people it brutally murdered.

James Brokenshire: I absolutely recognise the sense of justice, and the sense of the need for justice, on all sides, which underpinned what my hon. Friend said. Yes, there are meticulous records. There are meticulous records of the investigations of terrorists, which should be looked at properly. That is part and parcel of what I am saying about the establishment of the historical investigations unit. The terrorists were responsible for 90% of all deaths in the troubles, and any investigative processes have to reflect that.

Sir Julian Brazier (Canterbury) (Con): Does my right hon. Friend, who is being most tolerant in taking interventions, accept that if 10% of the people who were killed were killed by the security forces—bearing in mind that the other 90% of killings were all murders—even if as many as one in 10 of the killings by the security forces were murder, which is exceptionally unlikely, the proportionate rate would be one in 100, not one in 10?

James Brokenshire: That is exactly why the Stormont House agreement had at its heart the messages that I have already delivered of fairness, balance and proportionality.

The case load of the historical investigations unit will contain some of the most notorious atrocities that resulted in the deaths of our armed forces, such as those at Warrenpoint in 1979 and Ballygawley in 1988. The HIU will look at cases in chronological order, meaning that each case will be investigated in the order in which it occurred, so that there is no prioritisation of some cases over others.

Any legislation that establishes the HIU will include specific tests that must be met in order that a previously completed case is reopened for investigation. Specifically, that will mean that new and credible evidence that was not previously available to the authorities will be needed before the HIU reopens any closed case. We are also looking at ways to ensure that when prosecutions do take place, terrorists are not treated more favourably than former soldiers and police officers. The bodies will be time-limited to five years to ensure that the process is not open-ended, thereby helping Northern Ireland to move forward.

Turning the Stormont House agreement into detailed legislation has been and continues to be a long and necessarily complex process, but a great deal of progress has been made in building the consensus that is necessary to bring legislation before the House. I believe that with hard work on all sides, the outstanding areas of disagreement are entirely bridgeable.

In September, I signalled my intention to move the process to a more public phase. I had hoped that that would have taken place by now, but a continuing lack of consensus and then the political situation at Stormont have delayed it. However, I remain committed to giving the public a say on the proposed bodies and to building confidence in them from across the community. I want to take that forward as soon as possible after the Northern Ireland Assembly election a week today, so that we can make progress quickly.

Any approach to the past must be fair, balanced and proportionate; it must have victims and survivors at its heart; and it must be consistent with our obligations to those who served and, in so many cases, sacrificed so much to bring about the relative peace and stability that Northern Ireland enjoys today.

1.24 pm

Stephen Pound (Ealing North) (Lab): I congratulate the Secretary of State on an impassioned presentation. I think he spoke for all of us in this House and outside; his words were right, powerful, important and proportionate.

Today we may be speaking of the past, but the issues we are discussing have not gone away and there are still problems today. Yesterday's incident in Ardanelle, which has been referred to, with a bomb exploding in the Culmore area, reminds us that what we do today has relevance. We are not just looking backwards. We are looking at the current situation, and we have to look forward to the implementation of Stormont House to ensure that there are no more incidents like that. The right hon. Member for Lagan Valley (Sir Jeffrey M. Donaldson) was right to enunciate that terrifying litany of horror and place it on the record. We must never, ever begin to approach that scale of terror and horror again. All of us, surely, are united in that. Yesterday, Debbie Watters said that the police officer had a "very

lucky escape". That was the reality of it. Today people are still wearing the uniform and putting their lives on the line, and we have a bounden duty to support them.

That is why the Opposition welcome the DUP's motion. Its wording is very sensible. How could we argue with the call that all

"processes for investigating and prosecuting legacy cases...are balanced and fair"?

We do not oppose that; we support it. We think it is absolutely right. Far be it from me to criticise the wording of the DUP motion, but I think it was significant when the Secretary of State added the word "proportional".

It is important that we raise these matters on the Floor of the House. There is still a tendency in some parts to believe that what happens in Northern Ireland goes on in the wings, rather than centre stage. There are still some people who think that Northern Ireland is settled, over and finished—that it is a small part of the United Kingdom and a long way geographically, politically and economically from us here in Westminster. I give credit to all right hon. and hon. Members who bring Northern Irish business to the Floor of the House—it must be done. We have an absolute duty to consider these matters at every opportunity. On many occasions, I have heard speeches in the House on this subject that would stand the test of any of the great parliamentary speeches we have ever heard—the issue is that crucial.

Today is an odd day in that the eyes of the political establishment may be on other places, such as Copeland or Stoke. People might even be thinking of 2 March. It is almost irresistible to draw the House's attention to the extreme irony of today's *Times* of London newspaper, which describes the renewable heat incentive as wasting £450 million in Great Britain—

Ian Paisley: A year.

Stephen Pound: A year, as the hon. Gentleman rightly says.

Far be it from me to further impugn the reputation of Chris Huhne, but the temptation is there, and it cannot be denied that he was the Minister who came up with the idea. I have to say that those of us here have our own share of responsibility for not making more of an issue of it at the time. I think we can begin to understand why it was so attractive in Stormont at that time. I also see from today's *Times* that Mr Huhne is now the European chairman of

"a US supplier of wood pellets."

I leave those words hanging in the air, slowly smouldering in the Drax power station, as tons and tons of Canadian forest are chipped up, pelleted and brought over here.

Mr Gregory Campbell: Does the hon. Gentleman agree that the revelation in today's *Times*, outlandish as it might seem, has not led to a crisis of government here and has not led to in-depth investigation teams at the BBC trying to establish guilt before any investigation has taken place? For whatever reason, some broadcasters seem to have double standards when dealing with the waste of public money.

Stephen Pound: Oh, Madam Deputy Speaker, how tempting it would be to follow the hon. Gentleman down the primrose path towards which he leads the

[*Stephen Pound*]

innocent parliamentarian, but I have known him for longer than both he and I have been in this House and am able, on this occasion, to resist his blandishments.

Danny Kinahan (South Antrim) (UUP) *rose*—

Stephen Pound: On the subject of resistance, I will give way to the hon. Gentleman.

Danny Kinahan: Will the hon. Gentleman note that when the same scheme came to Northern Ireland, 120 words, which was the cap, were taken out of it, and that is the whole reason why Stormont is now falling apart?

Stephen Pound: I crave the House's indulgence and apologise for diverting us from an extremely important issue. Given that we are talking about Northern Ireland and 2 March is crucial, and that there is clearly a causal link, it was reasonable to mention the subject. It is equally reasonable to move on.

The Opposition will not oppose the motion. We will obviously support the wording, with which we agree, but let us try to get some facts right. An enormous amount of statistical evidence has been thrown about. Yesterday, the Prime Minister made comments at the Dispatch Box about the various percentages, proportions and numbers. This morning, the Police Service of Northern Ireland said that it is currently investigating 1,118 cases, of which 530 are attributed to republican paramilitaries, 271 to loyalist paramilitaries, 354 to security forces and 33 to unknown perpetrators. That gives a security forces percentage of 32%. However, in many ways that is not the issue. One of the key points is not just that 55 detectives in four teams are working on the matter, but that, if we try to break such things down and say that one side is more responsible than another—we can make such points and, as politicians, we have the duty and the responsibility to do so—we must bear in mind that the past has to be looked at objectively and with utter clarity. We have to investigate every aspect of it.

The hon. Member for Canterbury (Sir Julian Brazier) said that a tiny percentage of murders may have been committed by people in uniform—that was his analysis—horrifying though that sounds. If that is the case, with the higher duty that people who wear the Queen's uniform have, each one must be investigated. That is key: everybody and everything must be investigated. There can be no concealed errors and no untouched dark corners. We have to look into every part of the past 30 years.

Ian Paisley: The shadow Minister will accept that one of the only cases in Northern Ireland of a miscarriage of justice, which resulted in people who had been charged with murder being released and exonerated, involved three former Ulster Defence Regiment soldiers—it is known as the Armagh Four or the UDR Four. That case alone removed from the books some 25% of the allegations against the UDR. That, too, should be reflected.

Stephen Pound: I bow to the hon. Gentleman. He knows far more about the subject than me. He lived through it in a way that I cannot even claim to have approximated. However, that is not necessarily the issue.

We are not considering whether removing a group of people from a particular list equals a particular statistical anomaly. That is not what we are on about.

Today, we are talking about, first, a fair and proportionate investigation into every aspect of the troubles and, secondly, how best to progress matters to implement the Stormont House agreement. Thirdly, and perhaps most importantly, we are discussing how to build on a peace process that has as an essential component—

Sir Gerald Howarth *rose*—

Ms Margaret Ritchie (South Down) (SDLP) *rose*—

Stephen Pound: I appreciate that it is not me who is popular, but the words that hon. Members have to say, which need to be heard by the House. Can we please try to concentrate on building on the peace process? That is why the Opposition endorse and support the words in the DUP motion.

Sir Gerald Howarth: The hon. Gentleman is right that there needs to be fairness. However, does he understand that there is a widespread and growing feeling in the House that the investigations in Northern Ireland are not fair and that they are disproportionate? My right hon. Friend the Secretary of State said that we have a free press in this country, but the law firm of Campbell and Caher is sending out letters to newspapers in this country saying that if they report anything that it perceives as criticism of the impartiality of the authorities in Northern Ireland, legal proceedings will ensue. Therefore, what I am saying in the House is not reported in newspapers in my constituency because of fear of prosecution. Does the hon. Gentleman agree that if fairness is to be seen to be done in Northern Ireland, criticism of the conduct of the investigations must be tolerated?

Stephen Pound: The hon. Gentleman has already ventilated those points. He has made them again and, as ever, his voice will be not denied but heard. However, we are here today not to kick the legal profession, although that is also tempting, but, hopefully, to move on. On the issue of the individual who has been named, that was then. Today we are talking about something far more important: moving forward.

Ms Ritchie: Does my hon. Friend agree that the most pressing issue is not only the need for temperate language, but that, on the far side of the election, we will have political institutions up and running and there will be parallel negotiations to reach a conclusion on this matter? The one thing that victims want is closure. Too many people are in pain in Northern Ireland. Young people want to move on to deal with health, education and the economy, because those are the pressing issues that face us daily.

Stephen Pound: Not for the first time, the hon. Lady speaks an enormous amount of good sense. Her comments should be our watchword for the rest of the debate.

There cannot be progress to the future without completely settling the issues of the past. There has to be closure, investigation and the disinfectant of sunlight, to coin a phrase. We have to move on, certain in the knowledge that we have done everything to investigate the past.

There are many hon. Members from whom I want to hear. I close by saying that the Opposition have great respect for those who serve and have served in our armed forces, and who take pride in the work that they have done. On the very few occasions when there might be a possibility of action outside the law, those claims must be investigated fully. It is crucial to say that those who wear the uniform would want such cases to be investigated. No one wants an exemption for members of the armed forces.

A great deal of sense has been spoken today, and doubtless there will be more. Let us try to get through 2 March. I greatly hope that the new Assembly will be up and running and that the Stormont House agreement will be implemented. I hope that we will have debates about the great and glorious future of Northern Ireland in which we will talk about a prosperous economy and people who have pride in that extraordinary part of the world. I hope that we will look not backwards but forward to a glorious, sunlit future. Every single person in Northern Ireland deserves the right to peace and prosperity. They have earned it, and I hope that the House will give them a fair wind and our support.

1.37 pm

Sir Henry Bellingham (North West Norfolk) (Con): I congratulate the Democratic Unionist party on the motion, and particularly the right hon. Member for Lagan Valley (Sir Jeffrey M. Donaldson) on an impressive speech to open the debate. I thank the Secretary of State for his comments and, as always, it is a pleasure to follow the hon. Member for Ealing North (Stephen Pound). His emphasis on the peace process and the future was welcome.

The right hon. Member for Lagan Valley mentioned the figures involved, so I will not repeat them. He also made the point that there can be no legal or moral equivalence between what the terrorists did and what happened to the military, who were deployed in support of the police, acted under the rule of law and were subject to tight military controls and codes, including the yellow card. They were mainly young men and some women who never asked to go to Northern Ireland but were deployed there and showed incredible professionalism, and huge restraint when they were under great stress and provocation. At all times, they held their nerve, and, consequently, the reputation of the British military was enhanced around the world.

Every incident that involved killing or injury by the military was fully investigated at the time. There were regimental investigations and investigations by the military police, and in almost every case there were investigations by the Royal Ulster Constabulary and the civilian authorities.

I do not think that the armed forces of any other country in the world would have shown the restraint and professionalism that our armed forces showed. When mistakes were made, they were called to order. In the case of the killing of the two civil rights campaigners Michael Naan and Andrew Murray, three sergeants and one officer from the Argyll and Sutherland Highlanders were charged. Two sergeants, Sergeant John Byrne and Sergeant Stanley Hathaway, were charged with murder and sentenced to life imprisonment. A third sergeant, Iain Chestnut, was charged with manslaughter and

sentenced to four years. The officer in charge of the platoon, Captain Andrew Snowball, who was not actually present at the farmhouse where the killings of the two civil rights campaigners took place, covered up what happened. He was subsequently charged and given a suspended sentence. He resigned his commission. The case shows that where the military stepped out of line it was investigated, and if charges were appropriate, charges were brought.

Ian Paisley: I thank the hon. Gentleman for making this point. It is absolutely essential that the record of this House reflects the fact that under Operation Banner the Royal Ulster Constabulary and Her Majesty's Crown forces in Northern Ireland acted with the highest human rights-compliant record in any dispute anywhere in the world. That is without any challenge whatever. Some 30,000 officers carrying personal weapons and a minimal amount of illegal discharge from those weapons—that is a miracle given the provocation, with murders daily in our Province.

Sir Henry Bellingham: I agree entirely with the hon. Gentleman. I shall now remove a couple of paragraphs from my speech, because he has said what I was going to say.

Let us fast-forward to the current situation. The right hon. Member for Lagan Valley outlined the flawed process, in particular the arrest of veteran soldiers as part of the DPP's vendetta against them. I referred to the case of Dennis Hutchings in a debate I secured on 13 December 2016. He was deployed to Northern Ireland with his regiment, the Life Guards. They were in an area, Dungannon and Armagh, where levels of disturbance were particularly high. All patrols were told to take special care. The regiment had suffered a number of shooting incidents, although none had been fatal. On 4 June, a patrol was ambushed by a group of young men who were in the process of transferring weapons to a car in the village of Eglishe. The patrol was fired on and fire was exchanged. A number of people were arrested and a quantity of arms recovered.

On the following day, Corporal Dennis Hutchings, who was mentioned in dispatches for his exemplary bravery and leadership, led a patrol back into the area. The aim was to try to locate further arms caches near the village. The patrol chanced on John Pat Cunningham, who was challenged to give himself up. He behaved in a way that was suspicious. The patrol believed they were threatened and opened fire. We know there was a tragic outcome, because John Pat Cunningham was killed. This was investigated fully by the Life Guards, the military police, the RUC and the DPP. All four members were completely exonerated.

What happened next beggars belief. In 2011, Dennis Hutchings was called in by the PSNI Historical Enquiries Team and fully investigated. A comprehensive investigation, with which he co-operated fully, took place. He was told at the end of the investigation that no further action would be taken and that he could get on with his life, look after his grandchildren and great-grandchildren, and enjoy his retirement.

In 2015, there was a dawn raid on the corporal major's house. He had been in very poor health, but he was arrested, taken to Northern Ireland for four days' questioning and charged with attempted murder. He of

[*Sir Henry Bellingham*]

course vehemently denied the charges. After 42 years, there were no witnesses left. The other three members of the patrol have died and the forensic evidence has disappeared. How can he get a fair trial now? He cannot receive a fair trial in these circumstances. The first thing I learned at law school was that any criminal case depends critically on credible and corroborated evidence.

Danny Kinahan: I congratulate the hon. Gentleman on all he is doing for Corporal Major Hutchings and on being very clear about his case. Does he agree that it is greatly concerning when we are told there are new ways of looking at evidence? Rather than trying to find new evidence, people are trying to find new ways to research it. Does he not think that that is wrong?

Sir Henry Bellingham: I absolutely agree with the hon. Gentleman and I will come on to that in a moment.

The key point about the Hutchings case is that it was fully investigated at the time. It was looked at by every available authority and organisation, and closed down at the time. Reopening cases now is revisionism. It is an attempt to rewrite history. It is trying to look at what happened then through the lens of 2017, when we have a whole new emphasis on human rights and different standards. It is perverse, wrong and completely unacceptable.

Tom Tugendhat: My hon. Friend makes a very good point, which complements entirely the one made by the hon. Member for South Down (Ms Ritchie). She is absolutely right that we have to move on, but in moving on we have to allow those who have served to move on. In a case like this, where it is so obvious and so clear that justice has not only been done but been seen to be done multiple times, surely the moving on can be done actively.

Sir Henry Bellingham: Let us look at what happened to the IRA and the paramilitaries. Their sole aim was to murder, maim and kill, and to disrupt communities. They did not investigate their own crimes and murders. They celebrated the killings they took part in. They were not subject to the Geneva convention or any other rule of law—or the British law on torture.

What about Captain Robert Nairac, the military intelligence liaison officer, who was abducted in County Armagh in May 1977? He was brutally tortured and killed. He was posthumously awarded the George Cross. He is one of nine IRA victims whose body has never been recovered. What about Corporal David Howes and Corporal Derek Woods, who chanced on an IRA funeral in March 1988? They were dragged out of their car, tortured and murdered. One of the most extraordinary pictures from the troubles is that one of Father Alec Reid administering the last rites to those two corporals. What about the Free Scottish privates who were abducted from a pub in 1971? They were off duty and unarmed; they were abducted and tortured, and no one has ever been convicted.

Sammy Wilson: Will the hon. Gentleman give way?

Sir Henry Bellingham: I will not give way, because I am going to draw my remarks to a conclusion.

We have to try to find a way to move forward. The only way to move forward is for the Secretary of State—I welcome some of his remarks and I welcome too what the Minister said—to make it absolutely and categorically clear that these military cases, all of which have been investigated, will now be closed, subject to the arrival or discovery of brand-new compelling evidence. Anything less than that would be a betrayal of the military covenant. The hon. Member for Ealing North gave the figure of 370 veterans under investigation, and anything less would be seen as a betrayal of those veterans and an appalling scar on Her Majesty's Government. We have a way forward, and I urge Ministers to take it.

1.48 pm

Deidre Brock (Edinburgh North and Leith) (SNP): May I put on record right at the start the Scottish National party's acknowledgement and appreciation of the efforts of our police and armed forces personnel wherever they serve? Our safety is a luxury bought with their dedication to duty and constant vigilance.

I can appreciate that my opinion on that is not always shared by everyone and that there are people in many places who feel that they have good reason to disagree with those sentiments, but may I say at this point—this has been mentioned—that the planting of a bomb outside a police officer's house is completely unacceptable? Not only was the officer's life threatened yesterday, but the lives of others were touched by it, too. Given the nature of the area in which the officer lives, I expect that children play in that street, and it is beyond unforgivable to haunt a bairn's life.

I cannot get inside the mind of anyone who wants a return to violence in Northern Ireland, and I cannot believe that there will be any great support for such people anywhere. Great praise is, instead, due to the politicians and community activists who have brought Northern Ireland away from those dark shadows and headed it towards a better future. Many I will not have heard of, and some are no longer with us, but it must have taken great courage for enemies to lay aside their greatest enmity and begin the co-operation that we see now.

I have huge respect for those I have met who serve here, those I have met who serve in Stormont, and the few I have met who are councillors and community leaders, who have the courage, the vision and the belief in the future to be able to say to their opponents, "I know what you have to do and where you have to stand to serve your community, and I appreciate that you give me the same courtesy. Where can we find common ground?" There is a future to be had when the people's servants have that attitude—not that everyone is lovely to each other, I hasten to add, but they are leaders enough to know where that fertile future lies.

I think there is a certainty that the people and the politicians of Northern Ireland can craft a future that will stand as a testament to the courage shown and the personal risks taken in the past couple of decades. In that vein, I think that the SNP's position is clear. We believe that the people of Northern Ireland have the capacity, the intelligence and the gumption to make a better fist of things there than we can. We have confidence in the institutions of the police and judiciary to serve the people, and confidence in Stormont to reform them

if they are not serving well. We also have confidence in the people of Northern Ireland to reform the pants off of any politician who does not have the ability, courage or energy to serve them well.

I appreciate why the motion is before us today, and I certainly appreciate the concerns of soldiers who served in Operation Banner and are now retired. There is no form of polite words, trite phrases or empty platitudes that will put any of this nicely to bed. The resolution to those concerns lies in the institutions in Belfast.

The Ministry of Defence has a duty—which I think it has promised to live up to—to ensure that any of its current or former employees who face legal action as a result of what they did during their service are adequately represented. I was pleased that the Secretary of State was able to reassure us that the commitment given by the MoD at the end of last year remains in place, and I welcomed his assurance that taxpayer-funded legal support will be provided when it is needed.

Mr Mark Francois (Rayleigh and Wickford) (Con): The hon. Lady mentioned the institutions in Northern Ireland. Does she accept that had it not been for the bravery and the sacrifice of British troops throughout the Operation Banner period, who helped, in effect, to hold the ring so that one day a peaceful solution could be arrived at, those institutions would not be available to us today?

Deidre Brock: I placed on record at the beginning of my speech our acknowledgement and appreciation of the tremendous efforts made by police and armed forces personnel wherever they serve, and their contribution to peace has certainly played a big part in where we are today.

The investigation of incidents in other theatres is a matter for service law and for courts martial, and I have no particular knowledge of those systems, but the duty to ensure fairness and impartiality lies with the MOD. I welcomed the Secretary of State's comments about legal requirements for fairness, balance and proportionality. The duty to ensure fairness and impartiality in any proceedings in Northern Ireland will lie with the new Stormont Ministers, with the Attorney General, and with judges who sit in the courts there. We must trust them to take due cognisance of all the circumstances in which they find themselves and of the evidence presented to them, and we must trust them to make decisions that are in the best interests of the people whom they serve. If we do not trust them, we will be denying the legacy of all those who worked and laboured to craft a better future for Northern Ireland, and to drag the communities there away from the violence that had plagued them before.

1.54 pm

Sir Julian Brazier (Canterbury) (Con): I congratulate the Democratic Unionist party on their motion. I particularly congratulate the right hon. and gallant Member for Lagan Valley (Sir Jeffrey M. Donaldson), not only on his eloquent words but on his gallant service—along with several of his parliamentary colleagues—as a part-time member of the Ulster Defence Regiment, which was far the most dangerous regiment in the British Army in which to serve.

I am deeply conscious of the pressure of time and the fact that so many Members wish to speak, so I shall be very brief. My hon. Friend the Member for North West Norfolk (Sir Henry Bellingham) presented such a strong case in making points that I wished to make that I shall briefly echo two or three of his points before dealing with the other aspect of the motion.

Corporal Major Dennis Hutchings, when he served in the Life Guards, was by chance in the same squadron as a close friend of mine, an officer commanding one of the other troops. My friend says that Dennis Hutchings was one of the best senior NCOs with whom he had ever served, and he is absolutely astounded at the way in which this man has been treated. A constituent of mine, who has written to me in the last fortnight, is being investigated in connection with events that occurred in 1976, 41 years ago.

I listened carefully to what was said by my right hon. Friend the Secretary of State for Northern Ireland. I have huge respect for him and I understand the considerations that he has to balance here, but I ask him to understand that while there is no Conservative Member who does not believe in the rule of law—we all believe in it—integral to the rule of law is confidence in the criminal justice system. The problem with trying to pursue soldiers in the same way as we pursue former terrorists is that, in most cases, there is no prospect of finding new evidence after all these years. Key witnesses have died.

The point about parity is not just the fact that it is morally repugnant to compare killings by the security forces, unless there is real evidence that they were criminal, to killings by terrorist organisations, but, as several other Members have pointed out, the practical fact that the other organisations we were up against—the paramilitaries on both sides—did not keep records, so there is not the same scope for pursuing them.

I firmly believe—my hon. Friend the Member for North West Norfolk made this case so strongly that I shall not waste the House's time by repeating it at length—that the only way to resolve this situation is to establish a transparent mechanism that will ensure that no case can be pursued to the point of charge without clear proof that new evidence has been uncovered. Unless that new evidence has been uncovered, it should not be possible to raise fresh cases after all these years.

Bob Stewart (Beckenham) (Con): My hon. and gallant Friend is making a great speech, and I thank him for letting me intervene. I am increasingly worried, because 38 years ago I gave my word to two men under my command who had been involved in a fatal shooting that if they went to court having been charged with manslaughter and were found not guilty, they would never hear anything again. I gave my word, and it looks as though my word may not be worth a fig if this continues.

Sir Julian Brazier: I am grateful to my hon. and gallant Friend. Many Conservative Members share the view that a transparent procedure to show that fresh evidence has emerged should be required for any case of this kind to be pursued.

Let me now say something about the other aspect of the motion and about some of those other operations. The difference between the operation in Northern Ireland

[*Sir Julian Brazier*]

and the other three operations to which the motion refers is that we were in Northern Ireland as aid to the civil power. In Iraq, Kosovo and Afghanistan, at many points there was very little civil power; in fact, at some points there was none at all.

My right hon. Friend the Northern Ireland Secretary stressed, just after mentioning IHAT, the importance of upholding the law. We have to be clear, however, what we mean by the law when dealing with these other operations. The fact is that when a force has just captured a city, as we had in Basra, there is no civil law, as was the case then. In conflicts throughout the 20th century, it was always accepted that only one law matters on the battlefield: humanitarian law, grounded in the Geneva convention. In the past 15 or 20 years, there has been a creeping process whereby a second form of law—human rights law—has started to be introduced into the picture. When I served on the Select Committee on Defence, a number of organisations, including the International Committee of the Red Cross, deprecated that. They made it clear that humanitarian law, which is tried and tested for protecting the interests of the vulnerable, should be the law that applies.

On IHAT, I ask the House to think about two questions. First, why did no other country—all countries in the west claim to uphold the rule of law—choose to set up a body like IHAT? Secondly, what exactly did we expect our soldiers to do in the very dangerous circumstances that applied in a number of the cases, which are likely to survive the IHAT process and go forward, in those months after we captured Basra, when, effectively, there was no police force and no rule of law? We had large numbers of dangerous people around, and we were dealing with rioting, looting and so forth. Some colleagues might have read the recent account of how the Americans dealt with one looting problem: they shot two or three of the looters and a potential riot was suppressed. There was never any question of any follow up for that.

We have to realise that in such circumstances, while we can have humanitarian law in the background and rules of engagement and so on, a young officer with a very small number of soldiers in a dangerous situation and seeing vulnerable people threatened might have to make split-second decisions that would not stand up in a court of law in any context anywhere within the United Kingdom. Trying to retrospectively establish such rules, with human rights law being substituted somehow or other into the picture for the old, very clear and simple principles of humanitarian law, has exposed members of our armed forces in a way that many of us find unacceptable.

I want to end by making two points. First, while I was delighted by the way my right hon. Friend the Secretary of State for Northern Ireland stressed the importance of Mr Shiner being struck off as a lawyer, it seems to me to be extraordinary that there has been no criminal prosecution. When we look at what the Solicitors Regulation Authority—which I have hitherto regarded as the most toothless of all professional bodies, from my own constituency casework—has found against him and realise what that implies for our armed forces, it is extraordinary that he has not been charged, and I very much hope that he will be.

My final point is about the operations that our armed forces are involved in today. The Government made a pledge that if we were involved in further combat operations, we would derogate from the Human Rights Act, and we are now engaged in two operations. We are increasing the number of soldiers in Afghanistan, where the mission has turned from a purely support mission back towards increasingly being a combat one. At the same time, we are very heavily involved in the bitter fighting in Iraq and we have airmen regularly bombing areas. We have the most accurate bombs and the most failsafe systems—civilians sheltering in an area being bombed by the RAF are safer than those sheltering in areas where any other air force might be operating—but the RAF's activities in the attacks on Mosul and so forth could nevertheless threaten civilians. We do not talk about it in this Chamber, but some members of the special forces are also involved. What protection is in place? Why have we not derogated from the Human Rights Act for those two theatres?

I want others to have the opportunity to speak, so I will end by saying that I wholly support my hon. Friend the Member for North West Norfolk and those Members on the Opposition Benches who are calling for an end to the pursuit of veterans unless serious new evidence emerges in Northern Ireland, and I believe we owe more to the troops engaged in operations elsewhere today.

2.5 pm

Mr Nigel Dodds (Belfast North) (DUP): I am very pleased, as always, to follow the hon. Member for Canterbury (Sir Julian Brazier), and I thank him for all that he has done in his service to his country both here and in operations. I also pay tribute to everyone who has spoken thus far. My right hon. Friend the Member for Lagan Valley (Sir Jeffrey M. Donaldson) powerfully set out the case, which is reflected in the country at large, on the approach to these issues. I thank the shadow junior Minister, the hon. Member for Ealing North (Stephen Pound), for his words, too. In particular, I pay tribute to the Government for the fact that not only is the junior Minister present, along with representatives from the Ministry of Defence, but the Secretary of State for Northern Ireland has contributed to this debate. That is appreciated by Democratic Unionist party Members.

Stephen Pound: I should have done this earlier, but may I apologise for the absence of my colleague my hon. Friend the Member for Blaydon (Mr Anderson)? He is on a train somewhere in the north-west.

Mr Dodds: May I also, most importantly, pay tribute to the members of our security forces—those who have served and those who continue to serve? As the Member for Belfast North, I am only too well aware of the enormous sacrifice made over the years by the members of the security forces in protecting life and limb and property in my constituency and across Northern Ireland. The recent example where a police officer was injured—thankfully, not seriously—in my constituency and what happened just the other day in County Londonderry, which has been referred to, show the continuing risks that members of our security forces face in the service of us all, and they deserve our admiration, pride and grateful thanks.

How we deal with legacy issues in Northern Ireland is important for innocent victims and their families first and foremost, but it has a deeper significance. How we

respond to current feelings—they have been highlighted at length thus far—in the process will reflect our commitment to fairness and justice right across the United Kingdom, and there is a very real view and perception that those who defended our communities from attack are being investigated disproportionately and with greater zeal than those who brought terror to our land.

The facts bear that out; it is not just a perception. It has been amply demonstrated in the contributions thus far that there is substance to that perception. Many of our armed forces veterans have heard a knock on the door early in the morning and been hauled in by police for interrogation about events that took place many years ago. We have heard examples from Conservative Members of exactly that having happened—houses being invaded and searched, and reputations tarnished. We on the DUP Benches are not prepared to stand back and see those who have bravely served the people of Northern Ireland and the people of this country generally in their darkest hour be hounded and unfairly vilified.

We believe that investigations into historical cases must be balanced and proportionate. It is wrong that our former members of the security forces are subject to a different set of rules from those who sought to do them and us harm. My right hon. Friend the Member for Lagan Valley has set out how the provisions of the Belfast agreement gave special dispensation and special measures for paramilitaries and those who have been imprisoned but did nothing for our security forces. That is wrong.

Operation Banner was the longest military deployment in British history. More than 250,000 men and women served in the armed forces and in the Royal Ulster Constabulary during that time. It is right to emphasise the fact that more than 7,000 awards for bravery were made, and that more than 1,100 security service personnel were murdered in the course of their duties, with countless others bearing mental and physical scars from those days. Without their dedication to making people safe, as the Secretary of State rightly said, and without their sacrifice, terrorism would not have been defeated and the roots of peace could not have taken hold to get us to where we are today. Flawed and difficult as it is, we are in a much better place as a result of the work and sacrifices of our security forces. They defended us, and we must defend them. We must never forget that paramilitary terrorists, republican and loyalist, were responsible for some 90% of the deaths during the so-called troubles.

The way in which we address the legacy must reflect what actually happened. No one on these Benches is saying that people are above the law. The actions of the security forces must be held to the highest levels of professionalism and must of course be properly investigated. In saying that, we must also remember the difficult context in which people in the security forces and the police were operating at the time. They were operating in a climate of fear and terror created by terrorists who went out of their way to target and murder not only innocent civilians but detectives and others who were involved in investigating crime. Moreover, policing practices across the United Kingdom were far removed from those used today. To suggest that misconduct was rife is a deliberate distortion. It is a narrative of the troubles that is not justified by the facts, and we in this House

must reject such revisionism. The hon. Member for South West Wiltshire (Dr Murrison) said earlier that there was a danger of the past being rewritten and the propaganda war being won. Yes, that is a danger, but we must not allow it to happen. We must ensure that the past is not rewritten in the way that the terrorists and their sympathisers would like.

Mr Gregory Campbell: On proportionality, does my right hon. Friend agree that significantly fewer than 1% of all the people who served in the security forces, the Army and the police in Northern Ireland down all those years were ever found guilty of, or even questioned about, breaches of law, while 100% of the terrorists were most definitely guilty of such breaches?

Mr Dodds: My hon. Friend makes an important point that bears emphasis in the House and further afield. It is important that these issues are made clear to people who might, as time passes and we no longer hear direct reports from Northern Ireland, begin to think that a different narrative had occurred there. That is why it is so important that the institutions that were proposed under the Stormont House agreement—my right hon. Friend the Member for Lagan Valley mentioned the historical investigations unit—are set up so that we can have a balanced, fair and proportionate approach to all this.

We need to highlight the fact that 3,000 murders remain unsolved in Northern Ireland and that acts of terrorism were carried out by people such as Sean Kelly, the Shankill bomber, and Michael Caraher, who was part of the south Armagh sniper team that murdered Lance Bombardier Stephen Restorick in 1997—one of the last members of the armed forces to die in that period. Michael Caraher received a sentence totalling 105 years, yet he walked free having served just over three.

My right hon. Friend has rightly detailed the efforts made by the then Labour Government, under John Reid and then Peter Mandelson, to go to extraordinary lengths to provide concessions to IRA terrorists with no regard whatever to any kind of proportionality or to doing anything for the security forces. Secret deals were done on on-the-runs, for example. Such concessions had a major debilitating impact on those who were facing down terrorism in Northern Ireland, and our duty now is to convince people that that will not happen again. I share my right hon. Friend's view that this Government will not repeat those mistakes and that there will be no amnesty and no secret deals to allow terrorists off the hook.

In conclusion, it is important that we get the Stormont House agreement institutions up and running as quickly as possible, that we begin to get back some kind of fair and proportionate system for investigating legacy cases and that we do not—

Mr Francois: I thank the right hon. Gentleman for giving way, and I apologise for interrupting his peroration. I congratulate him and his colleagues on bringing this important matter before the House this afternoon. Many references have been made to IHAT, and as parliamentarians we all need to learn the difficult lessons from what has happened in that regard. We also have to appreciate the effect that it has had on the armed forces

[Mr Francois]

and on our veterans. Surely, after all we have been through with IHAT and given the lessons that we must learn, the last thing we should sanction is a politically motivated witch hunt in Northern Ireland against our own brave servicemen.

Mr Dodds: I am delighted that the right hon. Gentleman was able to make that powerful point. I agree with him entirely. The stakes are high, and there is a responsibility on us in this House to ensure that we build a society that values fairness, elevates justice, treats our veterans properly and upholds the proud traditions of our military and our commitment to democracy. We must go forward on that basis.

Several hon. Members *rose*—

Madam Deputy Speaker (Mrs Eleanor Laing): Order. Hon. Members have been very good in sticking to a self-imposed time limit, and I hope that I shall not have to impose a formal limit. If everyone who is about to speak takes no more than seven minutes, all colleagues will have a chance to make their voice heard. I am sure that I can rely on Mr David Simpson to do that.

2.16 pm

David Simpson (Upper Bann) (DUP): It is good to follow my right hon. Friend the Member for Belfast North (Mr Dodds). I fully acknowledge the service and sacrifice of our armed forces and police throughout the world as they are placed in areas of conflict to protect the lives of innocent people. I often remember them and the sacrifice that they make, but I also remember their families.

I wish to focus on Northern Ireland, which has enjoyed relative peace for some 20 years. It has not been perfect, but before that we saw decades of brutal violence and the murder of 1,879 innocent civilians and 1,117 members of the security forces. First and foremost, we must agree that not everyone in Northern Ireland is a victim. Some would seek to claim that every person in the country is a victim, but that is an insidious concept for two reasons. First, it diminishes the genuine pain and suffering of those who were directly affected by the actions of terrorists during the troubles; and, secondly, it elevates those who engage in criminal acts to equal status with those whose suffering they caused in the first place.

The British Army was deployed to Northern Ireland under Operation Banner in 1969. Its role was to support the then Royal Ulster Constabulary by providing protection to police officers carrying out normal policing duties in areas of terrorist threat, by patrolling around military and police bases to deter terrorist attacks and by supporting the police against terrorists' operations. The scale of the terror campaign within our Province was escalating, and at its peak in the 1970s the British Army was deploying around 21,000 soldiers. One of the most memorable days was 21 July 1972, when the IRA murdered nine people and injured 130 by planting and detonating 27 bombs throughout the city of Belfast.

As a result of the magnitude of this campaign, Operation Banner is still the longest continuous deployment in British military history and its legacy remains strongly in the hearts and minds of many, not least of those who

came to protect us. Without the commitment of our security personnel, I have no doubt that the reign of terror in Northern Ireland would have led to the deaths of many more innocent people.

I want to quote from the first paragraph of the armed forces covenant:

“The first duty of Government is the defence of the realm. Our Armed Forces fulfil that responsibility on behalf of the Government, sacrificing some civilian freedoms, facing danger and, sometimes, suffering serious injury or death as a result of their duty.”

Let me say again that 1,117 members of our security forces made the ultimate sacrifice while serving on behalf of the Government to protect the innocent lives of the wider community in Northern Ireland between 1969 and 2010. That figure does not account for the many thousands of security personnel who were left badly injured and are still struggling today as a direct result of terrorism. My point is that the British Army was deployed to support the police's role as protectors of the people of Northern Ireland and to uphold the rule of law and order. At times, that involved direct contact with illegal groupings, such as the Provisional IRA, which was the main opposition to British deployment. Tough and ultimately life-changing decisions were made by our security forces while they served this country and Her Majesty's Government, and I am sure that there are Members present who know exactly what that level of combat feels like. Her Majesty's Government invests millions of pounds to deliver specific training, involving high-intensity battles, a significant part of which equips each officer with the skill to make level-headed and justifiable decisions under severe threats to life. We put our trust in them to do their job, and we must continue to trust the judgments they made in specific and unique circumstances in Northern Ireland.

I commend the hon. Member for North West Norfolk (Sir Henry Bellingham) for his work and commitment to ensure that retired or active service personnel are not unduly questioned over their actions and the decisions that they took at the height of prolonged, vicious terror campaigns. As has been said, terrorist organisations accounted for 90% of the lives lost during the troubles in Northern Ireland. Our focus should be on bringing the perpetrators before the courts, not our security force personnel, and on delivering justice for the real victims in Northern Ireland.

2.22 pm

Sammy Wilson (East Antrim) (DUP): This is an important debate. I will not go over all the statistics given by previous speakers, but we in Northern Ireland owe a great debt of gratitude to those who held the ring for 40 years in the face of a sustained terrorist campaign. It is wrong that as a result of republican attempts to rewrite the history of the troubles those people are now being subjected to a witch-hunt and being made the scapegoats for what happened during those 40 years. I warn the House that if Members think that what we have seen to date has been unfair, one can be absolutely sure that Sinn Féin will ramp up the pressure after the Northern Ireland election to ensure that more soldiers and policemen are dragged into the dock. The classified documents of the police and the Ministry of Defence will be open for scrutiny by smart lawyers in the courts—all of which is an attempt to rewrite history. The election is not about a failed heating scheme, as suggested by the

shadow Minister; it is all about Sinn Féin thinking it has an opportunity to rerun the last election, to come out stronger and to put pressure on a Government who will be dead keen to get it back into government. Their price will be the sacrifice of policemen and soldiers in the courts through an unfair system.

Members are right to be concerned about what we have heard today. The system is already unfair because the cases have been disproportionately skewed towards those in the security forces. As has been asked already, why are those in the legal and justice system in Northern Ireland shouting so loudly, and trying to silence the press, about what has happened if they do not believe that if the decisions were looked at closely they would be seen to be disproportionate? From the Attorney General for Northern Ireland to the Director of Public Prosecutions for Northern Ireland and right up to the Chief Constable of the PSNI, we have heard denials that the cases have been disproportionate. Yet the figures are clear: 30% of the cases being investigated at present involve the security forces, but only 10% of the people killed in Northern Ireland during the troubles were killed by security force action. The hon. Member for Canterbury (Sir Julian Brazier) made the point well that all the terrorist cases involved murders. As for the deaths caused by the security forces, few could be claimed to have been unlawful or even to look unlawful.

Stephen Pound: For the benefit of the House, I want to make it absolutely clear that I was not in any way implying that the Assembly elections on 2 March are solely the result of the RHI issue. They are indicative of a wider feeling of distrust, which in many ways is being addressed by this debate today.

Sammy Wilson: I thank the hon. Gentleman.

The system is unfair in its approach. Let us look at how terrorists have been treated. They have been given letters that excuse them from ever having to be in court. When Gerry Adams was questioned about his covering up of his paedophile brother, he was given the opportunity to nominate which police station he wanted to go to and when he would like to be interviewed. His house was not raided. He was not hauled out of his bed. He was not dragged across the water to be questioned, unlike some soldiers based in Great Britain; it was done at his convenience. However, when it comes to the soldiers, I want to know who gave the instructions for early-morning raids on pensioners' homes. Instead of police officers from Northern Ireland coming over to question people in their own town or local police station, these people had to be dragged to Northern Ireland and then restrictive bail conditions, which were never put on terrorists, were placed on them, so the system is unfair in its approach. Was that a result of direction by the Director of Public Prosecutions? Was it a decision made by the Chief Constable? Was it a decision by the police in the jurisdiction where the people lived? I have asked the Chief Constable for answers to those questions and have not been able to get them.

Finally, the system is unfair due to the inadequacy and imbalance of information. I do not accept the Secretary of State's explanation that there will be plenty of information about the terrorists because we will have all the police files. Many of those files have disappeared, and many cases were never even investigated, but there

will be detailed records of what the Army did. The only solution is to have a statute of limitations. Terrorists have had special conditions attached to them since the Good Friday agreement, and fairness should be attached to those who served in the security forces. People should not be dragged before the courts for things that happened 40 years ago, of which they have little recollection and for which even state records are difficult to turn up. I hope that this issue will not be forgotten and that we will sustain pressure on the Government to ensure fairness for those who served our country so well.

2.29 pm

Ms Margaret Ritchie (South Down) (SDLP): I acknowledge with deep regret the attempted murder of a police officer in Derry yesterday, in the constituency of my hon. Friend the Member for Foyle (Mark Durkan). I apologise for my hon. Friend's non-attendance today, and for the non-attendance of my hon. Friend the Member for Belfast South (Dr McDonnell); they are both in Dublin at the Good Friday agreement committee. In fact, the Exiting the European Union Committee is meeting various Oireachtas committees in Dublin today on the issue of Brexit.

It is important that I, on behalf of the Social Democratic and Labour party, say that we always renounced violence from wherever it came, because violence was always wrong during all the period of the troubles, as it is wrong now. There was never any justification for that level of terrorism, violence and murder, because all it did was leave pain, destruction and mayhem—it took us so many years backwards—but there was an opportunity through the Good Friday agreement, which is perhaps where I disagree with Democratic Unionist party Members. We have come together, with respect for political difference, on power sharing and working together on the issues that matter to the people.

I hope that, on the far side of this election, there is an opportunity to restore the political institutions and that there will be parallel negotiations to deal with the outstanding issues that seem to drag us down and to give people excuses, both in Sinn Féin and the DUP, not to allow the institutions to be fully functional. I say to all of them that the people on the doorsteps over the past few weeks say, "We want political institutions. We want faith in those institutions. We want them working, and we want them delivering for us."

Health waiting lists are spiralling out of control; education, budgets have not been agreed for schools on a rolling three-year programme; and we need investment in our economy, our jobs and our tourism. Young people want to see hope, they want to see a future and they want to see a reason for remaining in Northern Ireland.

The SDLP agrees that the processes on investigations, prosecutions and legacy cases must be balanced and fair. The way in which we deal with the past in Northern Ireland must be shaped and guided by terms set by victims and survivors, with truth and accountability to the fore.

All the parties in Northern Ireland agree that amnesty should not be the basis for dealing with the past—that was the subject of the Haass negotiations and the subsequent Stormont House agreement. There are a number of ongoing inquiries, but they are in the form of inquests, as opposed to the pursuit of possible prosecutions.

[Ms Margaret Ritchie]

Prosecutions, like inquests, bring closure and justice to families, as with the ongoing case of Loughinisland, which the right hon. Member for Lagan Valley (Sir Jeffrey M. Donaldson) mentioned. The people involved were my neighbours and friends, and some of them were indirectly related to me. They still await justice. The Police Ombudsman's report has been published, and it refers to a significant element of collusion by the then Royal Ulster Constabulary. Those issues need to be addressed, and there needs to be closure for the families, because truth and accountability are particularly important.

I also think of the families of Whitecross—the Reavey brothers—and of Kingsmill, where many men were killed. All those people, right across the community, deserve justice. Many soldiers and many policemen were also killed, and I think of what happened to the Ulster Defence Regiment men on the Ballydugan Road in Downpatrick back in 1990—I remember well seeing the smoke rising from a large crater in the ground on that Monday morning, with some six men dead. I remember my predecessor going to the scene and, as with Loughinisland, what he saw should never be repeated.

I firmly believe that no one in this House, or outside it, should be above the rule of law, and we must remember that. The rule of law must prevail, which means that the Government have to be careful. I say to the Secretary of State and his ministerial colleagues, both in the Cabinet and on the Front Bench, that we must support the judicial system and ensure that it is respected.

The shadow Minister, the hon. Member for Ealing North (Stephen Pound), has mentioned the PSNI's statistics, which I have seen, and I would caution that the assistant chief constable, Mark Hamilton, who has direct responsibility for the matter, said on 2 February:

"I do understand that there is a public perception that there is a disproportionate focus on military cases but they form part of what we are doing... I have a full team"—

the four teams—

"who are doing reviews against a list of cases, at the minute, none of those are military. I've a full team working on the On The Runs review and that doesn't relate to the military at all."

That is a cautionary word. We must take everything proportionately, and we must ensure that there is fairness and balance in everything.

Ultimately, we must ensure, as the Secretary of State said at oral questions, that the election campaign is conducted in a manner that allows for the speediest return to partnership government. I question—I say this also to the DUP—holding this debate during an election period. Does that impinge upon the purdah period? I see other elements, with Sinn Féin Ministers making announcements. I was once a Minister during an election period, so I know that making such announcements was not possible in previous years.

Sir Jeffrey M. Donaldson: The timing of this debate was agreed with the Government Chief Whip long before there was any sense of an election in Northern Ireland, and long before the election date was set. As Members of Parliament, we should not be impeded in carrying out our duty to represent the people who elected us to come here because there is an election to a devolved Assembly, any more than the hon. Lady's colleagues, who are in Dublin today to take part in political activity in another jurisdiction, should be impeded.

Ms Ritchie: I note what the right hon. Gentleman says, but I will conclude because I realise that other Members want to speak. We respect and uphold the inquest system. We make no apologies for that, and we defend the current system when the Government make any attempt to move against it for their own convenience. I felt that the Prime Minister was particularly partisan yesterday, especially in an election period when we need to be even, balanced and fair.

I look forward to the other side of the election, when we have the political institutions up and running and when we have the parallel negotiations. We need no interregnum. Work needs to continue, and we need to be seen to be delivering for people with a sound Government.

2.38 pm

Jim Shannon (Strangford) (DUP): As a former part-time Ulster Defence Regiment soldier, it is a pleasure to speak on this issue. I was proud to wear the uniform in days gone by, and I am prouder still of the friendships I made with those who put their life on the line for security and freedom. My constituency of Strangford has an exemplary history of service personnel in the Prison Service, the RUC, the PSNI and all the armed forces. I speak daily to the widows, children and family of those who were murdered while serving Queen and country. My right hon. Friend the Member for Lagan Valley (Sir Jeffrey M. Donaldson) set the scene so well; this debate resounds not only with those intimately affected by relationships with ex-service personnel or current service personnel but should do so for every man and woman in this Chamber, and further afield, who has had their right to life protected by people they will never meet but to whom they owe an eternal debt of gratitude.

Bob Stewart: On behalf of so many other Members, I pay huge tribute, which is not often said, to the politicians of Northern Ireland who have been under huge threat. They have been under just as much threat as members of the Royal Ulster Constabulary or the armed forces, and every day they continue to do their duty to look after their constituents. We pay tribute to you.

Jim Shannon: As always, the hon. Gentleman has a salient point to make in the Chamber. We thank him for the gallant service he gave in Northern Ireland. As a soldier, he made a magnificent contribution to the peace process we have in Northern Ireland, and we thank him for that.

Some people may not know this, but I am sometimes known to be a bit of a fiery person—I believe it to be the Scots blood I have in my veins—and of late it has taken great restraint for me to sit back and view the attempts by many in a so-called "shared society" to rewrite the history of the troubles of our Province. By doing so, they are blackening the name of men and women who deserve nothing other than praise. Most recently, we have seen the complete disregard that Gerry Kelly has shown for the family of local Strangford man James Ferris, who was stabbed while on duty during the night of the Maze break-out and subsequently died from his injuries. This disregard was vile and it should be roundly condemned by all right-thinking people; there is nothing romantic about the Maze prison break-out

and the death of a prison officer. That this should be glorified by offering a so-called “prize” of a “Valentine’s gift” shows an appalling level of disrespect, insensitivity, offence and lack of remorse. The suggestion that a tale of how prison officers were shot, stabbed and beaten should be acceptable as a Valentine’s gift is vile to say the least. The bizarre world of Sinn Féin representation attempting to rewrite facts never fails to astound and wound the good people of the Province, especially those thousands who have been traumatised by IRA terrorism. I wish to remind people in this Chamber today of the real story there, which is that of a man who served Queen and country and had his life ripped away by unrepentant terrorists. We remember that sacrifice as well.

The latest declassified files have been opened, and am I the only one—I know I am not—who is sick, sore and tired of seeing personal opinions turn into attacks upon past serving soldiers, in this case the members of the UDR? As my hon. Friend the Member for East Antrim (Sammy Wilson) mentioned, a scurrilous opinion about the UDR in 1989 has been recently recorded as fact, which is insulting in the extreme. I served in the UDR in 1974-75 and 1976-77, and every one of those part-time UDR soldiers whom I had the honour of serving with were wonderful people; male and female alike, they joined to stop terrorism, from whatever source it came.

Let me remind hon. Members of a few truths that are backed up by the facts. The facts are that the UDR full-time and part-time soldiers worked long hours, under massive threat, checking under cars and living in the eye of the storm daily, along with their entire families. The facts are that 197 soldiers were killed, the majority when off duty, and a further 60 were killed after they had left the UDR. These are some of the facts of the case and people cannot deny them. I, along with many in this Chamber today, and indeed with most upstanding moral people of the day, was horrified to learn that 1,000 former soldiers, many of whom are in their 60s and 70s, were to be investigated, in respect of 238 fatal incidents. We are talking about men who gave up their family life and their freedom, who witnessed horrors, who were subjected to horrific life-changing scenes, and who held dying comrades in their arms and searched the rubble for missing limbs of their team. Having dealt with all of that, while wearing the Queen’s colours, they are to be subjected to investigations.

I understand very well the concept of closure and wanting justice. I want justice for my cousin Kenneth Smyth, who was murdered by the IRA on 10 December 1971, and for the four UDR men killed at Ballydugan, three of whom I knew personally, yet no multi-million-pound investigation is available for that. So I resent the idea that seems to be promoted at present that one life is worth more than another—it is not, and it never will be. The grief of a mother does not change with the colour of her hair, the area she lives in or the church she attends—it never can do, and why should it? As the Member of Parliament for Strangford, I call on this Government to turn around and do the only thing they can do, which is to ensure that our people are given the credit and fairness that they deserve.

The investigation revealed that bogus claims were made in a concerted attempt to defraud the Ministry of Defence and destroy the reputation of our armed forces,

and this can never be allowed to happen. Intimidation of individual soldiers and the impact on their families must be assessed, and support and apologies at least must be given to them all. There must also be an assurance that the disregard shown to soldiers and their families throughout this farce of a procedure will never be allowed to happen again. Action should have been taken more swiftly than this; credible claims should have been differentiated more quickly from the bogus ones, and “innocent until proven guilty” should always have been the fall-back position. With the greatest of respect, this failure by the MOD must be addressed at this moment in time. It has taken the investigations by the Defence Committee and the hon. Member for Plymouth, Moor View (Johnny Mercer) to make a difference, and I congratulate all those involved in that scrutiny. Because of that, I hope that the lessons will be learned by all of us: never should claims without evidence be progressed; never should service personnel be left out on a limb; and never should we leave a man behind as we have seen done here, facing a republican agenda that revolves around attempting to portray murder as freedom fighting and terrorism as the end of oppression.

Edward Argar (Charnwood) (Con): I think the whole House is incredibly moved by the hon. Gentleman’s words. From what he is saying, so movingly and eloquently, I believe he would agree that as a House, regardless of party, we owe a huge debt to all these people. I am sure he would join me in saying that, and I wish to join him in sharing his views, which he is expressing so eloquently and movingly to this House.

Jim Shannon: I thank the hon. Gentleman for his intervention, which probably came just at the right time.

Democratic Unionist party Members and others today wish to set the record straight for future generations: the atrocities during the troubles, from whichever “side” they arose, were nothing more than evil murder. There is no glory found in taking the lives of 10 men in a van who were on their way to work. There is no honour in leaving wives without husbands, mothers without sons and children without a father. There is no rallying cry around bombs which took the lives of men, women and children within the wombs of women out shopping. There is no victory in the indiscriminate slaughter of people who were worshipping in their church on a Sunday morning. The glory is in the legacy of men and women who gave their all for freedom and democracy; the honour belongs to those who have lived their lives with the sorrow of great loss and yet chose not to retaliate. The rallying cry is for those who quietly ask that the memory of their loved one is not tarnished or decimated by lies or media spin. The victory belongs to the right-thinking people of Northern Ireland, who, despite having no reason to trust, love or forgive, have chosen to support the rule of law and justice, and now are waiting for us to give them the support they deserve in these dark hours. I finish with this point: we remember the truth, we stand to honour those who are fallen and we promise to protect their legacy.

2.46 pm

Danny Kinahan (South Antrim) (UUP): What a moving speech we just heard from the hon. Member for Strangford (Jim Shannon)—well done to him indeed. I congratulate the right hon. Member for Lagan Valley (Sir Jeffrey M.

[*Danny Kinahan*]

Donaldson) on his powerful speech, which set the tone for today. I am really pleased that this debate is happening. I had hoped that we would have one ourselves, but we were not allowed to do so until after the election, so these proceedings are very timely, and I congratulate everyone involved.

The whole point of this lies in looking for fairness and balance in how justice is served, but what I really want to get across is that this is not just a Northern Ireland problem; these were our troops, from the whole of the United Kingdom, and this is a problem that this House must embrace all the way through. We cannot just say that it relies on the legacy being sorted out at Stormont, although we have a huge part to play there and all of us want to see that happen. This is a call for unity, with everyone pulling together so that we come up with a solution. If a Stormont Government are not in place after this election, the duty will fall on this House and all of us to find the right way forward. Let us ensure that we do that.

I have always wanted to say a huge thank you to all those who served in Northern Ireland—not just the soldiers and the security forces, but the community workers and the political staff. There is a mass of people who have done and are doing so much work, and they are the people we should praise. In my party, Doug Beattie, Steve Aiken and Andy Allen are ex-servicemen who show what we have all been through. Andy Allen lost his legs and his eyesight in Afghanistan. He is one of the greatest heroes we have, and he was, and will be again in the future, one of our Assembly Members. He has really gritted his teeth and found a way forward. We must all be proud of that.

I was pleased to hear mention of the Defence Committee report that was put together by the hon. Member for Plymouth, Moor View (Johnny Mercer). It contains terrific recommendations, and it was extremely sad to see how the Government dealt with it and took it from under him. The report has some wonderful recommendations about how we should approach future investigations. If I have any complaint, it is that it talks only about the future; it should consider present and future investigations. It is extremely good that IHAT has been closed down, but we need to look at the recommendations in the report and follow them because there are good ideas there that the House should take on board.

Last weekend, I met a senior officer in the services who told me that he came home the other day to find out that two plainclothes detectives had been knocking at his door, asking about the past. Naturally his wife was concerned, and his children were very concerned, as were the neighbours. That is just one example of what is going on at the moment, and that is why we are having this debate. Let us make the most of not only the report, but the chance we have to work together. We really have to find a way through this.

There are good mechanisms in place. The historical investigations unit is a good idea, but we must make sure it does not result in our looking at cases twice. It would be better to give the powers to the police and to carry on with what we are doing now, while making sure they have the powers and resources required to conclude on all matters.

We have to take on board the fact there is a continual tarnishing and blackening of the security forces in Northern Ireland in the papers every week, and we do nothing about it from our side. If one follows what Sinn Féin has been doing—this fits in nicely with the tarnishing I mentioned—one can see that it intends continually to do down our armed services. It calls them imperial and indisciplined, but we know that the 250,000 who served in Northern Ireland were, in most cases, most professional. We have to support them and to make sure that things are fair.

My interest started with the case of Corporal Major Hutchings, so I am pleased that the whole House has pulled together to make sure that we look at this issue. I welcome the Prime Minister's comments about being fair, balanced and proportionate, but we have to act now. We cannot just keep waiting; we have to keep going.

Bob Stewart: It was a political decision in one case to allow someone's sentence to be reduced from 105 years to only three years, so surely a political decision could be made to sort out this problem.

Danny Kinahan: The hon. Gentleman is right that it is a political decision, and we have the chance to make it. We must be sure that we do not just give amnesties to the terrorists; we need to find a way forward that involves equivalence. We must find a way that resolves it all. That is possible if we all sit down together.

We need truth and justice for the victims—that must be underneath everything—but there is one thing that has bothered me all the way through and I have found uncomfortable. We are in an election period, and we are being told that we should blame it all on the Belfast agreement, some of the architects of which are in this Chamber—indeed, one of them is the right hon. Member for Lagan Valley, who moved the motion. We should be working together, not attacking each other. It bothers me to hear that Jonathan Powell said in his book that certain members of the party that sits here with me tried to get Tony Blair to write to Dr Ian Paisley, who was our First Minister at the time, to say that they would accept the on-the-runs but blame it all on David Trimble. I hope that is wrong, but I put that out there, because election points were being made today. Nevertheless, to return to my main point, let us all work together.

Mr Dodds: Will the hon. Gentleman give way?

Danny Kinahan: No; I have finished.

2.53 pm

Kirsten Oswald (East Renfrewshire) (SNP): I thank all hon. Members who secured the debate. I will focus on issues that relate to the Iraq Historic Allegations Team, since other Members have fully and eloquently addressed the situation in Northern Ireland. I was not a Member of the House during the Iraq war or when IHAT was established in 2010, so I have looked at it afresh. There are three questions: how we got to the point of establishing it; what went wrong with the process; and where we go from here.

In a debate on a related topic last year, a Conservative Member told one of my hon. Friends:

“The danger of the argument he is making is that the Scottish National party is turning soldiers from cannon fodder into courtroom fodder.”—[*Official Report*, 27 January 2016; Vol. 605, c. 200WH.]

When he reflected on that statement, he might have regretted its implication, because members of our armed forces should never be regarded as cannon fodder. Too often, it appears that the last thing to concern the Ministry of Defence is the impact of its decisions on members of our armed forces.

Many hon. Members here today are conscious, as I am, that we ask our armed forces to undertake challenging and dangerous operations. We might not always agree with Government foreign policy or defence strategy, but one of the implications of joining the armed forces is, in part, to pass to others responsibility for deciding who is and who is not an adversary. In return, the people who do the job with the commitment and professionalism that they are renowned for are right to expect the fullest protection we can give them. They have a right to expect the laws that they are required to obey to be clear. The techniques that they are taught to use, the training that they are given and the rules of engagement under which they operate must be in compliance with those laws and kept up to date. When we look at the background to the IHAT process, it seems that the MOD failed in that aspect of its duty of care.

In this place, we can endlessly debate the territorial extension of the European convention on human rights versus the application of international humanitarian law, but in the real world that current and past members of the armed forces are in, those are not things to consider at their leisure if they find that a serious allegation is made against them for something that happened many years ago. IHAT was set up in a desperate effort to address that failure, but it was not the right answer and it was not delivered in the right way.

In my constituency, I have been involved with a case in which IHAT dealt very badly with a veteran. It wasted huge resources sending officers from the south of England to the west of Scotland, and that journey was entirely wasted because they had done no homework. There was a real lack of clarity about their status, and they breached confidentiality by asking members of the community for the veteran's whereabouts. That was completely unacceptable. He was not hiding and he had not done anything wrong. There is no justification for behaving like some kind of military Sherlock Holmes. There was also an utter failure to provide an opportunity for appropriate pastoral care.

I ask hon. Members to reflect on why it was necessary to put in place such specific resources for the Iraq conflict. Is this just another toxic legacy from that conflict that will disappear over time? It is interesting that one of the significant changes in IHAT was the shift in resources from the Royal Military Police to naval police because of the perceived conflict of interest if the RMP was carrying out inquiries into its own former cases. Perhaps the increasingly complex international framework means that resources of the kind put in place for IHAT need to be planned for to ensure that the process is undertaken with a great deal more professionalism and concern for the wellbeing of current and former service personnel.

That brings me to how we go forward from here. In the Defence Committee report to which other hon. Members have referred, there is a clear acceptance that the IHAT process has been flawed and that the problems that it caused were, in many cases, foreseeable and avoidable. The first principle that the report recommends

for consideration is the importance of support for current and former service personnel. That goes to the heart of the issue and of our responsibilities, because no one wants innocent members of the armed forces to be unfairly accused of wrongdoing. They do a difficult and dangerous job and for the most part they do it extremely well.

Justice cannot be served unless processes are managed in a transparent, structured and expeditious way. It is important that the MOD accepts that if poor or illegal practices are taught to service personnel and implemented by them, it needs to step up and accept responsibility, rather than letting individuals take the blame. If cases have been disposed of, it must be assumed that they can be reopened only if compelling new evidence is brought forward. Similarly, cases should be opened after 10 years only in exceptional situations.

The decision to outsource so much of the IHAT operation was particularly unhelpful, but the blanket closure of IHAT and derogation from the ECHR cannot be seen as our primary responses. The desire to distinguish between serious and spurious claims is laudable, but no indication has been given of how the difference can be determined without judicial process. Service personnel deserve to know which judicial process that will be and that the choice has been well considered.

Action is needed to provide an alternative and to avoid the MOD being allowed to continue with processes that are not independent or transparent. If our solution is simply to derogate from the ECHR because we are not prepared to put in place the right framework to deliver, we are sending the wrong message on human rights and potentially causing problems for our troops on overseas operations. There is a danger of confusion and uncertainty for them about what they can and cannot do in that context.

I was disappointed to read the Attorney General's evidence to the Defence Committee, in which he confessed to having no knowledge of the position taken on these matters by other countries that operate within the ECHR. Given the history and the fact that he was attending as a witness, that showed an extraordinary lack of preparedness from the Government's legal team.

The Government must not pass responsibility for the interpretation of international humanitarian law to troops on the frontline. Differences of interpretation could put our forces and others around them at risk. The Secretary of State for Defence's justification that

"military advice is that there is a risk of seriously undermining the operational effectiveness of the Armed Forces"

just does not stack up. This might be unpalatable to him and the Government but, looking forward, the truth is that that simply means that the MOD is compromising the defence of human rights and its responsibility to our armed forces as a cost-cutting measure. Whatever the solution is, that is no solution at all.

3 pm

Steven Paterson (Stirling) (SNP): I thank everyone who has taken part in today's debate; there have been a number of powerful speeches and a lot of good points have been made.

Given that my time is very limited, I shall simply cut to some observations that I wanted to raise about the Iraq Historic Allegations Team issue. None of us wants

[*Steven Paterson*]

members or former members of our armed forces to be treated unfairly when accusations of wrongdoing are made. The huge backlog of cases at IHAT meant that serving and former service personnel faced extended periods of uncertainty over the accusations that had been made, and we should not be comfortable with that. We must have adequate resources for the investigation of allegations and a system that quickly identifies allegations with no substance or supporting evidence, and throws those cases out. That did not happen initially with IHAT.

As I said in last year's Westminster Hall debate on IHAT, I would favour exploring whether a criminal charge akin to wasting police time, or even perverting the course of justice, would be appropriate when frivolous or vexatious allegations have been made against service personnel that serve only to bog down investigators, cost taxpayers money and—perhaps most importantly—heap unfair suffering on service personnel who find themselves being investigated on spurious grounds. The possibility of pursuing the prosecution of time wasters would serve to deter the investigation of unfounded cases and root out those few cases that need to be answered and properly investigated.

I also want to comment on the Government's decision to derogate from articles 2 and 5 of the European convention on human rights as a response to the situation that arose with IHAT and more widely, as has been discussed today. I am concerned that that decision blurs rather than defines the high standards that we rightly expect and overwhelmingly see delivered by our armed forces, and sends entirely the wrong message to the rest of the world about our commitment to human rights.

To be clear, I believe that our service personnel should rightly be held to the high standards of behaviour that we expect, but they should also be fully supported by the Ministry of Defence when allegations are made. That certainly means being offered proper legal representation and support. Allegations must be taken seriously, but equally serious must be the consequences of bringing vexatious cases, which many of us suspect may have been brought previously.

Finally, I turn to the argument put forward by the right hon. Member for New Forest East (Dr Lewis) yesterday at Prime Minister's questions, which was also mentioned by the right hon. Member for Lagan Valley (Sir Jeffrey M. Donaldson): the possible application of a statute of limitation to the bringing of such cases. We should seriously consider that idea because it might have some merit. There may be pros and cons, but it is certainly worth considering. I hope we can take it forward as a proposal and investigate it properly.

We all support the idea of justice being done, but that also includes fairness to our armed forces personnel, who are entitled to due process in answering allegations made within a reasonable timeframe. There will, of course, be exceptions, so we have to consider the issue carefully.

Our armed forces have our support and gratitude for the difficult work they do on our behalf in defending us and our values. That means that they must live by the same values that they defend with such distinction. We must make sure that we look after them and treat them with the fairness under the law to which they are entitled.

3.3 pm

Gavin Robinson (Belfast East) (DUP): It is a privilege to follow the hon. Members for East Renfrewshire (Kirsten Oswald) and for Stirling (Steven Paterson). As we get close to the conclusion of the debate, they have helpfully widened its scope to include the entirety of the content of our motion. Although in my party we have a particular and strong view, given our history and experience in Northern Ireland, there is a wider context and a wider challenge for the Government, which our motion also seeks to address. I am grateful for their comments.

I was mildly apprehensive that, in speaking towards the conclusion of the debate, I would find myself repeating points that had already been made. Now that I have been bestowed with the responsibility of summing up the debate, my responsibilities happily align with my apprehensions, so I am keen to help to summarise this incredibly important debate. Given the seriousness not only of this singular issue but of the wide range of complex political dilemmas that we face in Northern Ireland, it is rare that we have such an opportunity to have such a wholesome and full debate. On behalf of our party, I hope it is in order for me to thank all Members who have participated, whether through substantive speeches or interventions. Some have been erudite, some have been pithy and some have been pointed, but all have contributed to the substance and importance of the debate. For that, I am grateful.

My right hon. Friend the Member for Lagan Valley (Sir Jeffrey M. Donaldson) commenced the debate superbly with a level of dignity that befits the issue, but cut to the core of the problem. Although many hon. Members following his contribution sought to emulate the aspiration to have balance in how we deal with legacy cases, very few touched on the core of the problem.

I am grateful for the Secretary of State's contribution. I know that he and the responding Minister will not be able to give a wholesome commitment, but they should keep alive in their minds the fact that to leave the resolution to this problem solely with the Stormont House agreement and the legacy resolutions in Northern Ireland would be to continue to allow a veto by those associated with the greater perpetrators of crime and terror in Northern Ireland, and that would be a shame.

If we are to look purposely at balance, it is important that the Government consider carefully and clearly how they will address the imbalance and iniquity of the provisions of the Good Friday agreement, whereby terrorists and paramilitaries get two years and a "get out of jail free" card. That was clearly available in public discourse, considered, legislated for and endorsed in a referendum, but it is wrong. It is imbalanced and imperfect, and iniquitous to those who struggle for the memory of loved ones in our Province of Northern Ireland. I hope that the Department is working to address that conundrum, and, similarly—we have been through this in great detail—the on-the-run scheme of consecutive Governments—not only the Labour Government, although that is where it found its genesis.

The Labour Government created a system whereby they encouraged amnesty for terrorists, whereby those for whom extradition orders were sought were never pursued, and people were allowed to travel back into the United Kingdom without even the fear or prospect of arrest, inquiry or investigation, never mind prosecution.

Even the Director of Public Prosecutions for Northern Ireland, Barra McGrory, who is much maligned in all of this, helpfully contributed to the inquiry of the Select Committee on Northern Ireland Affairs into on-the-runs, and highlighted how odd a position this was for investigating authorities. For as long as there is an imbalance in favour of those who perpetrated crime and terrorism in Northern Ireland, we will continue to raise this issue.

It is important to say that of the enormous number of contributions made, there are four Members of Parliament who could have been here, yet are not. The Members for West Tyrone (Mr Doherty), for Belfast West (Paul Maskey), for Newry and Armagh (Mickey Brady) and for Mid Ulster (Francie Molloy) all have a view on how we should deal with the soldiers and servicemen of this country: get them in the dock and put them in jail. Yet they are not here making those representations; they enjoy the veto that they have had up until now, but I hope that that will change.

The issues that we have dealt with this afternoon draw on emotion, as we saw from the hon. Member for South Down (Ms Ritchie), who reflected on her personal experience in Northern Ireland. Our experiences cross political divides. The horror faced by our community and the individuals sitting around me is real and it does not discriminate across the political boundary.

When my hon. Friend—and he is a friend—the Member for Strangford (Jim Shannon) delved into the emotion around the historical difficulties faced in Northern Ireland, I do not think that the importance of this issue was lost on anyone in the Chamber. No matter how personally or deeply affected we might have been in the past, this issue is real today. That is why we hope that today's motion, in the name of my right hon. Friend the Member for Lagan Valley, can attain the unanimous agreement of the House. The Government should bring forward measures to ensure balance. The hon. Member for South Antrim (Danny Kinahan) said that the duty fell on us all to find a way forward, and that is what we should focus on this afternoon. I will not focus on his later comments because they were not worthy of the debate or of the sentiment he himself was expressing, which is that the duty falls on us all.

In conclusion, having probably not fulfilled my obligation to reflect the contributions of all those who have participated, I think that we have had a most useful, important and timely debate this afternoon. The onus very much lies with the Government. This cannot be dealt with in Northern Ireland or through the Stormont House structures alone. The challenge is there. There is a desire and a need for the balance, fairness and equality that is talked about often but seen very rarely. The responsibility lies with the Government, and I hope that they will take this opportunity to respond.

3.11 pm

The Parliamentary Under-Secretary of State for Northern Ireland (Kris Hopkins): I begin by thanking speakers on both sides of the House. The hon. Member for Belfast East (Gavin Robinson) was generous in welcoming all the contributions and differing views from across the House. I would like to offer the same welcome to people who speak with much passion on this issue. Having attended Westminster Hall debates and meetings in the Tea Rooms, and having received dozens of letters from MPs and constituents on this matter, I know that this is

a really important issue. I have spoken to the right hon. Member for Lagan Valley (Sir Jeffrey M. Donaldson) about this before, and I know that the passion with which he spoke today was reflected in the Westminster Hall debate he led so powerfully a few weeks ago.

This is an incredibly important subject that generates great strength of feeling, and I shall try to address some of the issues raised. Before that, however, it is important to put on the record again the Government's deep and abiding admiration for the men and women of our armed forces and police who have served not only in Northern Ireland but in many other arenas, as the motion notes. As my right hon. Friend the Secretary of State made clear in his opening remarks, without their sacrifice and willingness to put their lives at risk to protect the people of Northern Ireland from terrorists willing to kill, bomb and maim and to maintain the rule of law, the peace process would not have succeeded. They have made a huge effort.

The vast majority of the more than 250,000 men and women who served in the Royal Ulster Constabulary and the armed forces in Northern Ireland during the troubles carried out their duties with exemplary professionalism, but the rule of law applies to all and must be allowed to take its course, independent of Government and political interference. Nevertheless, I acknowledge the concern among many veterans about how past events are being investigated in Northern Ireland. The justice system there is a devolved matter and the responsibility of the Northern Ireland Executive and Assembly, but the Government are concerned that the current systems for investigating the past do not reflect the fact that 90% of deaths in the troubles were caused by terrorists and overall disproportionately focus on the actions of soldiers and the police.

Reform is needed, and it must be in the interests of all, including the victims and survivors who suffered the most. That is why this Government support the full and faithful implementation of the Stormont House agreement to bring in a new, balanced, proportionate and fair approach in dealing with Northern Ireland's past. This will include a new historical investigations unit to take over from the Police Service of Northern Ireland and the police ombudsman investigations into outstanding troubles-related deaths. This will include investigations into the murders of nearly 200 soldiers, including those who were killed in the Ballygawley bus bombing and the awful events at Warrenpoint.

I now turn to some of the many thoughtful comments made by Members of the House. Where I cannot give full details, I would like to write to some of them, because there were some challenging questions and thoughtful contributions. The hon. Member for Ealing North (Stephen Pound) gave an excellent performance, as always. Having spent some time in the House with him, I know of his huge passion for Northern Ireland and his very considered and thoughtful contributions. He has been forthright in offering me thoughts and exchanging his great knowledge on Northern Ireland, not just in the time that I have been in this post but over recent years. I really do appreciate his thoughts.

The hon. Gentleman made a particularly appropriate comment in saying that progress in the future requires a settlement of the past. It set much of the tone of the debate, on the back of the speech by the right hon. Member for Lagan Valley. The hon. Member for South

[Kris Hopkins]

Down (Ms Ritchie) spoke right at the beginning about the temperate language that was required. That was also important in setting the tone. An event in an election period has an opportunity to be unworthy of this House, but today's debate has been very measured and temperate. I think we all value her contribution.

My hon. Friend the Member for North West Norfolk (Sir Henry Bellingham) has been bending my ear on this issue for many months because he is so passionate about it. I know that the leadership he has offered to colleagues on the Government Benches and on the Labour Benches is respected and welcomed. One of his points, which was reiterated in many other speeches, was that the restraint of our armed forces should be recognised. We often focus on mistakes and errors, but those 250,000 people, over 30 years, were very restrained and made a massive contribution to bringing and maintaining peace, and to maintaining law and order in a place that had quite often resorted to chaos. The hon. Member for North Antrim (Ian Paisley) mentioned the 30,000 police officers who were also very professional in their approach. I have the great privilege of working with many police officers today who maintain that professionalism.

The hon. Member for Edinburgh North and Leith (Deidre Brock) talked about police officers' dedication to duty. She mentioned the cowardly attack on the police officer yesterday. We all condemn that in this House. This group—this cult—of people who are not worthy of living in such a wonderful place as Northern Ireland are trying to drag it back to that place, that past, that we do not want to return to. Not only did they seek to murder a police officer, but there was the impact on the family, on the brave officers who had to go in and address the device, and on the neighbourhood and community. We should acknowledge their massive contribution. Our security forces and police will continue to pursue those people and we will bring them to justice.

My hon. Friend the Member for Canterbury (Sir Julian Brazier) mentioned the need for balance in addressing the issues. In particular, he said that only fresh evidence should be submitted. I want to reassure him about the historical investigations unit. The legislation will include specific tests that must be met in order that previously completed cases can be reopened for investigation. Specifically, new and credible evidence that was not previously available to the authorities will be needed before the HIU will open and close cases. I know that that reassurance is also important to many other Members.

Sammy Wilson: Does the Minister accept that a new element will also be introduced to the cases, whereby there will not have to be new evidence but simply a claim that there are new ways of looking at the evidence? That is one of the weaknesses in the case he is making.

Kris Hopkins: The case I am making is that the present system is not appropriate. It is disproportionate. We need a new system, which was agreed under the Stormont agreement. As I have said, if we get to the

point where we can implement the Stormont House agreement with an Assembly that is working and functional, we will have an opportunity to address the points raised by my hon. Friend the Member for Canterbury, which we all believe is appropriate.

The right hon. Member for Belfast North (Mr Dodds) paid tribute to the armed forces, as many others have done, and commented on the cowardly acts of those who sought to murder a police officer yesterday. He also noted that more than 7,000 individuals were awarded bravery medals for their contribution to Operation Banner. I agree with his specific point about the claim that misconduct was rife. We will not allow history to be rewritten and for a different narrative to take its place. Lots of brave people served and sought to bring peace and maintain law and order. Misconduct was not rife in the British forces. There were good people trying very hard to maintain law and order.

The hon. Member for Upper Bann (David Simpson) said that there has been peace for nearly 20 years and that 90% of those who died did so at the hands of terrorists. I have already referred to the hon. Member for South Down, who said that it was possible for the Assembly to have a positive future on the far side of the election. She talked about young people wanting hope. We all want to make sure that we can get to the other side and make it work.

The hon. Member for Strangford (Jim Shannon) made an extremely emotional speech. He said that he was sick, sore and tired of those who attack the Ulster Defence Regiment. Having worked with the UDR when I was out there, I know that they were very brave. When I returned home to Yorkshire, they continued, like many Royal Ulster Constabulary officers, to go home under threat. I recognise the passion with which the hon. Gentleman supports them. He released his emotions. We recognise that he is a good guy.

The hon. Member for South Antrim (Danny Kinahan) talked about fairness and balance and called for unity. We all have an obligation to make sure that we get to the other side of the election and have a functioning and working Assembly.

Finally, I reiterate this Government's commitment to making progress on this issue. Following next week's Northern Ireland elections, we will all have a massive obligation. The hon. Member for Belfast East said that that should apply not just to people in Northern Ireland, but to all of us. We all—the Secretary of State, I and others with an interest—want to make this work. I assure Members that we will do everything we can to make it a success.

Question put and agreed to.

Resolved,

That this House acknowledges the service and sacrifice of the armed forces and police during Operation Banner in Northern Ireland as well as in other theatres of conflict in Iraq, Kosovo and Afghanistan; welcomes the recent decision to close down the Iraq Historical Allegations Team; and calls on the Government to take steps to ensure that current and future processes for investigating and prosecuting legacy cases, whether in Northern Ireland or elsewhere, are balanced and fair.

Backbench Business

Unaccompanied Children (Greece and Italy)

3.25 pm

Alison McGovern (Wirral South) (Lab): I beg to move,

That this House has considered the Government's support for the Syrian refugee crisis; commends the UK on its provision of aid to Syria and the region, the resettlement programmes and support to unaccompanied children in France; acknowledges that in 2016 over 30,000 unaccompanied children arrived by sea in Greece and Italy; notes that only 8 children were transferred from Greece and Italy under the Dublin III Regulation last year and none under the Dubs scheme; expresses disappointment that the Dubs Scheme will be ending with only 350 children benefiting; calls on the Government to work with the Greek and Italian governments to support access to family reunification under the Dublin III Regulation in a timely manner; and further calls on the Government to continue to monitor local authority capacity for further transfers of children under the Dubs scheme, consulting with local authorities at least once every financial year.

The protection of vulnerable child refugees is not a party political issue. It does not matter on which Benches we sit in this House or what colour rosettes we wear on election day; the belief that we have duties and responsibilities to refugee children is not particular to any one political party, faction or ideology. I therefore start by thanking the other sponsors of the debate—the hon. Member for South Cambridgeshire (Heidi Allen), the right hon. Member for Carshalton and Wallington (Tom Brake) and the hon. Member for Glasgow North East (Anne McLaughlin)—and by thanking the Backbench Business Committee for recognising the importance and bipartisan nature of the issue in granting time for the debate today.

Just a few days after I presented the application to the Backbench Business Committee to secure this debate, the Government made an announcement on child refugees, and it is with that that I must start. Let me be clear: the decision to cancel the Dubs scheme after admitting only 350 children shames Britain. It must not stand. That amendment, won after a hard fight by activists inside and outside this place, was a symbol of the Government's recognition that we can and should do more for those children who are in need of our help. We all had different views about whether it went far enough, but we were united in our belief that we should honour not only our international commitments but the history and legacy of our country.

Lord, Alf, Dubs of Battersea arrived in Britain a refugee as part of the Kindertransport—one of the proudest moments in the history of our country. He is living proof that refugees are not a burden to our country or our culture, but a part of us—a part of the British family. But now this: 350 children and the door slams shut. That is only about half the number of children that one man, the great Sir Nicholas Winton, managed to bring to this country. Is that really it? We in this House were led to believe that at least 3,000 children would arrive under the Dubs scheme. Honestly, that was not enough for me, but it was a good start.

I am sure that I speak for many when I say that I am angry that the Government have let us all down. Worse than that is the fate of children in Europe today who

thought that they were coming to Britain—children from Syria, Somalia and Darfur who have told journalists that they may as well clamber on to lorries to get to safety now, as they have given up on our country keeping its promises.

Stephen Timms (East Ham) (Lab): We were led to expect that there would be at least 3,000 children. My hon. Friend will recall the statement by the then Minister for Immigration, now the Secretary of State for Northern Ireland, on 21 April:

“We will commit to resettling several hundred individuals in the first year with a view to resettling up to 3,000 individuals over the lifetime of this Parliament, the majority of whom will be children.”—[*Official Report*, 21 April 2016; Vol. 608, c. 19WS.]

Is it clear to her why that clear commitment has been broken?

Alison McGovern: My right hon. Friend makes a very good point, and one that I will direct to the Minister. It is his responsibility to answer that question today.

The Government made two arguments to justify their decision. I will talk about pull factors later, but first, let me deal with local authority capacity. It is not true that there is no space left for Dubs children in local authority care. The Home Office cannot make that claim because it has not even asked about Dubs spaces in future. Let us consider Lewisham. It said that it can take 23 children, but it has received just one. How many places did local authorities offer for Dubs children? Does the Home Office know? If not, how can Ministers say that there are no places left? Will the Minister publish the figures? Will he tell us how many children each local authority has taken, so that civil society groups and Members of Parliament can work with them to try to get more spaces? The House deserves answers. There is much more to be done with local authorities to resettle children under the Dubs scheme. We cannot and should not give up.

Tom Brake (Carshalton and Wallington) (LD): Would the hon. Lady, like me and I am sure other Members, like to know from the Government how many people have been allowed to come under the equivalent of the Canada sponsorship scheme? As I understand it, so far two people have been accommodated under that scheme.

Alison McGovern: I thank the right hon. Gentleman for his question, which, again, the Minister must answer today.

It is deeply depressing to start a debate that was supposed to focus on how to build on the Dubs amendment by having to fight the same fight over again. The debate is about how we can do more for the many unaccompanied child refugees stuck in Greece and Italy. The Minister will talk about the fantastic support that this country offers refugee camps in the middle east and north Africa, how much we spend and how we do not want people to attempt the perilous journey across the sea. I will wholeheartedly agree with him. I am proud of our work overseas. It is right that we do everything possible to look after people in the region and keep them out of the hands of people traffickers who exploit their desperation. Nobody wants people, least of all children, to board those boats and make that crossing. However, we must move beyond those generalities. We are talking about desperate individuals, and hundreds of children do board those boats and end up in Greece and Italy.

[Alison McGovern]

When they arrive, they remain vulnerable to the same traffickers who put them on the boats in the first place. They are exploited physically and often sexually. They are made to see and endure things that no child should ever have to. Unaccompanied children are the most at risk, and as the conflict continues unabated in Syria and parts of Africa, more children arrive in Europe without an adult to look after them.

Charlie Elphicke (Dover) (Con): The hon. Lady is making a passionate case for her view. I represent Dover, and across the channel we had the Calais jungle, which was the biggest migrant magnet, where people were condemned to live in squalor. They were there in the hope of getting into Britain. The problem is that taking people in from Europe simply increases the pull of the migrant magnet. We know that because we are on the frontline.

Alison McGovern: As a Member of Parliament who also represents a port area of our country, I pay tribute to all those who work to keep our ports and our borders safe. I will come to the hon. Gentleman's argument about a pull factor in a moment.

Brendan O'Hara (Argyll and Bute) (SNP): Some of us were lucky enough last night to attend a screening of Ross Kemp's documentary, "Libya's Migrant Hell", an outstanding, if harrowing, account of what is going on in Libya. It should be compulsory viewing for all hon. Members. Given that Amnesty calculates that one in four of the people who make that journey are children, does the hon. Lady agree that it is incumbent on us to show far more compassion and protect that most vulnerable group?

Alison McGovern: The hon. Gentleman makes a very good point, with which many hon. Members will agree. To put it simply, the risk to children does not end when they reach dry land. The boat may be behind them, but the danger is not. The refugee camps, especially in Greece, are overflowing, with children being left outside, cold and alone. In Greece, only about half of all unaccompanied child refugees are in official shelters. The rest are stuck in squats waiting for their applications to be processed. Even if they do find shelter, they are very vulnerable indeed. This simply cannot go on. We have a duty to help these children and we must not turn them away.

Mr Jim Cunningham (Coventry South) (Lab): Some of these children have relatives in this country. I would be very interested to know how the Minister is going to respond to this: how many of those children's applications are still outstanding?

Alison McGovern: My hon. Friend asks a crucial question. If, by the end of the debate, the Minister has not answered that question, I think many of us will be up on our feet demanding answers.

We made great progress, working with the French authorities, on resettling children under Dubs and, as alluded to by my hon. Friend, under the Dublin III regulation where children have family members living in this country. I welcome the progress made on that front, but we are still asking Greece and Italy, two countries

that are not equipped to deal with the refugee flows by themselves, to accommodate the vast majority of them. According to UNICEF, more than 30,000 unaccompanied children arrived in those two countries last year alone. That is difficult, to say the least, for those countries, problematic for Europe and, most of all, bad for the children themselves.

We know that, despite our best efforts, children are still making the journey alone. We know they are arriving in Greece and Italy, which are not able to deal with them all. We know that many have family here and that it is in their best interests to be transferred to the UK under the Dublin agreement. So why are we not doing more to help? Some 30,000 children arrived in Greece and Italy last year, but just eight of them transferred to the UK. One member of Home Office staff in Greece and one in Italy are charged with assessing and processing children whose best interests lie in a transfer to the UK.

Ms Karen Buck (Westminster North) (Lab): I congratulate my hon. Friend on making a very powerful speech. Many Members, particularly those of us with city constituencies, will have had extensive experience of working with former unaccompanied children who are resident in this country. We know that the length of insecurity and uncertainty that prevails before they can make a successful application often leaves permanent scars and damage, particularly to their mental health. Is it not absolutely essential that we cut through that and provide certainty for as many children as we can as quickly as possible?

Alison McGovern: My hon. Friend speaks from great experience and I hope the Minister listened to what she said. If the Minister is really prepared to consider this matter, he should watch the documentary made by Liverpool footballer Dejan Lovren about his experience as a refugee and the uncertainty that he lived through. He has been brave in speaking openly about his life. I encourage the Minister to take heed of his words. It is no wonder that it has taken the best part of a year for many children's applications to be processed, leaving them in the kind of limbo my hon. Friend mentions.

Let me be clear with the Minister. There are agencies working in Greece and Italy with the capacity to make referrals, but they will not raise the hopes of children when the process itself is so dire. The Government must commit today to streamlining the system, so that agencies and children have confidence in it and can start to make referrals quickly. We know that this can be done because it was done in France when hundreds of applications were processed in a matter of weeks. This situation is just not acceptable and we must do more.

I want to address an argument we hear constantly from the Government when we talk about resettling refugees—a line we have heard repeatedly from the Home Secretary, especially when talking about the Dubs amendment. She says it encourages people traffickers and that it acts as an incentive for perilous journeys. We have heard again today that it is a draw for migrants. The Government must drop this feeble line of argument once and for all.

People are not getting on those boats because of pull factors; they are doing so because they are fleeing war, poverty, famine and exploitation in their own countries. Even refugee camps in Greece or Italy, dangerous though

they are, are safer than the hell they are running away from. We know this and the Government know this. If they do not, they should try to understand the reality. They should look at a picture of the ruins of Homs or Aleppo and tell me again about pull factors. They should see the desperation on the faces of starving people in Yemen or Somalia and explain to me again how Dubs was an incentive. They should speak to a child escaping forced servitude as a soldier in Eritrea, and repeat again to me that our immigration system is a draw. It is not; it was not; and we should not pretend otherwise. Have the Government any hard evidence to support that claim, and, if so, will the Minister produce it?

If the Government really believe the pull factors nonsense, there is just one obvious change that they could make. Under the current system, children in camps in the region can only apply to be transferred under Dublin III if they have a parent living in the United Kingdom with whom they can be reunited, but for children already in Europe, the rule can apply to extended families, grandparents, siblings or aunts and uncles. However, many of these children are orphans.

James Cleverly (Braintree) (Con): I genuinely thank the hon. Lady for giving way, but does she not recognise that the idea that pull factors do not exist just because push factors do exist is an inappropriate construct? There can be both push factors and pull factors; they are not mutually exclusive.

Alison McGovern: If the hon. Gentleman is suggesting that safety is a pull factor, I agree with him. If he is suggesting that not starving is a pull factor, I agree with him. If he is suggesting that escaping the bombs dropping on a child's head is a pull factor, I entirely agree with him.

This debate will continue. I think it right for us to have the debate out in the open, and Members who disagree with me will have a chance to make their case, too.

Charlie Elphicke: Will the hon. Lady give way?

Alison McGovern: I will not, because I need to end my speech now.

As I was saying, many of these children are orphans who have no parents with whom they can be reunited. However, the Government are effectively saying that a child in a refugee camp in north Africa who has a grandparent in the UK is not eligible, but if that child got on a boat and went to Italy, he or she would be. That is madness. Will the Minister agree to think again and allow children in the region to apply under Dublin III to be reunited with their extended families in the UK?

As the Minister has heard from Members on both sides of the House, there are many points that he must address in his speech. In respect of Dublin III, will he commit himself to improving the system in Greece and Italy? Will he send more staff, speed up the processing of applications and work with the agencies in those countries to identify eligible children? Will he commit himself to allowing Dublin transfers from the region to extended families in the UK? In respect of Dubs, will he show us the figures on local authority capacity? Will he at least agree to monitor capacity and increase the numbers where possible? Will he, once and for all, drop the pretence that the main factor that is dragging children on to those boats is our immigration system, rather than war, poverty and famine?

I started by saying that this was not a party-political issue, and I stand by that. This is about British values, which we all share, and our desire to honour those values. Across Europe and the world, people are questioning whether we mean what we say when we talk about Britain as a welcoming, open, tolerant and decent country. It is up to us to show that we are who we say we are, that we will live up to the legacy of our past and that we will not turn away from the suffering and desperation of children on our own doorsteps who need our help.

Several hon. Members rose—

Mr Deputy Speaker (Mr Lindsay Hoyle): Order. May I suggest to all Members that they speak for up to nine minutes? If everyone can do that, everyone will have an equal amount of time.

3.43 pm

The Minister for Immigration (Mr Robert Goodwill): I thank the Members who tabled the motion, and I am grateful to you, Mr Deputy Speaker, for agreeing to allow me, exceptionally, to speak early in the proceedings. I thought it would be helpful if I set out the Government's position on this important matter at the outset. I hope that, by doing so, I can better inform the debate that will follow, and correct much of what has already been said in the debate and, indeed, in the media.

Britain has a proud record of helping the most vulnerable children who are fleeing conflict and danger. I want to underline this Government's commitment to supporting, protecting and caring for the most vulnerable asylum-seeking and refugee children affected by the migration crisis. Let me start by making one thing clear: the Government are absolutely and fully committed to helping and supporting the most vulnerable children. In the past year, we have given refuge or other forms of leave to more than 8,000 children, and in the first two weeks of this month alone we have resettled more than 300 refugees in the UK, about half of whom are children. Indeed, just today 80 Syrian refugees arrived in Ulster as part of the Syrian vulnerable person scheme. The Government have certainly not, as some have suggested, closed their doors.

The Government strategy is to resettle the most vulnerable refugees directly from the regions. That is how we stop traffickers and smugglers exploiting vulnerable people and children affected by conflict. By the end of this Parliament, we will have resettled 20,000 Syrian nationals through our Syrian vulnerable person resettlement scheme, one of the biggest resettlement schemes this country has ever undertaken, and a further 3,000 of the most vulnerable children and their families from the middle-east and north Africa region under the vulnerable children's resettlement scheme. Today, I am pleased to update the House that over 5,400 individuals—slightly more than the figure that was mentioned by the right hon. Member for Carshalton and Wallington (Tom Brake)—have been resettled under the Syrian vulnerable person scheme since its expansion in October 2015.

Tom Brake: I was referring to the Canadian sponsorship scheme. A similar scheme for community groups was supposed to have been set up in the UK, under which, I understand, the royal total of two people have been able to come.

Mr Goodwill: I met Canadian representatives when visiting refugee camps in Jordan. We have measures in place, as part of the scheme for the 20,000, to enable community groups to take people to come here. Under the Dublin proposals, if grandparents can show that they can care for children, those children can come here from another EU country. Those children must, of course, claim asylum in the first safe country they reach.

Crucially, our resettlement schemes help to ensure that children do not become unaccompanied. They allow children to be resettled with their family members before they become unaccompanied, and before attempting perilous journeys to Europe.

Wendy Morton (Aldridge-Brownhills) (Con): I am grateful to my hon. Friend for offering clarity. I want to be absolutely clear. Will he confirm that the Government are continuing to accept children into this country?

Mr Goodwill: Yes, as I said, last year about 8,000 children came to this country, and, indeed, there are 4,500 unaccompanied children in local authority care at this moment.

We have pledged over £2.3 billion in aid in response to the events in Syria and the region—our largest ever humanitarian response to a single crisis—and we are one of the few EU countries to meet our commitment to spending 0.7% of gross national income on overseas aid. We have also committed over £100 million of humanitarian support to help alleviate the Mediterranean migration crisis in Europe and north Africa. I am proud of the part we are playing in this matter.

Catherine West (Hornsey and Wood Green) (Lab): I thank the Minister for holding a surgery for MPs recently to clarify points within his brief, but does he believe that his statement on 7 February was in line with the will of this House on the Dubs amendment?

Mr Goodwill: I will come on to that, and, indeed, it is important that one reads the Dubs amendment and looks at amendments rejected by this House in that regard.

Within Europe, in 2016 we transferred over 900 unaccompanied asylum-seeking children to the UK from other European countries, including more than 750 from France as part of the UK's support for the Calais camp clearance. According to the latest EU resettlement and relocation report, since July 2015 the UK has resettled more people towards the EU's overall resettlement target than any other EU member state. In 2016, we transferred almost as many unaccompanied children from within Europe to the UK as the entire EU relocation.

More broadly, with UK support, UNICEF aims to provide shelter, food, essential supplies and medical assistance for 27,000 children and babies. UK aid to the International Committee of the Red Cross supported activities including family reunification, and we also funded the secondment of child protection specialists to work with UNICEF in Croatia, Macedonia, and Serbia. In Greece, we have so far spent £28 million to support migrants and refugees through key partners such as the UNHCR, the International Organisation for Migration and the Red Cross. This support has reached more than 250,000 people.

Charlie Elphicke: I thank my hon. Friend for setting out the facts. Does he agree that we must be careful to avoid unintended consequences? The sentiments and intentions of those on the Opposition Benches are very sincere and good, but the road to the hell of the Calais jungle is paved with those kinds of intentions and that kind of pull-factor? We cannot have that squalor again.

Mr Goodwill: We must certainly be aware that pull factors can be created when statements are made that might encourage people to enlist people traffickers.

Stella Creasy (Walthamstow) (Lab/Co-op): Does the Minister recognise that the smugglers' best sales technique is to say that there is no alternative safe, legal route for children to get to safety in the United Kingdom?

Mr Goodwill: The whole point of the Government's approach is to help people in the region, so as to prevent them from making those perilous journeys. In the majority of cases, these are not orphaned children but children whose parents are sending them on a hazardous journey. We have only to look at the mortality in the Mediterranean, where pull factors are encouraging children to make those journeys. Sadly, many of them end up in a watery grave.

Our £10 million refugee children fund for Europe prioritises unaccompanied and separated children. It provides immediate support and specialist care, alongside legal advice and family reunification where possible. In Calais, we responded to a humanitarian need to deliver a complex and urgent operation in tandem with a sovereign member state.

Mr Jim Cunningham: Will the Minister give way?

Mr Goodwill: I want to make some progress, if I may.

We continue to work closely with the French to address the situation in Dunkirk, but the UK and French Governments are clear that migrants in northern France who want to claim asylum, including children, should do so in France and not risk their lives by attempting to enter the UK illegally. The French Government have made clear their commitment to provide migrants, including children, who have claimed asylum in France with appropriate accommodation and support. Under the Dublin regulation, those asylum-seeking children with close family members—not just parents—in the UK can be transferred here for assessment of their claim.

We are fully committed to the timely and efficient operation of the Dublin regulation, and we support the principle of family reunification. We have engaged with partners on this issue and we will continue to do so over the coming weeks and months, to ensure that children with close family in the UK can be transferred here for assessment of their asylum claim quickly and safely. We are also working closely with EU member states to deliver this, and we have secondees in France, Greece and Italy who are supporting work on the Dublin regulation and on section 67.

Mr Jim Cunningham *rose*—

Alison McGovern *rose*—

Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP) *rose*—

Mr Goodwill: I should like to make a bit of progress on section 67, which has been raised in the debate.

I am pleased to update the House today by announcing that the Home Secretary will be writing to her counterparts in France, Greece and Italy to ask for referrals of eligible children to the specified number of 350. The basis on which these transfers will be made will be published in due course. The Government have always been clear that we do not want to incentivise perilous journeys to Europe, particularly by the most vulnerable children. It is not and has never been the case, as has been suggested, that the Government would accept 3,000 children from Europe under section 67 of the Immigration Act 2016—

Several hon. Members *rose*—

Mr Goodwill: I want to make this point, because this has been misrepresented on many occasions.

It has been suggested that the Government would accept 3,000 children from Europe under section 67 of the Immigration Act, or that this would be an ongoing obligation. In fact, Parliament voted against such an amendment. The legislation makes it clear that the Government have the obligation to specify the number of children to be relocated, and to relocate that number of children to the UK. That is exactly what we are doing. There has been some suggestion that my predecessor confirmed that 3,000 children would come and be resettled here. He was actually referring to the vulnerable children's resettlement scheme, and we are committed to bringing 3,000 children and their families under that scheme by the end of the Parliament.

Several hon. Members *rose*—

Mr Goodwill: I need to make some progress, because Mr Deputy Speaker has asked me to be brief.

We consulted extensively with local authorities over several months to arrive at the number of additional children they could take under section 67. My predecessor wrote to all local authorities, as I have done, and we held a national launch event and more than 10 regional events in every part of England, as well as one in Scotland and one in Wales. More than 400 local authority representatives attended the regional events. In order to help local authorities to care for the more than 4,000 unaccompanied asylum-seeking and refugee children already in their care, we have launched the national transfer scheme and significantly increased funding for unaccompanied asylum-seeking children by between 20% and 28%. I should also make it clear that the 0.07% for local authority capacity is not a target; it is an indication of when it would be inappropriate to transfer further unaccompanied asylum-seeking children to that local authority.

Margaret Ferrier (Rutherglen and Hamilton West) (SNP): Several local authorities, including Glasgow City Council, have said that they were not consulted on their capacity to house refugees and that they remain ready, able and willing to offer shelter to more unaccompanied children. Will the Minister clarify whether his Department regularly re-consults local authorities to maintain an up-to-date overview of the capacity to take such children?

Mr Goodwill: I regularly engage with local authorities. If there are places in Scotland, please make them available for the national transfer scheme, because some local

authorities in the south of England—in Kent and Croydon in particular—are over capacity. We need those places.

Several hon. Members *rose*—

Mr Goodwill: I will give way to the hon. Lady behind me.

Nicky Morgan (Loughborough) (Con): “My right hon. Friend”, I hope. May I take the Minister back to his point about the number of Home Office staff in France, Greece and Italy? I think he was saying that he wanted staff to help with the scheme, but he mentioned in a meeting that I had with him that only one staff member was out there. If there were more staff, there would be more confidence that the right children were being referred under the scheme.

Mr Goodwill: We have 115 staff in Greece helping the Greek authorities in several areas, not least the successful operation of the EU-Turkey agreement that is preventing children from making perilous journeys.

Several hon. Members *rose*—

Mr Goodwill: I will give way to the hon. Member for Coventry South (Mr Cunningham), who has been very persistent.

Mr Jim Cunningham: I thank the Minister for giving way. Going back to a point that I made to my hon. Friend the Member for Wirral South (Alison McGovern), can the Minister tell me how many children with relatives in this country have outstanding applications to come here?

Mr Goodwill: I can certainly let the hon. Gentleman have that number, but the Dublin process has been accelerated following the clearance of the Calais camp and the majority of the 750 children whom we brought across from Calais came under the Dublin process. When children think they have a claim under the Dublin procedure, they need to claim asylum in the country that they are in so that they can be fed into the Dublin process. It is important that they claim asylum first.

Mr David Burrowes (Enfield, Southgate) (Con): At the request of the Prime Minister, the Independent Anti-slavery Commissioner visited Greece and Italy last year and reported back with recommendations. He said that the Dublin process was simply not working for children. It is taking too long and there is a lack of clear information about how the process works and of specific updates to children on their particular case. Whether there are 115 experts or the 75 that were previously requested, the system is not working, and we must ensure that it works well for children and their relatives. Will there be a response to that call-out from the Independent Anti-slavery Commissioner?

Mr Goodwill: It is important that the Dublin process works effectively and that it takes into account the safeguarding of children. Checks must be made to ensure not only that the family connection is genuine, but that children will be cared for. Things have not worked out for several children admitted under the Dublin protocol, which is why the specified number that was set with local authorities has left some slack in the system. There are 50 places for failed Dublin relocations, and we expect that number to be a minimum.

Mr Peter Bone (Wellingborough) (Con): The Minister makes a crucial point. So many children who have come here, whether by claiming asylum or as a refugee, are put with alleged family members who are actually part of the trafficking system. That is a crucial point, and I am glad that the Government recognise it.

Mr Goodwill: That is precisely—

Jess Phillips (Birmingham, Yardley) (Lab): Will the Minister give way on that exact point?

Mr Goodwill: May I answer my hon. Friend's point before I perhaps take another intervention? That is precisely why checks must be made and why we have given resources to local authorities to ensure that they can check that the children's welfare is being cared for.

Jess Phillips: After giving such detailed analysis to the House, will the Minister provide the exact same detailed analysis in response to the point of the hon. Member for Wellingborough (Mr Bone) about how many people have been convicted in the UK for trafficking in, say, the past year? Will he also place in the Library the evidence that has led him to emphasise the pull factors? Have all the people coming in been surveyed? I want to know what the evidence is.

Mr Goodwill: We certainly take the prosecution and detection of people-trafficking crime seriously, and we are working particularly closely with our French colleagues. I was in Holland and Belgium last week to meet my opposite numbers, and we have joint operations at the ports to ensure that people-trafficking gangs can be arrested and prosecuted. I will give the hon. Lady the actual numbers, but there has been a number of successful prosecutions.

Several hon. Members *rose*—

Mr Goodwill: I will make a bit of progress, because I want to talk specifically about the trafficking issue that has been raised. I make it clear that the Government agree that safe and legal routes can help combat trafficking, which is why we have six other legal routes by which children can safely come to the United Kingdom, but the migration crisis has shown that pull factors such as policy changes and political messaging can influence the movement of migrants.

For example, there must be a reason why around two thirds of asylum seekers in the EU last year chose Germany and Sweden, and it is important to note that they did so after passing through many safe countries en route. Whether it is push factors or pull factors that motivate those children to come to Europe, it must surely always be in the child's best interest to enable them to come before they need to make dangerous journeys to Europe and before they become unaccompanied. The Government's priority is to focus on the most vulnerable children who are fleeing conflict and persecution in the region.

Alison McGovern: The Minister is laying out the Government's priorities. Will he be clear about what he said about capacity in Greece? He said that we have 115 staff in Greece. How many of them are working on transfers to the UK?

Mr Goodwill: I can give the hon. Lady the exact figures in a letter, but we have 115 people there.

Our work in Calais shows that there were only a handful of children from Syria. I note that the motion talks specifically about children from Syria, and indeed the hon. Member for Wirral South (Alison McGovern) talked about children fleeing Aleppo and other horrible situations in Syria. Would she therefore be surprised to know that, of the 750 children who came from Calais during the clearance, fewer than 10 came from Syria? That is why I believe we are doing the right thing by going to the refugee camps and working with the United Nations High Commissioner for Refugees to roll out similar schemes to the ones that the Australians, the Canadians and the Americans were delivering to enable those children in the most need to come to the UK.

If our aim as a country is to help those most in need who are fleeing conflict and persecution, the Government's strategy is the right one. I welcome last week's statement by Filippo Grandi, the United Nations High Commissioner for Refugees, in which he said that, in relation to resettlement, the UK is doing "very remarkable things." The UK has a proud history of providing protection to those who need it, and we will continue to play our part in protecting the most vulnerable children affected by the migration crisis. The Government have taken significant steps to improve an already comprehensive approach to supporting asylum-seeking and refugee children. We will continue to be at the forefront of international efforts to address the migration crisis. The UK can be proud of its overall contribution to date, and it can be proud that we will continue to deliver on the programmes I have described.

4.3 pm

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): I congratulate my hon. Friend the Member for Wirral South (Alison McGovern), the hon. Member for South Cambridgeshire (Heidi Allen) and others on securing this important and timely debate.

I welcome the Government's work to support refugees by investing in camps in the region and setting up the Syrian vulnerable persons relocation scheme. I also welcome the work with the French last autumn to clear the Calais camp and get the children to safety. There has been a lot of important work, including by the Minister and the Home Secretary, and we should welcome that. I also pay tribute to their work with the French authorities in the autumn that got a lot of kids out of deeply dangerous circumstances in Calais and Dunkirk, where they were at huge risk of smuggling and trafficking, and into centres. The work brought many vulnerable children to this country and safety. This was Britain doing our bit to help some of the most vulnerable and at-risk children.

We have examples of teenage girls from Eritrea who have been abused, who have been raped and who have been through terrible ordeals but are now safe in school in Britain. We have examples of 12-year-olds from Afghanistan who are now safe with foster parents, instead of living in terrible, damp, dark, cold conditions in tents in northern France. We have teenagers now reunited with family in the UK, rather than living in such unsafe conditions.

It is because such effort—that partnership between Britain and France—was working that many of us were so shocked by the Government's announcement on 8 February that they were not only closing the Dubs scheme, but ending the fast-track Dublin scheme, which had made so much difference to the lives of so many children and teenagers.

Catherine West: My right hon. Friend is making an excellent contribution. Does she agree that when we heard that news it felt as though it was going against the will of this House and against those of us who had debated, voted and in good faith believed that the Government were going to do something under the Dubs amendment?

Yvette Cooper: My hon. Friend is right about that, because this was a cross-party debate and cross-party work, with all of us supporting the Dubs amendment, just as it was cross-party pressure that got the Government to set up the 20,000 Syrian refugee scheme in the first place. There has been strong support from people in all parts of the House, and it was not for helping for only six months. That is the real problem with what the Government have done: it took them several months to get the Dubs scheme going in the first place, it has been running for only about six months and they have decided to pull the plug. I believe that is not in the spirit of the Dubs amendment that was agreed and passed last summer.

Chi Onwurah (Newcastle upon Tyne Central) (Lab): I thank my right hon. Friend for the speech she is making and the Backbench Business Committee for agreeing to this debate. Does she agree that the shock we feel in this House at the abandonment of the Dubs amendment is echoed in our constituencies? Many of my constituents have written to me specifically about the plight of children. In a world that is closing the doors on so many different peoples' migration, the plight of these children has really inspired our constituents around the country.

Yvette Cooper: My hon. Friend is right to say that many people across the country are deeply disappointed by this action, because the scheme was working. It was saving lives and people's futures. Charities told the Home Affairs Committee that they estimated that there had been a drop in the number of children and teenagers trying to get here illegally during the period in the autumn when a lot of this support was put in. We were therefore reducing the number of dangerous illegal journeys by providing the safe legal routes and undertaking the managed work with other countries. That is crucial in terms of clearing the camp in Calais to prevent the trafficking, the modern slavery and the dangerous illegal journeys.

Ministers have given four reasons for closing the Dubs scheme. The first is that it encourages traffickers. The second is that the French want us to close it. The third is that local authorities have no more capacity. The fourth is that the Government have delivered on the Dubs amendment. Let me take each in turn.

First, the Home Affairs Committee heard evidence yesterday from UNICEF, Citizens UK, Save the Children, the International Rescue Committee and one of the Children's Commissioners. Those agencies are all doing important work with child refugees in Greece and Italy and along the French coast. All were categorical that the ending of the Dubs scheme will increase, not reduce,

the trafficking risk, and that by taking away the safe and legal routes it will increase the number of children and young people who end up in the arms of traffickers and smugglers' gangs, not reduce it.

The hon. Member for South Cambridgeshire (Heidi Allen) and I visited Dunkirk and Calais on Monday. In Dunkirk, we met 13 and 14-year-olds who had been in the Calais camps. They had gone to the French centre and into safe accommodation, but for all kinds of complicated reasons their claims had been turned down and they had lost hope and got lost in the system. They are now back in Dunkirk in a really dangerous situation. I am really at a loss to know how the camp is allowed to continue as it is, because it is clearly being run by a smuggling gang—there is no doubt about what is happening in that Dunkirk camp. Two teenage boys we met were sleeping in a hut with 80 adult men. It was deeply unsafe, and when we asked them they said that they felt unsafe. They had gone back there because they had lost hope in any chance of the legal system getting them to safety.

Pauline Latham (Mid Derbyshire) (Con): My feeling is that that is terrible—it is really bad—but why are the French not doing anything about it? Why should it be us? Why are the French not dealing with that situation? They should be, because it is in France, which is not an unsafe country. Lots of people live there quite safely, so why are we worried about us doing something about it when in that situation it should be the French?

Yvette Cooper: Of course the French should be dealing with the trafficking that is taking place in Dunkirk, and there should be enforcement. Frankly, though, other countries need to do something as well, because we can be in no doubt that the gang that is operating there, taking families across from Dunkirk to Britain, will have a lot of operations in Britain as well. There ought to be co-ordinated police action against that trafficking gang, because that is absolutely important.

The joint action between Britain and France to get the children into French centres was working in the autumn. Some of the children were then going into the asylum system and safety in France, and rightly so; some of the others—perhaps the most vulnerable or those with family in Britain—were getting sanctuary in Britain. The two teenagers we spoke to both said that they have family in Britain. They had been turned down, but given no reason—there was no piece of paper and nothing in the system—for why they had been turned down. As a result, they had turned up in Dunkirk and in Calais again. We will see more and more children arriving in Calais and Dunkirk and going back, at risk, pushed by the fact that the safe legal route has been taken away.

Heidi Allen (South Cambridgeshire) (Con): I rise to respond to my hon. Friend the Member for Mid Derbyshire (Pauline Latham). I was with the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper) in Dunkirk on Monday, and I came away thoroughly depressed and really angry with the French authorities for letting this happen again. It took me a few days to digest what I had seen, and I came away feeling that it was not right and that they should be doing more, but the point is that they are not. If we do not work further downstream, in Greece and Italy, the children will continue

[Heidi Allen]

to come and they will come back to Calais. Dunkirk is like groundhog day—it is Calais II. When they come back in volumes, as they will, it will then become our problem.

Yvette Cooper: The hon. Lady is right. We need to prevent young people from ending up in Calais and Dunkirk in the first place. That means working through the Dublin and Dubs schemes, whether in France or, better still, in Greece and Italy, to prevent them from travelling in the first place. We need all countries to work together to share responsibility for these deeply vulnerable young people.

Charlie Elphicke: Will the right hon. Lady give way?

Yvette Cooper: I am going to make some progress because I am conscious of the time.

Secondly, the Minister said that the French have urged us to stop the Dubs scheme, but according to what President Hollande has said, the evidence is that the reverse is true. I am worried that the co-operation we had in the autumn appears to have broken down.

Thirdly, it has been said that local authorities do not have capacity, but that was not what the Select Committee heard in evidence yesterday. The Local Government Association said that it had not been consulted specifically on Dubs; it had been consulted on the national transfer scheme. We should have more detailed consultation on Dubs. We heard from local councils that they wanted to offer more places but those places had not been taken up, and that if local authorities all met the 0.07% target that the Government have said is appropriate, there would be 3,000 more places on top of those already taken by those children who have arrived spontaneously.

Charlie Elphicke *rose*—

Yvette Cooper: I am going to make some progress, because Mr Deputy Speaker wants to move on.

Fourthly, the Government have said that we have met the spirit of the Dubs amendment, but that is simply not the case. Not only have we not met the spirit of Dubs, but the Government are failing again on the Dublin agreement. The expedited system that was temporarily in place in France was working. Ministers have said that they will learn lessons from that, but they do not seem to be doing so.

The Minister said in his answer to the right hon. Member for Loughborough (Nicky Morgan) that there were somehow 115 people in Greece, but we were told by the charities yesterday that there was only one person working on child transfers in Greece, one in Italy and one in France. That is not enough even to review the Dublin cases that were turned down and that the Home Office said it would review. I do not see how it can review those cases if none of those children has paperwork, has been given any formal response about why their case has been turned down, or has a process through which to apply to have it reviewed. The Government have done some good things. I ask them not to rip them up now.

This is what one of the child refugees who we helped said:

“Many of us have been traded like cattle between groups of smugglers...many of us know someone who died.”

Another said:

“Assaulting women, sexually abusing children—the smugglers are really not nice people.”

We created some safe legal routes that prevented the traffickers and the illegal, dangerous routes. They were working. That approach did not solve the whole problem—it addressed only a limited part of the refugee crisis—but it was about Britain doing its bit. It was about Britain being better than this. We in this House were all proud of it. I really urge the Minister to reopen the Dubs scheme, reinstate a proper, effective Dublin process and let Britain do its bit to help refugees again, just as we did for Alf Dubs, generations ago.

4.15 pm

Mr Geoffrey Cox (Torridge and West Devon) (Con): Some 30,000 unaccompanied children entered Greece and Italy last year. Are we simply to leave them there, while this great country, which for hundreds of years has had a tradition of offering asylum to those fleeing persecution, stands back and washes its hands of their fate? I do not believe that it is in the interests of this country, of its international reputation or of its moral sense of self-worth and dignity for us simply to stand back and say, “That is not our problem—it is yours.” I completely accept that great work has been done in the region to assist those who are in such a plight, but I do not believe that we as a nation can afford the damage to our reputation that is currently happening throughout Europe, because we are being seen to fail and fall down in the obligations—modest as they are—that we have undertaken, in international law and otherwise, to assist with the plight of unaccompanied children in Europe.

As I understand it, the Dublin regulation requires us, as a matter of law, to deal in the first instance with any application for asylum that is made by a child who has family receiving international protection in this country. That is an obligation under international law. It is incumbent on us, incumbent on this House and incumbent on the Government to ensure that that obligation is not simply paid lip service to, but is made practical and effective. That can be done only if we reach out to those tens of thousands of people in Greece and Italy and if we look actively to find those who are entitled to be here under international law and whom the Government, on behalf of this House and the nation, have promised to deal with because it is our obligation.

I fear for the reputation of this country when it assumes an obligation and does not provide the means to realise it.

Fiona Mactaggart (Slough) (Lab): The hon. and learned Gentleman is making an immensely powerful speech. Does he agree that it is not just our legal, but our moral obligation to give refuge to refugees? That is one of our best defences against the tyrants, the bullies and the terrorists who oppose the values that Britain stands for.

Mr Cox: I agree with the right hon. Lady, but let us leave aside arguments of conscience and compassion. Let us concentrate on our legal obligations. I say that to the hon. Lady not because I disavow or seek to reduce the importance of the moral arguments, but because moral arguments do not always appear in the same light to everybody.

The arguments about the push and pull factors that are sometimes used surround the problem with what I understand are difficult equations and judgments about the practicalities and complexities of whether we should take children or not. But sometimes we can surround a problem with a web of complication. Sometimes, I would prefer to be a fly than a spider, and the plight of the child is one example. The plight of a child transcends the complexities of push and pull factors.

Nobody is suggesting for a moment that we should take every single one of the 30,000 children a year who enter Greece and Italy. All that the Dubs amendment meant was that we should take a modest few. Those of us on this side of the House who voted for that amendment believed that we would take a modest few, but we did not believe that it would be only 350.

Let me return to the question of our obligations. It is not in the interests of our reputation as a country to be seen to be a nation parsimonious and mean-spirited in the fulfilment of an obligation. We should have in Greece and Italy now not only the valiant single lady, Miss Malahyde, who seems to be doing tremendous work—dozens of Home Office officials should be actively searching for the children whom it is our legal obligation to find and process.

Mr Burrowes: The dispiriting and depressing issue is that back on 21 April, the then Minister for Immigration explained that

“The teams we send to Greece will include experts in supporting vulnerable groups, such as unaccompanied children and those trained to tackle people trafficking. This will help ensure that vulnerable people, including children, are identified and can access asylum procedures as quickly as possible.”

Now we hear from the Red Cross that it is taking 10 months to process a child’s case. It is our legal and practical responsibility to have ensured that those 75 experts were about protecting the vulnerable, not getting rid of them through to Turkey.

Mr Cox: I completely agree with my hon. Friend. It is our duty to process the children and to deal with those who have connections and family in this country.

Mr Bone: Will my hon. and learned Friend give way?

Mr Cox: No, I must make progress, given the time.

It is our duty to find those children, and I do not accept for a moment that a single person is sufficient to make our obligation effective.

I agree with my hon. Friend the Member for Enfield, Southgate (Mr Burrowes) that we should be doing much more in Greece and Italy—not, I repeat, to take many tens of thousands of children, but simply to interpret our legal duty according to the spirit and manner in which this country ought to be interpreting it: making it real, practical and effective. It is the cruellest of charades to acknowledge an obligation and not to carry it out with a full heart and a full sense of responsibility.

I say to the Minister from his side of the House: let him not think that all of us on the Government side—and I do not believe, properly interpreted, many of us—would feel that we should stand aside and do nothing for those children who arrive in Greece and Italy. I do not believe that that is our party’s approach to this problem.

I ask the Minister to do more for those children in Greece and Italy and make practical and effective our obligations under international law—whether under Dubs or Dublin. We need to be seen to do more. The plight of a child, wherever they are—in Europe or the middle east—is much more important morally and legally than the kinds of arguments sometimes deployed about pull and push factors:

“Suffer the little children, and forbid them not, to come unto me”.—[*Applause.*]

Mr Deputy Speaker (Mr Lindsay Hoyle): Order. Many Members want to get in. I cannot have everybody clapping, otherwise we will not get to the end—there are too many good speeches.

4.24 pm

Mr Virendra Sharma (Ealing, Southall) (Lab): I congratulate those hon. Members who have managed to secure this most appropriate debate. It is a pleasure to follow such passionate speeches, including that made by the hon. and learned Member for Torridge and West Devon (Mr Cox).

We reveal who we truly are in the face of adversity. As we are now facing the worst refugee crisis since world war two, it is time to show to ourselves and to the world who we are as a nation. Are we going to show that the UK is shameless, heartless and faithless, and that our previous commitments mean nothing to us? Three of my constituents—Kiranjot, who is 10 years old, and Yahye and Hussein, aged nine—who attend Havelock Primary School, came to Parliament yesterday with a letter for the Prime Minister about the Dubs children, saying

“let refugees in so they aren’t in danger.”

These children appealed to the simple decency of humanity that this Government appear to have forgotten. If they can see how we should act, why cannot the Government?

I call on the Government to reconsider their decision to close the Dubs scheme at 350 children and at least return to their original commitment of 3,000 children. The announcement that the Dubs scheme would be limited to the transfer of only 350 children is a breach of faith regarding this Government’s commitment to match the scale of the current children’s crisis in Europe. Although the Government have been laudably generous in their bilateral financial contributions to the humanitarian crisis in Syria, they should not forget the crisis in Europe. Some 95,000 unaccompanied and incredibly vulnerable children are estimated to be stranded across Europe. Such a betrayal of our commitment will undermine our relationship with other European countries. Such a small-minded and selfish action undermines the Government’s promises that the UK will continue to be part of a European and global community that seeks international solutions to international problems, and in which every country must play a role.

What conversations has the Home Office had with the French, Italian and Greek Governments? How have they reacted to the Government’s decision to take such a small number of children? We have a commitment to our shared humanity, to the ideals of human rights, and to do all in our power to help those who are faced with abuse and extreme deprivation. We cannot turn our backs on those in need, claiming that it is not our

[Mr Virendra Sharma]

responsibility. We cannot bow to our selfish instincts, arguing that we do not have enough to help. We cannot surrender to fear by declaring that it is too difficult. Rabbi Janet Darley, spokeswoman for the Safe Passage campaign, has pointed out that the Government's claim that local councils are too stretched to accommodate more refugees is based on threadbare figures that are nine months out of date. The Government claim that the 217 councils in the UK responsible for children cannot even handle two each. This is drastically underestimating the capabilities and dedication of those selfless men and women who devote their lives to public service. My own council, Ealing, along with the council leaders of Hammersmith and Fulham, Gedling and Camden, are just a few of those who have already called on the Government to re-consult council leaders to assess their decisions. More funding should be made available to these councils, if and where it is requested, in order to continue Britain's proud tradition of providing shelter to those most in need.

It is crucial that we do not think about this problem as simply numbers on a page. While 3,000 might not look that different from 350 when written down, we must remember that each number is a child facing the squalor and dangers of overcrowded makeshift camps across Europe. Each number is a child facing the dangers of child prostitution rings, exploitation by human traffickers, and the threat of rape, abuse, starvation and disease.

It is deeply concerning that the Home Secretary talks about a "pull factor" that supposedly incentivises children to undertake the dangerous journey to Europe and provides business for human traffickers. There is no evidence for this argument in the investigative work carried out by numerous charities and non-governmental organisations, including UNICEF, Help Refugees, Save the Children, and Citizen's UK's Safe Passage. In fact, it is when safe and legal routes to the UK are blocked that human traffickers are encouraged.

When such routes are blocked, the refugees do not stop attempting to make it into the UK. Instead, children are left with the awful choice between risking their lives by attempting to jump aboard lorries, as did the 14-year-old Afghani boy killed last year, and relying upon human traffickers. By restricting safe and legal routes, the Government encourage human traffickers. Reports by Save the Children show the horrors of this situation, with children as young as 13 forced into prostitution to earn their passage.

In preparation for this debate, I spoke to someone who was brought over on the Kindertransport in the late 1930s. He impressed upon me the importance of thinking about the worth and potential of every human life, and the fact that every life wasted is a huge loss to humanity. He stressed how the vast majority of the 10,000 children who arrived in England were from disadvantaged backgrounds and arrived in the UK with very little. Many were unable to speak English. He asks us to look at what those individuals have been able to achieve since. Lord Dubs himself is an example, but he also told me how he met two Nobel prize winners at Kindertransport children reunions, as well as numerous doctors, lawyers and business owners. In the light of the current European refugee crisis, it is crucial that the

Government continue their commitment to the Dublin regulations, so how do they intend to uphold this commitment?

I apologise, Mr Deputy Speaker, for taking a little longer than requested. In order to show to the world and to ourselves that the UK is a caring and compassionate society that values human life, we need to reopen the Dubs amendment and commit to rescuing more refugees stranded in Italy and Greece.

4.33 pm

Pauline Latham (Mid Derbyshire) (Con): We have heard some very passionate speeches and, I am sure, heartfelt views, but we ought to get back to reality and exactly what is happening. I think that some Members just did not listen to what the Minister said or to the statistics he gave about the numbers of people being brought into this country.

I have not been to Dunkirk or Calais, or to Greece or Italy, to see the refugees there, but I have been to Jordan and Turkey, where I have seen the camps in which children and adults are living. Nobody in their right mind wants to be in a refugee camp. It is not somewhere any of us want to go, but it could be us at some point. We might need to do that—I hope not—but any country in the world could find itself in that situation.

Given the desperate situation that the Syrian people are in, they are in a pretty safe place in those refugee camps. They are being fed, they are being given a health service, and their children are being given an education. Many people do not realise this, but the Jordanian Government have said that any child on Jordanian soil, of whatever nationality—they have Palestinian refugees as well as others—will receive the same education that their own children are receiving. This is not the case for the trafficked children who have been taken across the continent to come to Britain. As they have been trafficked, they are out of education and do not have a health service. They should have been settled in the refugee camps because people are getting a pretty good deal there. Interestingly, the Azraq camp is not full—there is plenty of space there—so it is not as though there is nowhere for people to go.

Heidi Allen: I mean this with no disrespect to my hon. Friend—I completely understand her point—but the problem is that Europe reacted too late, so these families and children had already made the journey to Greece and Italy and are trapped there. If we do not contribute, who will take responsibility for them?

Pauline Latham: My hon. Friend makes an interesting point, but does she not recognise that France, Italy and Greece are safe countries? They are not Nazi Germany, where Lord Dubs came from. He escaped from being murdered. These children and families are not under threat of murder—they are in safe countries whose Governments should be respecting and dealing with them under all sorts of international rules.

Going back to the Syrian refugee camps in Jordan, every building at the Azraq camp has been provided by IKEA. Nobody gives it credit for supporting so many of these refugees. In the desert, all the solar panels that are heating and lighting the buildings have been given to the region by IKEA to help these young people. We are providing a lot of the education and health services.

Fiona Mactaggart *rose*—

Pauline Latham: I will not give way again because I do not have long to speak.

We have provided the bore hole to provide safe water for the people there. They are safe. We should be saying to them, “Stay there.” Most of them do not want to come here. Why would they want to when they can speak their own language and do not need to learn English?

Why are all these people being pulled to Calais, Dunkirk and other places? They came recently. They were cleared in France, as we have heard. There was an agreement last year whereby those refugees were sorted out legitimately. More have come since then—many more—so one cannot say that there is no pull factor.

Kirsten Oswald (East Renfrewshire) (SNP): Will the hon. Lady give way?

Pauline Latham: I am sorry, but I will not give way again because I do not have long.

I believe that we should be supporting those camps. Britain has done its bit—£2.3 billion is not insignificant. We should be proud of the money we have put in there and proud of the fact that we have protected those people. There is a rule of law in those camps—it is not perfect, but it is not perfect here either. We need to provide as much as we can to keep the people in the region, because most Syrians want to go home once it is safe to do so. If they come here, they will not be able to go home as easily. I understand the sentiments of what people say, but I think that we should stop being so sentimental and look at what is the best thing to do for these families and children, which is to keep them in the region—and that is what this Government are doing.

4.39 pm

Chris Law (Dundee West) (SNP): I was shocked to hear the comments made by the hon. Member for Mid Derbyshire (Pauline Latham) about sentimentality, so I will start by asking the House a very simple question: what must it be like to be a child refugee? To deal with sentimentality, let us try to imagine that. Can any of us actually imagine the mental and physical trauma experienced by someone escaping their home country under fear of persecution?

Their departure from their home is involuntary and abrupt. Resettlement involves danger such as crossing deserts, mountains and seas. It can involve being confronted with additional conflict along the journey and going without basic resources such as food, water and shelter. Escaping by sea brings additional hardships, such as extreme weather, the loss of other passengers, witnessing loved ones drown or freeze to death, and fear. When children reach their final destination, the risks continue and in many cases worsen. Alone and afraid, vulnerable children are at the greatest risk of trafficking, neglect, sexual exploitation and physical abuse.

I have heard Members say today that some refugee camps have lots of space and that they are adequate. However, in the informal refugee camps that we know about in Greece and Italy, 90% of people do not have an adequate place to sleep, such as a tent, and there is little in the way of washing facilities. Many children in Greece

find themselves in detention centres, where they are made to live and sleep in crowded, dirty, rat-infested cells, often without mattresses, and deprived of basic sanitation, hygiene and privacy. It has been reported that some boys are even turning to prostitution to keep themselves alive. If I am sentimental for bringing that up, I am very proud to be so, because those are the basic facts of what is going on in some of the worst refugee centres.

Pauline Latham: If we are talking about Greece and it being rat infested with no mattresses, whose fault is that? That is Greece’s fault. It should be helping those children.

Chris Law: The simple fact of the matter is that the world is a small place and we all belong in it as one human race. We have to recognise that we need to support partners abroad, as well as look at opportunities to provide support here at home.

Mr Goodwill: We have spent £28 million in Greece to support migrants and refugees through partners such as the UNHCR, the International Organisation for Migration and the Red Cross. That support has reached 250,000 people in Greece.

Chris Law: I thank the Minister for raising that point. That £28 million is to be saluted—it is very important—but it is not what we are discussing today. We are discussing the issue of refugees coming to this country.

According to UNICEF, more than 30,000 unaccompanied children fleeing war and persecution arrived by sea in Greece and Italy last year. Only eight of those children were transferred to the UK, where they had family links. Our country is quite simply failing to play our part in caring for those children.

It was only last year that we were told by the previous Prime Minister, David Cameron, that “a specified number” of vulnerable refugee children would be given a home here under the Dubs amendment to immigration legislation. Lords Dubs, as we know, was himself rescued from Nazi persecution and brought to the UK in 1939 by Sir Nicholas Winton.

Patrick Grady (Glasgow North) (SNP): I thank my hon. Friend for giving way: he is being very generous compared with the hon. Member for Mid Derbyshire (Pauline Latham), who spoke immediately before him. Does he agree that the Government’s refusal to live up to what people expected them to do when they accepted the Dubs amendment is a betrayal not only of the thousands of children who will not be able to come here, but of the many hundreds of thousands of our constituents who wrote to us, campaigned and signed petitions? They expected the Government to live up to the commitment for which they all campaigned.

Chris Law: My hon. Friend makes a powerful point and I agree with him completely. In fact, I received emails leading up to today’s debate that made exactly the same point.

It now emerges that we will take only 350 children, including the 200 who have already come over from Calais. We have been told by the Minister that the door is still open, but, to be frank, the impression is that it

[Chris Law]

has been slammed shut. The UK Government have stooped to a new low, targeting the most vulnerable of the vulnerable, namely unaccompanied children.

Even the timing of ditching the Dubs scheme was appalling. The Home Secretary cynically ditched it on the eve of the most recent parliamentary recess. Lord Dubs condemned the move, saying that the bad news was buried

“while most eyes were focused on the Brexit debacle”.

In her statement, the Home Secretary claimed that the scheme created a “pull factor” for unaccompanied children to make perilous journeys to the UK and, therefore, increased the risk that they would fall into the hands of traffickers. That has been touched on several times today. She said:

“we do not want to incentivise perilous journeys to Europe”.—[*Official Report*, 9 February 2017; Vol. 621, c. 637.]

Why would she say that? Why on earth would anyone think that we only have pull factors, when I have already described so many of the push factors? The real message that my constituents and constituents across the country are getting from this is, “Not in my back yard.” There is no evidence that there is a pull factor. In fact, relocation services that provide safe and legal routes to the UK for those seeking asylum disrupt the people traffickers, who seek to profit from smuggling desperate people across borders.

I urge the Minister not only to allow the Dubs scheme to continue, so that the UK receives at least 3,000 unaccompanied child refugees, but to increase the total number of refugees he intends to settle under the Syrian vulnerable persons resettlement programme. I remind the House that Scotland is not full up. The Scottish Government have always said they are willing to take their fair share of refugees and have called on the UK Government time and again to increase their efforts to respond to this humanitarian crisis. That is a cross-party stance that has wide public support.

Brendan O’Hara: My hon. Friend clearly shares my sense that the people of this country believe that we can do more and that we absolutely should be doing more to help these desperate unaccompanied children. Will he join me in pointing to the example of my local council, Argyll and Bute, which with the help of the Argyll community housing association has resettled dozens of Syrian refugees and their families on the Isle of Bute very successfully? It, among many others, stands ready to do more.

Chris Law: I agree with my hon. Friend. Another thing about Scotland is that, as was said by one of our famous writers, McIlvanney, it is a “mongrel nation”—a nation made up of people from all over the world. We are now part of that process.

That touches on my next point, which is that 200 public figures have even signed an open letter to the Prime Minister, branding the decision on the Dubs scheme “truly shameful”. Human rights charities have been united in their condemnation of it.

The blame for the decision to reduce access for unaccompanied refugee children seems to have been shifted by the Government on to councils, which have either refused to take part in resettlement schemes or

argued that they do not have the money. The real reason is that the Government did not consult councils properly about the scheme in the first place. In London alone, at least eight councillors have signed an open letter urging Theresa May to reconsider the decision to take this lifeline away from thousands of child refugees. Councils across the country are ready to step up. I heard the point the Minister made and I will urge my council to come forward if there is space to do so, as I am sure will everybody else here.

Mr Goodwill *rose*—

Mr Speaker: Order. We can take the intervention, but I say gently to the Minister that he spoke early, which is not the norm in these debates and is ordinarily to be deprecated. This may be an exception. He spoke at considerable length, which was possibly to the benefit of the House, but should not now constantly intervene. This is a debate for Back-Bench Members and that must be understood.

Chris Law: While Theresa May has closed the doors of the UK to unaccompanied refugee children, she is still determined to fling them open to Donald Trump. Let us ponder on that for a moment. It is estimated that the potential visit to the UK by President Trump will cost over £10 million—the most expensive state visit in history. If there is concern about local authority funding, here is part of the solution: cancel the exorbitant, wasteful, unwanted and undeserved presidential state visit and not only will there be funds for local authorities, but it will send out the most powerful message to everyone that refugees are welcome in our country, regardless of where and what their background is.

This is a choice. Which side of history does the Prime Minister wish to be on? Does she want to warmly welcome refugees to our country, or does she, like Trump, want to turn her back on those fleeing war and persecution. Let us not forget that in his first week as President, he pursued a ban on all Syrian refugees entering the US and a halt on arrivals from a string of predominantly Muslim countries.

Who do unaccompanied children in Greece and Italy now turn to? The mental and physical health of these children is deteriorating. They are despondent and broken. This Government’s decision will create a vacuum that will be filled by exploitation and people smugglers—the only option that many of these children now have.

Those children are treated like an immigration statistic. If the Government are not willing to help them, they are responsible when a child turns to a smuggler, goes missing or is killed in an accident. I asked at the beginning of my speech what it must be like to be a child refugee. None of us in the Chamber can come close to imagining the fear, the terror, the loneliness, the vulnerability. I therefore urge the Minister to continue the Dubs scheme to enable the UK to receive a minimum of 3,000 unaccompanied child refugees from Europe, and to do the right thing and look to increase the number of refugees overall. To do otherwise is shameful and will not be forgotten.

4.50 pm

Nicky Morgan (Loughborough) (Con): I congratulate the hon. Member for Dundee West (Chris Law) and pay particular tribute to the hon. Member for Wirral South

(Alison McGovern) for her speech, and to my hon. Friend the Member for South Cambridgeshire (Heidi Allen) for her work and her fearless attitude to ensuring that Ministers are left in no doubt about the strength of her feelings on the matter. I also pay tribute to my hon. and learned Friend the Member for Torrington and West Devon (Mr Cox), who spoke incredibly powerfully.

As we have heard, more than 30,000 unaccompanied children arrived by sea in Greece and Italy in 2016, but only eight were transferred to the UK for family reunification, and I am told that none was transferred under the Dubs scheme. As the Minister set out, the Government have been generous in supporting refugees and those seeking asylum. However, his speech was a series of numbers and schemes, and that suggests why there is confusion and concern in the debate. There are lots of schemes and lots of numbers, and the Government could help by being much clearer about how many people are coming to the UK under which scheme. Perhaps the Chamber is not the right place for that, and Ministers could write to colleagues of all parties and continue to keep us updated. One example of the confusion is the number of Home Office staff who are in Greece and Italy. We have been given one number in meetings and another was given today. It would be helpful if hon. Members had more clarity about the numbers involved.

My hon. Friend the Member for Mid Derbyshire (Pauline Latham) talked about the responsibilities of Greece and Italy, but the point is that hundreds of children have a legal right to be in the UK and have had to continue their journey alone. They have experienced further trauma, including trafficking, sexual exploitation, forced labour and freezing and unsanitary conditions because of bureaucracy and long waiting times—often more than a year.

As we have also heard, in Calais the UK managed to deal with large numbers of children in a short time, which shows that when the political will is there, it is possible to make the systems work. I think that the Minister said—again, it would be helpful if we had clarity—that the Dubs scheme has not been terminated but that the number has been set for this year. If that is the case, and the Dubs scheme will continue, that is welcome, but that should be clarified, not just for the benefit of Members but for those outside the House who show great interest, compassion and concern and who care about what is happening to the scheme.

We also call on the Government to consult local authorities on up-to-date numbers on capacity for transfer and to agree to continue consulting local authorities about their capacity for looking after unaccompanied children. The Government should consult every financial year, rather than just as a one-off.

Mr Bone: I am listening carefully to my right hon. Friend. She agrees with me that the money follows the child so that the local authority gets paid for it. That did not come across in the speech of the hon. Member for Dundee West (Chris Law).

Nicky Morgan: My hon. Friend is right that the money follows the child, as I understand it. There is money there. As Members of Parliament, we know that local authorities are under financial pressure, but a significant amount of money follows each child, so local authorities should have the resources.

It would be helpful if the Government published the number of children that each local authority has already agreed to accept so that Members of Parliament, local communities, non-governmental organisations and charities can work with those authorities to welcome the children and ascertain whether the number of places can be increased.

I urge the Minister to use Members of Parliament who have an interest in this issue. From my time in government I know that officials are sometimes reluctant to involve constituency MPs, but we are able to ask questions of local councillors and local authorities. The Minister is not listening at the moment—perhaps he will read the transcript instead—but I urge him to use Members of Parliament to interrogate their local authorities on what capacity they have offered, whether they can offer more and what more we can do to get messages back to the Home Office if there are queries, questions and a reluctance on the part of local authorities to get involved in schemes.

I pay tribute to the charity Baca in my constituency, which has long worked with unaccompanied child asylum seekers and refugees. I hope its expertise—I am sure there are many other charities like it across the country—is being used, but I fear that that is not the case. Again, it is up to Ministers to challenge the Department to use their expertise and let them respond to this crisis and need.

Other hon. Members have mentioned that there are individuals in their constituencies who have wanted to step forward to help. What is being done to make use of their desire to help?

Stuart C. McDonald: I want to again raise the issue of money following the placement. The evidence in the briefing from the Local Government Association suggests that the amount of money that follows a child is actually about 50%, so it is not true to say that councils are fully reimbursed for the investment they make.

Nicky Morgan: I do not think I said that councils are fully reimbursed, but money does follow the child. I have had some pretty strenuous arguments with local authorities, both as a local MP and as a Minister, and sometimes the interpretation of whether there is sufficient money can be at variance. But let us have that debate. Let us work out what the numbers should be. Let us not just accept it when local authorities say they do not have the capacity, ability or money to deal with the situation.

In the time available I want to move on to what we can do to help Greece and Italy deal with the issue of unaccompanied children who are on their shores. There is more that we can do, or the Government can do, to fulfil the spirit and letter of the Dubs amendment. We need to work with the authorities in Greece and Italy to set out clearly the Dubs scheme, the criteria and the numbers that need to be clarified, so that the authorities in those countries know exactly what the UK is able to offer, and the expertise and the people we have on the ground.

There is a danger in this debate—I think the hon. Member for Ealing, Southall (Mr Sharma) talked about this—of talking about numbers rather than people. We are talking about young people who have their futures ahead of them. Another hon. Member talked about this

[Nicky Morgan]

being a smaller world, which we know is a challenge for many of our constituents. But people and stories are at the heart of this debate.

I want to make two more points. First, UNICEF contacted me today to give the example of Aamir, a 16-year-old Afghan child with a degenerative bone condition, who could be eligible for the Dubs scheme. Doctors in Greece advise that he needs urgent surgery. However, the necessary treatment cannot be given in Greece until he has finished growing. He needs specialist treatment with a paediatric doctor here in the UK. This highlights the spirit of the Dubs amendment: helping extremely vulnerable unaccompanied children who are forced to live alone in camps and in terrible conditions as they have been forced from their home. Aamir is now living in a UNICEF-supported shelter in Athens, and UNICEF is working with him on his application. He was forced to flee his home in Afghanistan when his parents, members of the Hazara ethnic group, were killed by the Taliban. He fled with his grandmother, who passed away on the journey.

Secondly, I am going to disagree with my hon. and learned Friend the Member for Torridge and West Devon just on this point: I think there is scope in this debate to think about our moral obligations and our compassion. My hon. Friend the Member for Mid Derbyshire said she hoped that the situation these children are fleeing from never arises here. Of course we hope that, but it could. As a parent, I know that if my son needed refuge I would want to know that the world was offering him safety. That is what this debate is about.

4.59 pm

Naz Shah (Bradford West) (Lab): I congratulate my hon. Friend the Member for Wirral South (Alison McGovern) and others on securing this very timely debate.

I speak today not only from a position of experience, having fostered a young Afghan refugee and provided lodgings for a number of refugees who presented without parents, but as an Opposition Member and as a member of the Home Affairs Committee, which only yesterday took evidence from NGOs and senior leaders working in this area. That evidence was very shocking, but the words of the leader of Hammersmith and Fulham Council, Councillor Stephen Cowan, stuck with me. He described to us his understanding of refugee camps in Europe: he described them as “the closest thing to hell for a child”.

My foster son, Ikram, and other young men have told me many stories to try to make me understand the desperation that they experienced. I do not believe that we can all comprehend what that desperation must feel like. For me, the way to try to understand it was to imagine what it must be like to be in “the closest thing to hell”. What must it be like to be alone, away from everything you have ever known, to wonder whether your family are still alive, to wonder about the things that you have left behind, and still to be so unsure whether there is a light at the end of the tunnel? How must those children feel, to flee one hell for another, to experience hunger, cold, insecurity and potential rape, abuse and exploitation—all against the backdrop of a journey on which many have lost their lives in front of them? This is the reality: this is about people. I stand

here today as an extremely blessed individual, knowing that my children are safe—safe from bombs, safe from being shot at, safe from being raped, safe from being exploited and trafficked—but, sadly, that is not the reality for all.

What has been the response of our country, Great Britain, to this crisis? Our Government rightly passed the Dubs amendment, which, unlike other routes, was based not on legality or obligation, but on morality. It was about helping some of the most at-risk and vulnerable children to find safety and security because that was the right thing to do. However, the numbers speak for themselves: just eight children have been transferred from Greece and Italy in the past year, none of them through the Dubs programme. While we all welcome the Government’s other commitments, especially to Syrian aid and the Syrian relocation programme, the Dubs amendment was about much more than that. It was about identifying and supporting the most vulnerable children with no legal route, and transferring them to a place of safety. That the Government should set a timeline now because they say we do not have spaces available is an absolute disgrace.

As we heard yesterday, there is no way we have exhausted our commitment to those immensely vulnerable children who arrived in Europe before 20 March 2016. Councils are coming forward and saying that they still have spaces. By closing that route, we will push the most vulnerable, who have no safe route, back into the hands of those who will exploit and abuse them. That we should simply turn our backs on the Dubs programme now, when we have not transferred even a 10th of the number that was suggested, is beyond belief. If the Government think that the programme provides an incentive for lone children to come to Europe, they clearly have no grasp of the situation that is driving children to make this perilous journey in the first place.

Let me share with the House some of the evidence that was given to us in the Home Affairs Committee. George Gabriel, who established Safe Passage 18 months ago, said:

“From our perspective, particularly in Greece, the case for continued and rolling provision around the Dubs amendment is especially compelling. There are 2,300 unaccompanied minors in Greece. Of those 2,300, only 1,256 have spaces in any Government shelter, so just over 1,000 are street homeless. We estimate that about 48% of those 2,300 have no family link anywhere else in Europe, and so in the broadest brush strokes might be eligible for transfer under the provisions of the Dubs amendment.

We took a sample of 128 of those children in Athens over the past couple of weeks. Of 128, 64 were identified as at risk of sexual abuse, 8% had themselves been trafficked and 19% had post-traumatic stress disorder, so we are extremely concerned about the situation of those children. Clearly, there is a greater need than is to be met through the remaining places offered by the Government. We think that the idea that Sir Nicholas Winton managed to transfer 669 children essentially on his own, and that he topped the efforts of our entire country, is shameful and a mistaken choice.”

We also heard:

“The French agencies we work with report that about 7,900 people were transferred from Calais to reception centres all across France. The total figure for children at that point of demolition was about 2,200.”

Hannah Bardell (Livingston) (SNP): The hon. Lady is making a powerful speech. Does she agree that the attitude and language of many in the Government—

although not all Conservatives, as we have heard some good speeches from the Conservative Benches—is completely wrong? My right hon. Friend the Member for Gordon (Alex Salmond), who is not in his place, made the point at the beginning of the refugee crisis that this is an opportunity to take child refugees and develop them for the rest of the world.

Naz Shah: I thank the hon. Lady for her intervention, and I absolutely agree.

Lily Caprani, deputy executive director of UNICEF, had this to say on the business model of trafficking:

“There is one way to destroy the business model and that is to provide safe and legal routes to children. They turn to people traffickers when they have no other option. For obvious reasons there are many ways to prevent children being vulnerable to an interest in paying smugglers or in trafficking—which is often what happens after smuggling becomes unaffordable from countries of origin—which is to do with investing our development assistance money, which we do very well in this country, to prevent children being in that position in the first place. Once children have arrived in Europe, we know, they will only turn to traffickers when there is no system working for them and when they have lost faith and hope, have been let down, do not feel able to trust the advice they are getting or do not have any advice whatever. George made a very strong point earlier on. The cancellation of the Dubs scheme is a good win for the people traffickers—there is money to be made, because children will try to get to their families or to places of safety one way or another.”

To me, what this comes down to is the fact that we have a choice between doing something and doing nothing. We will never grasp or comprehend the lack of choices that these children have. I say this to the Government: “Commit. Commit to what we actually pass in this House. Don’t just pay it lip service. Don’t just change direction and say, ‘This programme will continue as it is,’ because turning our back on the 90% of children that we committed to help is beyond a disgrace.” What we have done was not enough then, and it is not enough now, and we must do more.

Several hon. Members *rose*—

Mr Speaker: Order. May I ask everybody to try to help each other? If Members can stick to seven minutes, that is great, but it is not an obligation at this stage. There is no fixed limit, and I can understand that the Member who is about to speak and has had no notice may feel aggrieved. He must make his own judgment and will not be stopped.

5.7 pm

Mr Peter Bone (Wellingborough) (Con): Thank you, Mr Speaker, I shall keep my speech to only an hour—no, I appreciate the guidance, and I appreciate you not imposing a time limit.

I congratulate the hon. Member for Wirral South (Alison McGovern) on securing this important debate and the tone in which she moved it. I also congratulate the previous speaker, the hon. Member for Bradford West (Naz Shah), on talking in particular about trafficking, which is the area I probably have the most expertise in and would like to touch on, perhaps at a different angle.

There was some comment earlier about not enough money being given to councils for unaccompanied children. I think the figures for this year are that £41,610 is given from central Government to local government for an unaccompanied child, which is an increase of 20% or

30% in the past year, so I do not think it is fair to say that the problem—if there is a problem—relates to money.

May I say at the outset that I do not in any way suggest that anybody who does not agree with my views does not care for the children? I have, however, been looking at the problem of vulnerable children who have been trafficked since 2005, and when we had Anthony Steen in this House, he used to talk endlessly about human trafficking when nobody would even accept that it existed. I had the great honour to follow him as chairman of the all-party group on human trafficking and modern slavery in 2005.

We lagged behind in dealing with human trafficking until the coalition Government came to power, and I give great credit to the previous Prime Minister in this regard. One of his greatest legacies was what he did on human trafficking. He set up the Modern Slavery Act 2015, and we now have an independent commissioner to challenge what the Government do in this area. I have to say that the then Home Secretary used to annoy me enormously because she would not get on and do what we wanted, but in fact she checked it all out. She worked it all out and then she did it to the letter. Now, as Prime Minister, she seems to be doing that in another field in which I would like her to press on.

This is an exceptionally complicated issue. Human traffickers are the most evil people in the world. They do not care for one minute about vulnerable children. They do not care about human life. They are quite happy to cut the finger off a child whose relative—the older child or the mother—is in this country being trafficked. They have no hesitation in executing victims in front of others, to terrify them. They are gun runners and drug peddlers, but they have worked out that they can earn far more from human trafficking.

I have always taken the view that the best way to deal with this is to stop the trafficking, rather than by looking after the victims afterwards, and we have worked across Europe to do that. I have travelled throughout Europe and to other parts of the world to discover the best ways to deal with the problem. One of the countries that led on tackling human trafficking before we did was Italy. We have to ask ourselves how we can stop the traffickers. They operate only because there is a demand.

The previous Prime Minister was absolutely right to say that we should look after vulnerable people close to the region they come from. I think that, for every 3,000 unaccompanied children we look after here, we could look after 800,000 in the region for the same cost. We have to worry about the numbers; that is incredible. If we look after them in the region, there is no need for them to be trafficked. There is an argument about whether there is a safe route. Yes, there is. We are taking 20,000 or more from the region, and that is the way to do it.

I can understand people’s feelings about unaccompanied children in Europe, but they are in safe countries. Greece, Italy and France are completely safe—

Stuart C. McDonald: Will the hon. Gentleman give way?

Mr Bone: I am sorry, but Mr Speaker has asked us to be brief. This is an issue that we should be able to debate all day. I was making the point that that is where the

[Mr Bone]

help should be. We are putting money in, and other European countries should be doing the same. We should have first-class facilities in Italy and Greece. They know how to do this in Italy, because they have done it already.

I could go on, but I shall conclude by saying that there is one area that worries me enormously. The Minister mentioned it in his opening remarks. We bring certain children over here, thinking that they have a relative here. The children go to those people but they are not relatives; they are part of the trafficking gangs. The children then go into prostitution or servitude. We have to deal with that. I ask the Minister to go away and find out how many of the children we have admitted are still safe. Let us find out that figure before we bang on about bringing more children in.

5.14 pm

Stella Creasy (Walthamstow) (Lab/Co-op): It is a pleasure to follow the hon. Member for Wellingborough (Mr Bone) because although I passionately disagree with his approach to the motion I respect his commitment to tackling trafficking. That echoes what my hon. Friend the Member for Wirral South (Alison McGovern) said: this is not a partisan issue. Members on both sides of the House feel strongly about this matter. Arthur Helton, a well-known American refugee advocate, once said:

“Refugees embody misery and suffering, and they force us to confront terrible chaos and evil.”

In the time available to me, I will argue that refugees also force us to confront something about ourselves and our nationhood. That is why I disagree with the approach advocated by the hon. Member for Wellingborough. I also want to discuss what the Dubs scheme and what has happened to it says about us as a country.

I am sorry that the hon. Member for Mid Derbyshire (Pauline Latham) is no longer here, because she talked about having had no experience at all of visiting the European refugee camps. I spent quite a bit of time in Calais last summer, but I have not been to Greece or Italy. I do not know where the Minister has visited, but we know that a million refugees have come to Europe in the past two years alone and that 2,500 children are in Greece, 1,000 of whom are sleeping rough. There are widespread reports of the poor quality of the conditions in which those children and their families are living. We also know just how few have been transferred here to the UK despite their family links. The same is true in Italy, where thousands are passing through the camps, and there are widespread reports of children suffering human rights abuses. Yet just three have been reunited with family here.

While the motion refers to Greece, Italy, and France, we should not forget the children who are travelling through Europe, because the Dubs scheme was about children who are in Europe and about our responsibility, as part of Europe and as part of the modern world, to those children alongside our European counterparts. We all know that we will probably get abuse on Twitter or Facebook for taking part in this debate, but we sometimes have to advocate what might seem an unpopular opinion. I am saddened that doing our bit is now an unpopular opinion in this country, but that is the debate that we are having. When our politics might feel so futile,

children should not suffer, and I agree with much of what the hon. and learned Member for Torridge and West Devon (Mr Cox) said about that. When we passed the Dubs amendment, that was the best of this House. No matter how unpopular the issue might have seemed on social media, we knew in our hearts and in our heads that it was the right thing to do.

That is why closing the Dubs scheme prematurely is the wrong thing to do. There is no evidence that closing the scheme early will do justice to those children and their needs. There is no evidence for the push or pull factors in this process; there is only supposition. We are not talking about a migrant crisis; we are talking about a refugee crisis—60 million people are fleeing persecution. We should call it a refugee crisis and not pretend that it is the same as people coming here to work. Above all, after the Government voted down proposals in Committee to treat children using the UN convention on the rights of the child, we should ask ourselves why closing the Dubs scheme took our moral purpose forwards, not backwards—it did not.

The hon. Member for Mid Derbyshire talked about other countries and their responsibilities, and I agree with her. We should all be doing more, but because one country is not doing enough does not absolve us of doing our bit. That is the problem. How can we look Turkey in the eye when it is taking 2.8 million Syrian refugees and just 3,000 have come to the UK in the past year alone? The promise of the Dubs scheme is what we should speak up for. Children got on buses to go to centres on a promise and a pledge from the British authorities to treat them fairly, but just two days later the Home Office sneaked out guidance saying that half of them would not even be considered due to their nationality, not their need. Those children are languishing in Dunkirk because they have lost all hope. That is not British. That is not a popular opinion that we should uphold.

I will join other Members in tabling amendments to the Children and Social Work Bill to try to reopen the Dubs scheme, to try to hold the Government to account for what we promised a year ago that we would do, and not to let the Minister get away with claiming that it was said in the small print that we should leave these children languishing in the mud and that we would abandon them in Italy and in Greece. We did not listen to the French authorities when they said that the scheme should continue or to the UK's Independent Anti-slavery Commissioner, who confirmed that he knows of cases in which the Dubs amendment has helped and of children who were being exploited but are now safe. We cannot be confident that there are not more of those children, just as we cannot be confident that there are not more local authorities that will step up to the plate. Indeed, when I spoke to my own local authority today, I was proud to hear of the work it is doing to take refugees and its commitment to working with other local authorities.

We have to confront the fact that our nation has to do its bit, alongside other European nations. We can either be followers or leaders in that process. Whatever the hon. Member for Mid Derbyshire has to tell herself about this issue so that she can sleep at night, let her tell herself that. Let us not decry these children but stand up for them, because that is the best tradition, that is what will keep them safe and that is what will do justice to this House and this country.

5.20 pm

Heidi Allen (South Cambridgeshire) (Con): I take the House back to April 2016 when, in response to the national outpouring that followed the dreadful and unforgettable image of poor little Alan Kurdi washed up so limply on a beach, this Government made a commitment in legislation to help some of the thousands of unaccompanied children who had escaped persecution and war and made it to European shores. The Dubs amendment was a complementary but, critically, unique part of our response to the humanitarian crisis that was sweeping across Europe.

As a continent, we must acknowledge that we did not respond swiftly enough to this mass migration, so millions of desperate men, women and children made perilous journeys, which means they are here now. I visited the Greek island of Lesbos in January 2016 with my hon. Friend the Member for Eastbourne (Caroline Ansell) and wept with disbelief at the hundreds and hundreds of abandoned lifejackets: yours for €20 courtesy of your friendly local trafficker—fake, of course. I remember naively commenting that some of them were branded Kawasaki or Yamaha jet ski water jackets and how at least they were real. “Oh, no,” I was told, “they are still fake. They just sell for a premium because they look more authentic.” What kind of parallel universe had I landed in?

At that time, anywhere between 3,000 and 9,000 refugees a day were arriving on the Greek islands. Greece, already financially on its knees, was in chaos. Yet despite the overwhelming challenge, the Greek people could not have been more hospitable, with local restaurateurs delivering food to the queues of cold but patient refugees. I will never forget the sight of a young mother using her hand to sweep the dirt off the blanket on which her family were sitting. Just a few carrier bags and the blanket were all she had in the world, but it was her home and she was keeping it clean, I remember a woman and her baby. The mother still had a slick of pink lipstick on her lips. She had a dirty face and dirty clothes, but she was proudly still a woman.

Although I saw similar images in Calais in the spring and summer, I am ashamed to say that, because of the euphoria of refugees finally being transferred to safe centres, those images have started to fade. The media have been quick to replace those images with all things Brexit and Trump. When I look back, as the day of camp demolition approached, our Government rose admirably and worked hand in hand with the French authorities to identify and process at speed children with family reunification rights under Dublin and those who might be suitable for the Dubs scheme. Mistakes were made, and it is undeniable that some of the age assessments were wrong, but that was symptomatic of the rush and urgency of the situation. It is not a reason to change our policy on helping lone children.

We took 250 Dublin and 200 Dubs children from France, which was a great start, so why, oh why, are we here today debating the Government’s decision to close the Dubs scheme when only another 150 will come? I am so proud of the £2.3 billion commitment to aid in the region and of the 23,000 refugees we will welcome from there, too, but the glow of pride in those other commitments should not dazzle so brightly that it disguises the separate but very real commitment we made on Dubs. Let us not be blinded.

Dubs was the final jigsaw piece in our refugee response, offering sanctuary to children who had lost everything and were already in Europe. We wisely set a cut-off date so that the offer would extend only to those who had come before the Turkey-EU deal in March, and we all agreed that was critical to ensuring that there was not a swell of new arrivals. Crude though it was, the Turkey deal worked and the flow to the Greek islands reduced significantly, but Greece could not and still cannot cope with the level of people who had already arrived. Dubs recognised that, enshrining in law a promise to help ease the burden on Greece and offer sanctuary to children who are vulnerable to trafficking and prostitution. These children are no less vulnerable now, so why are we turning our backs on them?

Ministers will say they are worried about the pull factor. First, let me say that we had this debate when we debated Dubs last year, and we accepted the evidence and expertise of NGOs that this legislation would not exacerbate a “pull”. Secondly, and so clearly, the very opposite happens. Having finally encouraged children to trust volunteers and the authorities, and coaxed them on the coaches to go to the centres in Calais, we now propose to whip the system away from them. When people cannot trust western Governments, whose welcoming arms they have sought, is it any surprise that the smiling face of the trafficker is the only place left to turn? I believe that opening the Dubs scheme and then shutting it so rapidly will actually cause more harm and a greater “pull”, through southern Europe towards Calais and then to our shores. In Dunkirk, on Monday, the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper) and I heard at first hand from youngsters who had absconded from the safety of those regional centres because they had heard about the imminent closure of the scheme. Desperation clouds judgment and makes for poor choices—choices that lead straight into the hands of traffickers and prostitution rings. Closing Dubs so abruptly will give the traffickers the greatest promotional opportunity they could ever ask for.

We have never invested fully in a structured approach to Dublin processing in Europe, with scant Home office personnel available in those French centres and only one person in Greece and another in Italy. Refugees showed us their paperwork on Monday; nothing at all in writing from the Home Office is given to them and basic asylum rights information is provided in French, despite the very first item on the documentation saying that the person cannot speak French. We can and must do better.

Putting Dubs to one side, Dublin legislation means there is a proactive duty already incumbent on us to assist with family reunification. I am pleased the Government have recently agreed to review the casework of children in France who were turned down at the first attempt, but if we are to do this meaningfully we need an improved process, with dedicated Home Office staff, translators and the commissioning of organisations such as Safe Passage and the Red Cross, which know what they are doing. As we have heard, it has so far taken, on average, 10 months to transfer just nine children from Greece and two from Italy under Dublin, and, I am ashamed to say, none under Dubs.

My visit to Dunkirk on Monday so depressed me, as it was a horrid repetition of everything I had seen in Calais in the summer. I do not want us to feed that

[Heidi Allen]

vicious cycle, so I feel it is sensible to restrict our activities in France to establishing a high-performing Dublin system. But 30,000 unaccompanied children arrived in Greece and Italy last year. About 1,000 wait in shelters in Greece, and about the same number again sleep on the streets, with thousands more doing the same in Italy. So it is in Greece and Italy where we should focus our Dubs attention.

As I draw my comments to a close, I want to focus on the capacity of local authorities, as that is the main basis for the Government's argument. The Government say they have consulted and local authorities can take only 150 more. Even as I was writing this speech last night, I received a text message from an old St Albans councillor friend, Anthony Rowlands, who said that his council had just backed a motion to uphold the Dubs amendment. All across the country, councils are stepping forward to say they can do more. Councillor David Simmonds of the Local Government Association told the Home Affairs Committee just yesterday that only 20 councils across the UK have met their 0.07% target. Lewisham Council has offered 23 places but has thus far been sent one only child. Birmingham City Council could take 79 more and Bristol City Council could take 10 more. My own authority in Cambridgeshire has taken 61 but still hopes to reach its full quota of 93. Hammersmith and Fulham Council, after its people visited the Calais camp, upped its offer to the Home Office and asked for an additional 15 children on top of its 0.07% commitment. How fantastic is that? It has 13 spaces filled and has been asking the Home Office for two more children but has experienced "resistance" from Home Office officials. This evidence, I am sorry to say, suggests that a lack of capacity has not been proven and, as we know, this will be challenged in the courts. Evidence I have taken from the LGA says that all councils were written to once, regardless of whether they are district, unitary or county councils, but there has been no follow-up after that one letter.

Our world is in turmoil and moral leadership is needed like never before. What kind of country are we? What kind of Government are we? The country that I know and love is outward-looking, proud, welcoming and, above all, sharing. We have talked a lot recently about being a friend to Europe post-Brexit, but I tell you what, Mr Speaker, actions speak louder than words. We must step up and be the partner that our European neighbours need. We must go back to our local authorities and ask again—and again.

The humanitarian crisis will not end neatly at the end of this financial year, so neither must our compassion. In the event that we are unsuccessful today, I have already tabled an amendment to the Children and Social Work Bill, which will return to the House soon. There is substantial cross-party support for this debate. So long as Europe is under pressure to find homes for the most vulnerable casualties of war and persecution, we must keep asking, what more can we do?

5.30 pm

Danny Kinahan (South Antrim) (UUP): I am keen to speak from an Ulster Unionist point of view, but first I congratulate the Members who have brought this matter to the House. I very much agree with the points made by the hon. Member for South Cambridgeshire (Heidi Allen).

I shall keep my speech short. When I came here as a new boy, I was keen to learn how much the Government were doing for refugees. I was pleased to see that they had provided £2.3 billion, and I was pleased to support the vulnerable person resettlement programme and to know that 4,500 people were coming to the UK, with 300 coming to Northern Ireland. The Ulster Unionist party is clear that we in Northern Ireland must do our bit and be more included. We are currently in the middle of an election, but we need to be involved to ensure that we are sharing in it.

Having listened to the reasons why we need not support certain measures because of the Dubs amendment, I was disappointed to find that the commitment had been dropped. Bearing in mind our British values of helping people and looking after them, the decision should have come back to the House for a debate—we have touched on it a bit today—so that we could all learn more about trafficking and about how we can help people.

In my brief time here, I have only seen the camps in Kurdistan in northern Iraq. I was impressed by how they are run but appalled by the fact that it is going to be years before the people there can get back to their homes. Although there were tents for families of six, most families had eight or 12 members. They were incredibly well looked after, but they showed us that as a country we have to be compassionate.

By dropping the Dubs commitment we have not done what we promised. We have heard many Members saying that we must do more. We need to keep reviewing the situation. We have to have compassion and to help people, and we have to keep working at it. Let us do what we should do as British people and help to look after everyone else.

5.32 pm

Mr David Burrowes (Enfield, Southgate) (Con): It is a pleasure to take part in this debate, and I congratulate those Members who secured it.

At the heart of this debate is the important question of whether we have done enough for child refugees. Have we shown our compassion? The answer now, and always, is no, not yet. It is not a case of our saying, "We are just going to do this much to comply with our interpretation of the law and see whether it is enough," and then moving on; we should want to do the maximum for the most vulnerable refugees who need our support. We can do that in all manner of ways, not only through compliance with section 67 of the Immigration Act 2016 or the Dublin agreement, but through our international aid obligations and the resettlement routes, and, indeed, by caring for those who come to our shores irregularly. We can show our compassion in all manner of ways.

The Home Secretary was right when she said in her party conference speech in October—this did not get as much publicity as some of her other comments—that compassion has no borders. That is something we will hold on to. As has been said, compassion is not the preserve of any one political party, and it is not the preserve of Back Benchers or Ministers. I understand that there is a difficult job to do, with much complexity. We all care about these vulnerable people, so the issue is how we can deliver something practically.

As everyone has said, the Government have a good record, having committed £2.3 billion to international aid and cared for the 8,000 unaccompanied children who came through last year, many of whom came through the Syrian VPR scheme.

I particularly commend the Government for focusing not on the numbers, but on the issues of safety and vulnerability, whether in the UK or by making the value of our pound go far in Syria, the middle east, north Africa or, indeed, in Europe.

Over time, through cross-party pressure, the Government have moved from a 200 VPR scheme to a 20,000 VPR scheme, despite some pressure and push-back from some people. We are not simply going to pick a number; we will look at how far we can go now and we will keep the door open to looking at how we can respond to issues of vulnerability and safety. That is why I welcome the Government's continuing approach.

We are on a journey. We do not know what is going to happen next or what the next crisis or challenge will be. We have an international leadership role, particularly on modern slavery, that I want to touch on briefly. It means that we must keep the door open to a response to the refugee crisis.

I welcomed the Government's response last April and May to the call that came from the public and elsewhere to take in 3,000 child refugees. What was our response to that number? The charities recognised that it was somewhat arbitrary, but it rightly mobilised us—we wanted the Government to do more. The Government's response was, "Yes, we will take 3,000 more vulnerable children, and we will take them from the middle east and north Africa." That is the largest international resettlement effort that focuses on children, those at risk and their carers. I commend the Government for it.

The Government went further. They responded to the wonderful and very credible campaign led by Lord Dubs, which eventually led to section 67 of the Immigration Act. Their response was commendable because it was very practical; it recognised that focusing on numbers is not the best way to approach things when it comes to those in Europe, although it can be a good approach for refugee camps, particularly in the middle east and north Africa. The situation in Europe is complicated, and we have to work practically on it in partnership with our French, Italian and Greek neighbours and with local authorities.

I supported the revised Dubs amendment, because it took a practical approach—compassion with a head and a heart. The Government announcement of the scheme on 4 May, under the previous Prime Minister, stated:

"Those at risk of trafficking or exploitation will be prioritised for resettlement. And existing family reunion routes will be accelerated...The government is not putting a fixed number on arrivals, but will instead work with local authorities across the UK to determine how many children will be resettled."

I understood that as a very practical way of moving things forward. I did not expect the number to be 350; I do not believe that that was in any Member's mind—whether we are using our heart or our head, our moral and legal responsibilities to fulfil section 67 go way beyond that. Nevertheless, it was a practical approach, which is why in a letter to MPs the Home Secretary rightly stated:

"The scheme has not closed, as reported by some. We were obliged by the Immigration Act to put a specific number on how

many children we would take based on a consultation with local authorities about their capacity. This is the number that we have published and we will now be working in Greece, Italy and France to transfer further children under the amendment. We're clear that behind these numbers are children and it's vital that we get the balance right between enabling eligible children to come to the UK as quickly as possible and ensuring local authorities have capacity to host them and provide them with the support and care they will need."

The Government can make any interpretation they want, but the reality is that the scheme is in law. It is a matter of statute, and there has been no revision, no sunset clause and no Bill that means that it no longer applies. The Dubs amendment still stands. What we might call the Cameron scheme had a cut-off date of 20 March 2016, although the Government are quite at liberty to change that, but our responsibility to work with local authorities to come up with the right scheme is a matter of statute.

I recognise that the Government scheme is still open, although I suggest we need to reset its time lock. It needs to be opened wider—the statutory 0.07% commitment to offer places across local authorities may need to be made wider. As we learned in the Home Affairs Committee yesterday, that would lead to 4,000 more spaces. I encourage the Government to go back and show that that door can be pushed wider open. I also urge them to publish more comprehensive criteria on all forms of modern slavery, as the anti-slavery commissioner has said.

Mr Hyland has said that 3,000 unaccompanied Nigerian children arrived in Italy by sea last year. There is nothing about push and pull; most have already been victims of trafficking. What is their destination through the traffickers? It is the UK. The Prime Minister is taking a lead on modern slavery. She dispatched Kevin Hyland to find this out, and he has come back saying that we have a responsibility to these women and children. I want the Government to take those responsibilities seriously, keeping the Dubs amendment wide open, resetting it in Italy, where the Turkey deal has no relevance, and ensuring that we can keep on the path of safety for these child refugees.

5.40 pm

Will Quince (Colchester) (Con): It is a pleasure to take part in this important debate. Our vote last year on the Dubs amendment was one of my biggest tests in Parliament since my election. On the morning of the vote, I drafted and published my position on why I was going to support the Government, yet after sitting through the whole debate and hearing the arguments put forward by Members on both sides of the House, I changed my mind and ended up voting for the amendment, much to the frustration of the Government Whips. Such is the power of this place.

Although the Government won the vote that evening, history tells us that they changed their position shortly afterwards and accepted an amended version of that Dubs amendment. If we fast forward to the past fortnight, there has been the announcement that we will take only 150 more children under the amendment. I must say how sad and disappointed I was to hear that.

The Government have a proud record when it comes to their response to the events in Syria and the wider region. We have pledged more than £2.3 billion in aid—the UK's largest ever humanitarian response to a single crisis, and second only to that of the United

[Will Quince]

States of America. Thanks to the goodwill of the British people and local authorities up and down the country, in the last year alone we have provided refuge or other forms of leave to more than 8,000 children. However, that does not mean that we can ignore the crisis currently happening in Italy and Greece, and across Europe. We cannot say, “Job done,” pull up the drawbridge on Dubs and leave vulnerable children at risk on the continent.

Two main arguments have been put forward by those who are keen for the UK to do less to help. The first is that local authorities do not have the capacity for more children. Even if that is the case, it is no reason not to reconsult them regularly and then allow them to take in children when they can. As I understand it, the last consultation took place in June 2016. The Dubs amendment did not specify numbers, but it did mandate the Government to consult local authorities about their capacity to support unaccompanied child refugees. Yet across the UK, there are 217 upper-tier and unitary local authorities with responsibility for children’s services, so 400 Dubs children do not even equate to two unaccompanied children per council. I challenge anyone making that first argument about whether it reflects actual capacity.

The second argument is that schemes such as Dubs act as a pull factor for children who are intent on getting to the UK.

Fiona Mactaggart: The anti-slavery commissioner published a statement on that issue this afternoon. He said that he felt that the effect of the Dubs amendment had been exactly the opposite of a pull factor, as it had meant that fewer people were pulled to the UK by the traffickers.

Will Quince: I thank the right hon. Lady for that intervention. I agree—I will come to that exact point now.

Focusing on a pull factor ignores the power of push factors. These children are not economic migrants. They are not seeking to come to the UK in the hope of making more money. They are refugees fleeing conflict, persecution, poverty, fear and desperation. They are putting themselves in grave danger because there is a small chance that a safer life exists across the Mediterranean.

The pull factor was mentioned many times in last year’s debate on the Dubs amendment, but the newest incarnation of the argument—that children move within Europe in the hope of being brought to Britain—simply does not stand up to scrutiny. When the Government introduced the scheme, they introduced a cut-off date of 20 March, meaning that it only applied to children already in Europe, so how could it possibly serve as an incentive or a pull factor? Remarkable work has been done by the Department for International Development in countries surrounding Syria and war zones around the world, and that has played an important role in discouraging people from travelling to Europe.

Finally, and most importantly, safe and legal routes to the United Kingdom encourage children to engage with local authorities, rather than throwing in their lot with people traffickers in the hope of being smuggled into the United Kingdom. I am told by NGOs and charities—I expect this is the point that the right hon. Member for Slough (Fiona Mactaggart) was making

—that anecdotal evidence suggests that when children were transferred from the Calais jungle to the United Kingdom, spontaneous arrivals by illegal means almost completely stopped. That was simply because children were putting their trust in the system. Surely it is better that scared and vulnerable children, with a shocking lack of information about their rights, are encouraged to engage with the formal system in the hope of safe transfer, rather than risking their lives. I am concerned that if we reduce those formal paths to asylum in the United Kingdom, we will be playing into the hands of people smugglers.

I have talked to charities that have worked with children in the camps of northern France, and there are countless stories of children who, after hearing that they will not be relocated to the UK through Dubs or the Dublin convention, have returned from safe children’s centres to the squalor of camps such as Grande-Synthe outside Dunkirk in order to find illicit routes into Britain. Safe relocation schemes such as Dubs and the Dublin convention mean that the Home Office can assess whether it is in the best interest of a child to be brought here, ensure that the most vulnerable or those with family in the UK are taken to safety, and encourage others to claim asylum in France.

The Dubs amendment’s passage into legislation marked an acknowledgement that we have a duty to do better than this. We can do better than this. I urge the Government to reconsider, to keep the scheme open and to continue to consult with local authorities. We cannot let it end here.

5.47 pm

Wendy Morton (Aldridge-Brownhills) (Con): I welcome the opportunity to speak in this important debate, which I commend the hon. Member for Wirral South (Alison McGovern) on securing.

Three years ago, I had the opportunity to go to Turkey to visit a refugee camp very close to the Syrian border. What struck me was not just the size of the camp, but the fact that this felt like the start of something much longer and more protracted. I still recall my talks and chats with families; all they wanted to do was get back to their home in Syria. Last year—three years later—I went to Jordan and Lebanon as a member of the Select Committee on International Development with my hon. Friend the Member for Mid Derbyshire (Pauline Latham). I went to al-Azraq to visit refugees and some of the host communities. Again, I was struck by the size of the camps, the vulnerability of the people, the sheer amount of work that went into supporting them—rightly so—and the huge amount of effort put into that by the host communities, host countries and international donors.

I want to touch, in broad terms, on the UK’s response to the Syrian crisis and to the migration crisis. Given the scale of the challenge, we and the British people should be proud of that response. To date, DFID has allocated £2.3 billion in response to the Syrian crisis. The UK is the second-largest bilateral donor to the humanitarian response in Syria since it began in 2012, and it is one of the few EU countries to commit to 0.7% foreign aid spending. DFID figures show that UK aid in Syria and the region between February 2012 and August 2016 has included providing more than 21 million individual monthly rations, in excess of 6.5 million relief packages, more than 6 million vaccines, and health support, grants and vouchers.

That is not it. Between October 2015 and December 2016, the UK gave support to refugees and migrants during the Mediterranean crisis, many of whom were not from Syria but from other countries. The support included meals to refugees and migrants in migrant camps in Greece and Serbia, and relief items such as blankets, temporary beds and hygiene kits for refugees and migrants moving across Europe, as well as healthcare, emergency first aid, protection interventions, and legal support and assistance. I am proud of the work that DFID staff do, often in difficult situations, and of the NGO community.

It is vital that we take a balanced approach, targeting support to help the most vulnerable while working closely with local authorities which, after all, are the ones that resettle these vulnerable individuals and provide them with a home and, crucially, support. We often hear of the pressures that local authorities are under. I looked up figures on foster families and found that the Government do a lot of work to encourage families to come forward and foster children, but we still need to do more—we already face that challenge.

The Government agreed to resettle 20,000 Syrians in this Parliament and to settle 3,000 children and their families from the wider region. We have also granted asylum or another form of leave to more than 8,000 children. Our resettlement programme is the biggest in Europe. The Government have also transferred more than 900 children from Europe, including more than 750 from France. This is crucial work that the Government are dedicated to continuing, through Dublin and Dubs, and under the vulnerable children's resettlement scheme and the Syrian vulnerable person resettlement programme.

It is also vital, however, that we do not create a strong incentive for refugees to undertake that dangerous journey across the Mediterranean and put themselves in the hands of people traffickers. I know that we do not all share the same opinion about this, but I have seen the figures for 2015, which saw probably the biggest movement of people since the second world war, and although I do not have the stats for 2016, I am sure that the challenge of fragile states and conflict-affected countries and regions remains. I have seen many examples of that in my work on the International Development Committee and during some of the visits we have been fortunate to undertake.

We also heard this week about the prospect of serious famine across Africa, in addition to the high youth unemployment in some countries. These are all extra factors that I believe are driving migration—it is not something that has just happened; it has been happening for some time. I do not blame any young person for taking the initiative and wanting to make a better life for themselves, but it is important that when they do it, they do so for the right reasons and safe passage is available for those entitled to it.

All this highlights some of the challenges we face in the modern world. As well as seeking short-term solutions through humanitarian aid and the schemes that the Home Office is undertaking now, we must use all other means at our disposal to tackle these problems at source. That means using the Foreign and Commonwealth Office and our diplomacy skills and influence across the world, and it means using DFID and the aid budget not just to provide humanitarian aid to those who need it most, but to tackle things such as economic development and developing livelihoods. Only in that way, working

to reduce conflict and instability, will we ever get to the bottom of some of the deep-rooted challenges we face today.

Mr Speaker: Before I call the hon. Member for Cumbernauld, Kilsyth and Kirkintilloch East (Stuart C. McDonald), I remind the House that the debate must finish no later than 6.25 pm—some might think there is merit in it finishing slightly before then—so I appeal to him and the right hon. Member for Hackney North and Stoke Newington (Ms Abbott) to take account of the wish of the hon. Member for Wirral South (Alison McGovern), who opened the debate, to have a few minutes to conclude it.

5.54 pm

Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): Like other hon. Members, I genuinely welcome, yet again, all the good work that the Government have done, and continue to do, on resettlement and aid. However, the winding down of the Dubs scheme is a deeply misguided decision. It flies so far in the face of the evidence we have heard that it is a scandalous decision. I therefore warmly congratulate the hon. Member for Wirral South (Alison McGovern) on securing this timely debate and giving us this opportunity to hold the Government to account. We have heard many fine speeches today.

If anyone wants to understand why this is such a deeply misguided and scandalous decision, I urge them to read the transcript of the utterly compelling evidence that the Home Affairs Committee heard yesterday from UNICEF, Safe Passage, Save the Children, the International Rescue Committee, the Children's Society, representatives of local government, and Scotland's Children's Commissioner. In the words of Tam Baillie, the last of those witnesses, the limit placed on the number of Dubs transfers is

“a shameful step back from an already weak UK response to the plight of migrant children stranded in Europe.”

I distinguish the situation as regards Europe from the help that the Government have provided in the region. SNP Members agree with the Children's Commissioner. We need not only Dubs reinstated and expanded, but far stronger and faster procedures for Dublin transfers, and better and more generous family reunion and processes. One person in each of Greece and Italy transferring seven or eight people each year is not remotely in the ballpark of what this Parliament expected. All that is reflected in this motion, which we therefore wholeheartedly support. In short, the evidence of the witnesses we heard yesterday was that the Dubs scheme is a modest scheme. It is modest, but it is a very significant and, indeed, unique contribution to dealing with the migration crisis facing Europe, and completely and absolutely the right thing to do.

It is worth reiterating why this is such a precious prize. As we have heard, conditions for too many of the more than 90,000—probably over 100,000—unaccompanied child refugees in Europe are appalling. Of those in Greece—2,300 or so—more than half are living in tents with no heating, exposed to freezing conditions, lack of hot water, inadequate medical care, violence and mistreatment. Dubs, alongside other schemes, can help to stop that happening, ensuring that we are making our fair contribution towards this effort. That is the

[Stuart C. McDonald]

prize we are pushing for. If we are not going to do this, how can we say that any other country should step up to the plate and take its share of responsibility?

Most impressively, the witnesses yesterday utterly dismantled the two very tenuous reasons given by the Government for phasing this scheme out. First, as the hon. Member for South Cambridgeshire (Heidi Allen) said, it is wrong of the Home Secretary to argue that the pull factor caused by the Dubs scheme plays into the hands of people traffickers. In fact, the opposite is the case—ending Dubs would be an absolute boon for people traffickers. That was the expert opinion of UNICEF, Safe Passage, Save the Children and the International Rescue Committee. As we heard earlier, the Independent Anti-Slavery Commissioner has published a report on similar lines. That prompts the question of whether the Government took advice from their own independent expert before reaching this decision, because based on what we understand he has put out this afternoon and the letter referred to by the hon. Member for Enfield, Southgate (Mr Burrowes), he would give the Government absolutely contrary advice to what they have decided to do.

The second argument made by the Government for closing the Dubs scheme is about local government capacity. The witnesses yesterday were absolutely clear that it is not fair for the Immigration Minister to argue that local authorities have the capacity for 400 and that is the end of the story. On the contrary, there can be significantly more capacity. We were reminded that even if we just looked at the Government's own 0.07% target for the national transfer scheme, that would leave capacity for 4,000 under Dubs. In a sense, however, talking about existing capacity misses the point, because as Tam Baillie, the Children's Commissioner, pointed out, the question we should be asking is what additional capacity we can create. What investment and time are needed in order to ensure that we are in a position to take our fair share? The right question is not, "How much can we comfortably handle just now?" but "How much do we need to do—how much do we need to invest—if we are to do our fair share?"

The 3,000 in the original Dubs amendment was not a number plucked out of thin air; it was a careful calculation by Save the Children, using the EU relocation formula, to decide what our fair share of the estimated number of children in Europe at that time would be. Of course, the number of children in Europe is now roughly three times that, so even if we stuck to the original 3,000 it is still a very modest contribution that probably underestimates the number of children we would rightly be expected to take. Instead of dodging our responsibilities, we need more than ever to live up to them.

As we heard earlier, the First Minister, Nicola Sturgeon, has said that Scotland is ready to play its part, and next week she will host another roundtable on how to respond to the situation for unaccompanied children. As we heard yesterday, local government across England and Wales is absolutely prepared to get involved.

Based on yesterday's Home Affairs Committee sitting and on briefings from other respected organisations, such as Amnesty International and the Red Cross, there is an abundance of expertise, ideas and detailed proposals not only about how we could continue Dubs alongside Dublin, but how we could expand it and make it

work better and faster in France, Italy and Greece, Bulgaria and even the Balkans, where such schemes are desperately needed. The Government should be working with non-governmental organisations, local government and other public bodies that are prepared to make that happen.

The Government, as reflected in the motion, have a strong track record on international aid to the countries around Syria. I have always praised that when debating these issues, but it is not some sort of down payment that allows us to wash our hands of responsibility for hosting a share of the refugees. All the work undertaken by the Department for International Development risks being gravely overshadowed in the years ahead by the intransigence of the Home Office.

Hypothetically speaking, if 100,000 children arrived in the United Kingdom and travelled down the Thames, I think the Home Office would take a very different approach. It would not say, "Yes, we will deal with the 100,000 and take some aid from Europe." It would expect other European countries to step up to the plate. We should take the same approach.

The Home Secretary and the Immigration Minister rightly received credit for their action in respect of Calais—action that their predecessors had dodged for too long, which meant that ultimately the process was unnecessarily messy. That action showed that, with investment, co-operation and political will, significant progress can be achieved and lives can be changed. They should stick to those instincts, revisit the consultation with local authorities, abandon the myths and make policy based on evidence. They should reinstate and expand the Dubs scheme, take out the restrictive nationality and age criteria from the guidance, and improve the Dublin and family reunion processes. Doing so would show respect for this Parliament, command respect from the public, show solidarity with our European neighbours and, most importantly, save children from exploitation and abuse.

6.1 pm

Ms Diane Abbott (Hackney North and Stoke Newington) (Lab): I congratulate my hon. Friend the Member for Wirral South (Alison McGovern) and others on securing this important debate. We have heard powerful speeches by my hon. Friend, my right hon. Friend the Member for Normanton, Pontefract and Castleford (Yvette Cooper), the hon. and learned Member for Torridge and West Devon (Mr Cox), my hon. Friend the Member for Ealing, Southall (Mr Sharma), the hon. Members for Mid Derbyshire (Pauline Latham) and for Dundee West (Chris Law), the right hon. Member for Loughborough (Nicky Morgan), my hon. Friend the Member for Bradford West (Naz Shah), who informed us that she has actually fostered refugee children, which gave what she had to say added significance, the hon. Member for Wellingborough (Mr Bone), my hon. Friend the Member for Walthamstow (Stella Creasy), the hon. Members for South Cambridgeshire (Heidi Allen), for Enfield, Southgate (Mr Burrowes), for Colchester (Will Quince) and for Aldridge-Brownhills (Wendy Morton) and, finally, the hon. Member for Cumbernauld, Kilsyth and Kirkintilloch East (Stuart C. McDonald).

Most Members, on both sides of the House and from all parties, have made it abundantly clear that in effectively closing the Dubs scheme after accepting a mere 350

children, the Government have fallen far short of what Members in both Houses thought they had voted for.

Clive Lewis (Norwich South) (Lab): I have sat and listened to the debate and heard powerful presentations from many Members across the House. I think that the debate distils down to two very clear things. First, what do we want to look like to the rest of the world? What example do we want to set? Secondly, what type of country do we want to be? Does my right hon. Friend agree with that?

Ms Abbott: I agree that this is about asking, particularly post-Brexit, what sort of Britain we are: are we a genuinely outward-looking, internationalist and humanist country, or are we a country that seeks ways to avoid its moral obligations?

I have to begin by acknowledging the investment and exemplary work of Her Majesty's Government with regard to those refugees who have stayed in camps in the region. I have visited those camps, but this debate is about the Syrian refugee children and others who are in mainland Europe. Some Members and, sadly, the Minister have implied that if we pretend that those tens of thousands of child refugees who are already in Europe somehow do not exist and do not matter, they will disappear.

I must direct the focus of the House to the tens of thousands of refugee children in mainland Europe. I contend that in narrowing the safe and legal routes from Europe for those children, the Government run the risk of acting as a marketing manager for people traffickers. I have visited the camps in France and Greece. These children may be in safe countries, as some Members have said, but they are living in horrible conditions. That is despite the best efforts and the personal kindness of—

Mr Bone: Will the right hon. Lady give way?

Ms Abbott: I have to make progress.

Mr Bone: It is supposed to be a debate.

Ms Abbott: I have listened with a lot of care to all the speeches by Members on both sides of the House and now I have to make progress in order to leave time for my hon. Friend the Member for Wirral South.

I have visited the camps in France and Greece. The children there may be in safe countries, but they are living in horrible conditions. That is despite the fact that so many local people do their best to be kind and helpful. Far from arguing, as some Members in this House have done, that providing more safe and legal routes from Europe is some kind of incentive, as if it is a choice, no one who has visited the camps and informal encampments and looked these families and children in the eye can seriously argue that they have come to Europe on some sort of jaunt and can easily be turned back. Remember that these are families and young people who have risked their lives, who have seen people die crossing the Sahara and who have then risked their lives again crossing the Mediterranean.

Of course it is true that the French Government should have done more in the past. It was because the French were so slow originally to register refugees of all ages that so many set their hearts on the UK, but let us

be realistic about the conditions facing refugees in Europe. In Greece, the conditions facing asylum seekers were so dire that as long ago as 2011, the European Court of Human Rights ruled it unlawful to send people back there. Only last year, in December, did the European Commission finally decide that sufficient improvements had been made that other EU member states could start sending people back to Greece.

How far have conditions improved really? I am not so sure that they have. Last month, just weeks after the Commission said it was appropriate to send people to Greece, there were reports that three migrants in an overcrowded camp in Moria on Lesbos had died within 10 days of each other. It is thought that the immediate cause was carbon monoxide poisoning, after men sharing overcrowded tents inhaled toxic fumes from the heaters they had been forced to use in the harsh winter temperatures.

In Italy, where the number of new arrivals reached its highest ever level last year, conditions may have been worse still. Recent measures requiring the Italian authorities to fingerprint new arrivals have led to shocking abuses, according to Amnesty International. It has documented cases of the police using beatings and electric shocks to force compliance from those who are reluctant to have their fingerprints taken. So say that those countries are technically safe, but do not say that the conditions in those countries are acceptable and justify closing off one of the safe, legal routes for children to come from mainland Europe to this country when they have relatives here or other appropriate legal reasons for coming here.

On the question of local government capacity, we have heard that David Simmonds of the Local Government Association says that current Home Office child refugee funding for local councils covers only 15% of the funding costs. That is a serious matter when so many local authorities led by all parties—Labour and Conservative—are under terrible funding pressure. There has been very limited consultation with local authorities. All the evidence suggests that, given more time and appropriate funding, many more councils would step up to provide accommodation for child refugees. An absolute lack of capacity among local authorities simply has not been proven.

Mr Goodwill: Local authorities now receive £41,610 a year for each unaccompanied child under 16. I think that is slightly more than 15% of the costs.

Ms Abbott: I can only listen to the LGA, which said that the money covers only 50% of funding costs. The Minister must have that debate with local government.

It is all too easy to say that closing off routes, whether the Dubs scheme or Dublin, for refugee children in Europe is acting in their best interests—that somehow they will go back, and that the fact that we are doing good work in the region offsets the fact that children are being left in squalor at the mercy of people traffickers on the continent of Europe. It is all too easy, but it is not right. The hallmark of a civilised country is the fairness, the justice and the humanity with which it treats the most vulnerable. Who could be more vulnerable than refugee children?

I join many Members on both sides of the House who plead with the Government, even at this late stage, to fulfil the hopes and expectations of Members in this House and the other place when they voted for the

[Ms Abbott]

Dubs amendment. We plead with the Government to fulfil not only their legal but their moral obligations, and to act to save the tens of thousands of refugee children still on the continent of Europe from the squalor, the people traffickers and the exploitation, and, perhaps above all, to save this country's good name and reputation.

6.11 pm

Alison McGovern: I began the debate by explaining that it was cross party because the fate of refugees is a cause that belongs to no one political party, no one ideology and no one faction. I remain of that opinion after listening to Members' contributions.

Notwithstanding that, my right hon. Friend the Member for Hackney North and Stoke Newington (Ms Abbott), who has shown great courage in recent weeks, my hon. Friend the Member for Walthamstow (Stella Creasy), my right hon. Friend the Member for Normanton, Pontefract and Castleford (Yvette Cooper) and my hon. Friends the Members for Ealing, Southall (Mr Sharma) and for Bradford West (Naz Shah) made me deeply proud to be a Labour person, as I always will be. However, in listening to the hon. Member for South Cambridgeshire (Heidi Allen), the hon. and learned Member for Torridge and West Devon (Mr Cox), the hon. Member for Colchester (Will Quince), the right hon. Member for Loughborough (Nicky Morgan), and the hon. Members for Dundee West (Chris Law) and for Cumbernauld, Kilsyth and Kirkintilloch East (Stuart C. McDonald), I felt proud of my country.

The Minister, however, decided to speak at the beginning of the debate. When I understood that he wished to do that, I hoped that he would set the tone by making a new announcement or giving us some new information that might make us reconsider the concern that some of us felt. Unfortunately, the opposite was the case. I remain with unanswered questions. We suspect that we do not have enough staff in Greece to process applications properly, and the Minister said that he will write to me on that point, for which I am grateful. We still do not really have a true picture of local authority capacity to accept new child refugees under the Dubs amendment, although Members of all parties gave examples of their

council leaders, who have said clearly and unequivocally that they can do more. The Minister must therefore make a proper formal assessment and either write to the Chair of the Home Affairs Committee, my right hon. Friend the Member for Normanton, Pontefract and Castleford, or place the information in the House or provide it in some other public way.

Most importantly, the Minister should commit to a proper reopening of the Dubs scheme. Given that we have clear evidence that there is widespread support for the scheme and that local authorities can and will accept more children, there is no reason for the limit of 350. Whatever the rights and wrongs of what was said to whom, where and when, as many Members have said, nobody went into the debate believing that that was the number that we would accept. The Minister must commit to a proper reopening of Dubs.

I have no wish to detain the House any longer, but I want to conclude by saying that there are very clear practical reasons why turning away from refugees is a bad idea. Whether it is the impact of the message on people in poor countries who are more likely to turn to the siren voices of extremists and terrorists if we do not stand up for the values we say we believe in, or it is the wider consequences of poverty that lead to conflict in the first place, from a practical perspective, turning away refugees is just not in our national interest.

Having met refugees myself, I remain of the view that if the average British person who probably thinks about these issues for no more than a couple of minutes every month or so met a refugee and saw what those of us in this House have seen, they would feel absolutely clear that they wanted to help. None of them would turn away. Yet just now our world is caught up in the oldest of stories: when times are hard extreme politicians turn up and tell ordinary working people to blame foreigners rather than to see the truth that people who become refugees are just like us.

The way forward for the Government is clear: reopen Dubs, get more staff to Greece and get children to safety. Until they do so, I and my colleagues from all parties will be back here time and again.

Question put.

The Speaker's opinion as to the decision of the Question being challenged, the Division was deferred until Wednesday 1 March (Standing Order No. 41A).

High Speed 2 (Newton)

Mr Speaker: May I gently appeal to right hon. and hon. Members who might be leaving the Chamber—I am bound to say leaving the Chamber quite unaccountably in the light of the parliamentary feast that remains to be consumed—to do so quickly and quietly?

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

6.17 pm

Mr Dennis Skinner (Bolsover) (Lab): Thank you, Mr Speaker, for allowing this debate about a very important subject: HS2 in my constituency.

I remember clearly the statement by the then Secretary of State for Transport announcing HS2 for the north. I asked him then whether it would go to Derbyshire Dales and of course the answer was no, but one thing was certain: it was going to the very heavily populated eastern side of Derbyshire. That meant there was going to be some trouble. Sure enough, during the past few months, I have been meeting people and trying to deal with that trouble in Tibshelf and other parts of Bolsover. In an industrial estate in Tibshelf, the line goes straight through the factory owned by a firm employing nearly 100 people.

Little did I know, however, that in the course of the past few weeks a decision would be made that was going to supersede everything I thought about HS2. Mr Higgins, who is in charge of HS2, decided it would be a good idea to have, in the middle of Sheffield, which is built on seven hills, a dead-end station—the trains will go in and come out the same way. The station was going to be where the old steel industry was, in the massive shopping area now called Meadowhall. That is a flat area. Most of us assumed that Meadowhall would be the ideal spot.

Mr Jim Cunningham (Coventry South) (Lab): We are in a similar situation in Coventry. The environment of Warwickshire will be desecrated by HS2. It will affect a lot of villages, and many people in Coventry who may be affected will not receive any compensation. The Elliott family, whom I know, are in that position. What is more important, however, is that Birmingham will benefit while Coventry could lose out on investment, and that could happen to my hon. Friend's constituency as well.

Mr Skinner: I have no doubt at all that Birmingham is favoured because it is part of that new-fangled powerhouse, whereas Coventry is not regarded as such. In my area, the powerhouse is based in Sheffield. The Government said to Mr David Higgins that they wanted a station in the city built on seven hills, and they got one. Little did I realise, although I was holding meetings about HS2 and voting against it. The truth is that it was like a bombshell, and it showed that in the argument about localism versus powerhouses, the powerhouse wins every time.

It is preposterous that the Government did not even consider what would happen in Derbyshire the moment they designated Sheffield as an HS2 station. It meant that the whole line had to be redrawn, and another line had to be found to run through Derbyshire. The net result is that the line will go through the middle of

Newton, a small village in my area. More than 30 houses will be demolished, and Blackwell parish council will be cut in half—all because of the Sheffield decision.

I am not the only one who has introduced an Adjournment debate on this subject. This is the third Adjournment debate that we have had about this particular business of Sheffield. My right hon. Friend the Member for Doncaster North (Edward Miliband) was on his feet the other Monday talking about what would happen now that the route had been moved away from Meadowhall and towards his constituency. It will go through Mexborough and destroy houses there as well. My right hon. Friend the Member for Rother Valley (Sir Kevin Barron) had an Adjournment debate on the same matter a few weeks earlier. Sheffield had got the station, and therefore the line would run through a village called Bramley and several other villages in his area. The result will be havoc in Doncaster North, Rother Valley, and now Derbyshire. That is why you gave us these Adjournment debates, Mr Speaker. You know that it is a very important issue.

When I read the report of that Adjournment debate, I saw that, at the very end, my right hon. Friend the Member for Doncaster North—the ex-leader of the Labour party—had asked the Minister concerned whether Meadowhall was still viable and on the table, and the Minister had said yes. I hope that that is the case, because he, the Secretary of State, Higgins, and all the rest of them have got to get their heads together and stop this nonsense of allowing a station in Sheffield. It is going to create more havoc in our area than Hitler created in the second world war. When I was a little kid, my father used to say, “Go and have a look at that big hole. The bombs dropped last night.” It would always be near the railway line, but Hitler never hit it. Why did he want to hit it? Because Clay Cross diverged into two lines, the midland main line and the Erewash line.

I have to ask the Minister whether he has ever considered the idea of starting at Toton, and going straight up the Erewash line, which is already there and is used for traffic going to Nottingham and also for freight. That could then connect up to the midland line at Clay Cross, and therefore Newton would not be affected whatsoever. In other words, it would be a slow line—like it is now, believe me. All those 30 minutes will have gone. Can we remember when the Government made that 30 minutes announcement—that the business people would be able to get to London 30 minutes quicker?

The current cost is £78 billion. If I was in government and I had £78 billion, I would be giving a lot of that to the national health service and some more to social care, and I would have electrification of the Sheffield line. Why do the Government not do that? If they do that with the Sheffield to London midland line, they will get the benefit of what would be applicable if they had HS2.

Mr Jim Cunningham: Interestingly, high-speed rail could affect the frequency on the west coast main line, for example. Also, we do not know how much passengers' fares would cost on high-speed rail; that has never been spelled out. This could affect us in Coventry in a number of ways, therefore, but my hon. Friend was right when he mentioned that Birmingham is the regional capital. All the benefits will go to Birmingham, and, more importantly, in order to get Birmingham on board a skills college is going to be established. There are enough skills in the west and east midlands to fulfil this objective.

Mr Skinner: I absolutely agree with my hon. Friend. He has been with me in the Lobby when we have voted, but little did I know when I was voting that I would later on be arguing this case for the beleaguered people of Newton. It is horrific when we think about it that there they were playing no part in the HS2 argument, then suddenly a decision was made by Mr Higgins—no doubt supported by the Ministers concerned—who announced the Sheffield station, and the net result is that we have these two lines. One is the slow track that starts on the Erewash line, finds its way to the middle of Newton and then joins the track later on. The very idea that the Government thought they needed a branch line is nonsense when they could have carried on at Toton and gone straight through to Sheffield on the midland line.

It is almost unbelievable that the Government have fallen into this trap. That is why I am pleased that at this morning's Transport questions I was able to ask the Secretary of State whether he would meet the Newton people. As we can imagine, immediately they found out that they were in the firing line, a group of people set to the task of finding out what was going to happen and making sure it was prevented.

When I went there the other week, there were more than 300 people in the old folks' hall, and there were 150 people standing. It is a tiny village, but that shows the scale of their response, and they kept the doors open for the people on the streets to hear what was taking place. It was the biggest meeting I have had since the general election, and it was all done on the spur of the moment.

So I say to the Minister concerned that we want to bring these people down, and they will ask the Minister, very sensibly, about ensuring that, instead of going to Newton, the train carries on from Toton and joins the Clay Cross midland line on its way to Sheffield. It will not make a ha'p'orth of difference about the time, because, frankly, it is going to lose time on that route anyway, but it will mean that the Government would not have to develop a branch line, called the Newton spur, that turns off to the left. But the most sensible thing would be the electrification of the midland line. Then we would be home and dry, and we would probably get trains travelling even faster.

I want the Minister to report to the Secretary of State about this discussion today. This can be resolved, but they must ensure that the Meadowhall idea is continued. That would resolve the problems in Newton and in Mexborough. It could also solve the problem in Bramley in the Rother valley. In my opinion, those are the most sensible things that the Ministers could do to solve this problem. Have I done quarter of an hour? [HON. MEMBERS: "Not quite."] I have two minutes.

I hope the Minister will take on board everything I have said today. I have not tried to hide the facts. Everything I have said in the Chamber today has been based on the knowledge I have obtained by going to meetings with my Newton colleagues, who believe that they are going to have to deal with a storm that has come out of the blue. They never realised that this would be a problem. So let's have the fast line going on to Meadowhall and the slow line dwindling on its way; let's keep it away from Newton and make sure it moves from Toton; and let's hope there is a satisfactory conclusion.

6.31 pm

The Parliamentary Under-Secretary of State for Transport (Andrew Jones): I congratulate the hon. Member for Bolsover (Mr Skinner) on securing this end-of-day debate on high speed rail. I apologise for being a bit croaky, but I will get through the next quarter of an hour.

Through programmes such as HS2, the Government are investing in world-class infrastructure to ensure that the UK can seize opportunities and compete on the global stage. I believe that HS2 is a great project. It will increase capacity on our congested railways for both passengers and freight. It will also improve connections between our biggest cities and regions, and generate jobs, skills and economic growth, helping us to build an economy that works right across our country. Even those who never travel by train stand to benefit from having fewer lorries on the roads and from the thousands of local jobs and apprenticeships created by HS2, with 2,000 new apprenticeships, 25,000 private sector jobs involved in building the railway, and 3,000 jobs involved in operated it once it opens. It has been estimated that 100,000 new jobs will be created by HS2, 70% of which will be outside London. That will provide a massive boost to employment in our country.

The route to South Yorkshire has not yet been decided. The hon. Gentleman asked whether the Meadowhall option was still open—it is. We have not made a decision. We are consulting on that matter, and the consultation closes on 9 March. We will then review the submissions before making any final decisions. The original 2013 consultation proposed serving South Yorkshire with a route along the Rother valley and a new HS2 station at Meadowhall, which is about 6 km from Sheffield city centre. Since that consultation, opinion among local people about the best location for a station has been divided. Indeed, that is clearly an understatement. This has made the decision about how HS2 can best serve the region very challenging, and the factors surrounding the decision are finely balanced. I have met colleagues and residents from South Yorkshire, and I will continue to do so.

In addition, there have been a number of new developments since 2013, including the northern powerhouse aspiration for fast and frequent rail services between city centres right across the north. In the light of these developments and the feedback received in response to the 2013 consultation, HS2 Ltd continued to consider a range of options for how HS2 can best serve South Yorkshire while maintaining the integrity of the service to the larger markets right across the north of England. As a result of this work, Sir David Higgins recommended that the main north-south route should follow a more easterly alignment over some 70 km between Derbyshire and West Yorkshire, which we refer to as the M18 route. He also said that a 9.4 km southern spur at Stonebroom could be built off the HS2 mainline, enabling HS2 trains to run into Sheffield city centre along the existing rail network. That spur would pass close to Newton.

The hon. Gentleman mentioned the Erewash Valley line. It has been considered, but it was deemed unsuitable for high-speed trains. The line lies within a floodplain and would require elevating via a viaduct, and we would have to divert all the line's existing usage on to some other rail facility.

Mr Skinner: This is vital to the meeting that we will have with the Secretary of State. The Minister said that the Erewash line could not or will not be considered, but the truth is that HS2 goes to Toton and then proceeds to Meadowhall. Under the present arrangements, the spur line would go through Newton and clean out at least 30 houses. Does the Minister realise what he is saying? He thinks that South Yorkshire can be dealt with, but 30 properties in Newton will be demolished purely because the Government do not have the wherewithal to deal with the Erewash line, which has traffic on it now.

Andrew Jones: No, I am saying that the Erewash line has been considered but that no final decision has yet been made. We are still reviewing all the options, as has been made clear in all debates. The consultation is live and will run until 9 March. I will come on to talk about Newton in just a moment.

The approach put forward by Sir David Higgins would allow HS2 trains to serve Chesterfield directly, which would have further benefits to neighbouring parts of Derbyshire and Nottinghamshire. Sir David also identified the potential to create a connection back on to the HS2 mainline north of Sheffield, creating a loop rather than a spur, and enabling services stopping at Sheffield midland to continue to destinations further north. The proposed M18 route has additional benefits in that it affects fewer properties and will generate less noise pollution than the Meadowhall alternative. It is also less congested, avoiding businesses and the risk from the legacy of mining.

The hon. Gentleman has forwarded letters from his constituents in which they express concerns about the impact of the proposed new route on their communities. Today he highlighted the issues facing the community in Newton, where people have raised concerns about the impact of the proposed M18 route on property value, compensation, noise and other pollution, and disruption due to construction traffic. He mentioned the matter at Transport questions today, and I agree that it is important to meet local residents. I have met many, as has the Secretary of State, and we will continue to do so. The Government consider that it is really important to listen to residents' concerns about the proposed HS2 route. That is why HS2 Ltd has engaged closely, and continues to engage, with the people of South Yorkshire to understand and address their concerns. Public meetings are taking place. The current phase 2b route refinement consultation is addressing the issues raised directly by local residents, including the location of depots, where tunnels and viaducts should be built, the height of infrastructure and property impacts.

In the other stages in the development of the project, we have seen that refinements have followed the consultations, so these consultations are genuine and open, and changes are being made as a result of them. This consultation exercise closes on 9 March. HS2 Ltd has run some 30 information events along the line of route at which residents and stakeholders have been able to ask questions and get information about the project. The events have been widely attended by residents, as well as engineers, environmental consultants and property experts. The entire HS2 programme has benefited from close engagement with communities all the way along the line of route. I hope that I can assure the hon. Gentleman and the House that the Government and HS2 Ltd are listening.

Mr Skinner: It is not a question of listening. I do not think that the Minister really understands that the small village of Newton will be decimated as a result of Higgins's decision. I want to know not only whether there will be consultations, but whether the Minister has the power to sack Higgins for coming up with this preposterous idea of a branch line that will result in Newton being wrecked.

Andrew Jones: I am not going to agree that people should be sacked for coming up with ideas, which is clearly not a sensible way forward in any kind of policy development.

I am aware of how challenging the situation is for communities all along the line of route, which is why my colleagues and I have met those communities. I emphasise that we recognise and sympathise with the difficult position in which those communities find themselves. Five residential properties in Newton and a further seven commercial properties at Tibshelf are potentially on the direct line of route.

We have tried to design the HS2 railway to minimise the effect on residents and businesses along the line of route, but it is impossible to build such a large piece of infrastructure without some impacts. The construction and operation of any major infrastructure project has the potential to cause substantial changes to the surrounding neighbourhoods and environments, and it is not only the impact of the line; there are also impacts such as dust, noise and road diversions during the construction phase.

Whenever the effect on property is considered, I am acutely aware that we are not just dealing with a financial investment, as people invest much more than money in creating a home, and a home is not something that one should ever take away from a person lightly. I have full sympathy with and respect for the communities along the line of route.

Mr Jim Cunningham: As I said earlier, I have constituents who are not covered by the compensation formula. As a result, they will lose the value of their homes. What discussions has the Minister had with the Select Committee on the High Speed Rail (London – West Midlands) Bill? Has he taken on board any suggestions? Has he had any discussion about this?

Andrew Jones: I have met many colleagues, including members of the Select Committee.

HS2 Ltd is liaising with communities. I fully recognise all the complications and challenges that people face, and I fully understand that the blight, the concern and the anxiety are very difficult. HS2 Ltd is committed to working closely with authorities and communities to draw up a comprehensive and detailed package of measures to address the local impacts of construction, including hours of construction activity. It has provided information on its plans to mitigate noise and other environmental issues, and that information is all available on the HS2 Ltd website. Examples of mitigation could include environmental interventions such as the planting of trees, hedgerows and shrubs, the creation of landscape earthworks and so on.

HS2 Ltd has also provided, and continues to provide, information on property compensation schemes to affected residents. It has written letters to directly affected residents informing them of the specific impacts on their property

[Andrew Jones]

and of their available options. Those options include a “need to sell” scheme, under which applicants are required to demonstrate that they have a compelling reason to sell their property, but that they have been unable to do so—other than at a substantially reduced price—as a direct result of the announcement of HS2. If an application is accepted, the Government will buy the applicant’s property at its full unblighted market value.

HS2 is recognised as a controversial project that has divided opinions in many communities, but the High Speed Rail (London – West Midlands) Act 2017 was passed by both Houses with huge majorities. On HS2 we have run the largest public consultation in British Government history. Throughout the lifetime of the scheme, we have sought to listen to communities and to take on board their comments and concerns at every stage—that will continue. We will certainly continue it with the hon. Gentleman and the residents he represents.

HS2 is already having an impact. Local authorities and local enterprise partnerships are gearing up for HS2 and developing growth strategies, supported by UK Government growth strategy funding, to maximise the benefits of HS2 in their areas. Regions can start to benefit from HS2 long before it is built simply by starting to work on their long-term plans for regeneration and development to bring in investment and businesses. I have met council leaders in Birmingham, Manchester

and Leeds, all of whom have highlighted how this will be a fantastic boost for their cities and regions, with opportunities flowing from it. HS2 Ltd is working with businesses across the UK, including many small and medium-sized firms, to ensure they are well prepared to bid for contracts and reap the benefits. We have held a supply roadshow, and I spoke at our event in Aberdeen, which is a long way from the line of route. However, the point is that many businesses in that area have high levels of skills in steel platform construction and other engineering, and I wanted to say, “Right, this is a project from the UK for the UK. We want you to participate. There is business going.”

The point remains that HS2 is going ahead—Royal Assent was given just today—so we must recognise that the next questions are about how we minimise the disruption during the build and how we maximise the opportunities it presents, while working very hard to resolve the outstanding questions and to treat all the residents affected with the dignity, transparency and courtesy that they demand. HS2 is not simply about improving transport; it is about building a much better infrastructure network right across our country, and creating from that an economic legacy fit for future generations.

Question put and agreed to.

6.46 pm

House adjourned.

Westminster Hall

Thursday 23 February 2017

[MS KAREN BUCK *in the Chair*]

BACKBENCH BUSINESS

Disabled People: Publicly Accessible Amenities

1.30 pm

Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP): I beg to move,

That this House has considered publicly accessible amenities for disabled people.

It is a pleasure to serve under your chairmanship, Ms Buck. As chair of the all-party parliamentary group for disability, I have the privilege of hearing about the lives of disabled people from across the United Kingdom. From what I have heard, it is clear that disabled members of our communities are being prevented from obtaining full access to fundamental services, including public transport, sports grounds and shopping centres, to name but a few.

To begin with, I would like to share the experience of one of my constituents who was prevented from attending his Department for Work and Pensions fitness to work interview because the assessment centre was unable to provide access to him in his mobility scooter. To reiterate, he was not able to be assessed regarding the impact of his disability on his social and occupational functioning because the very building in which assessments occurred was not accessible to him.

The assessment was rearranged for a different centre in a separate location, at great inconvenience to the gentleman. At that centre, the car park, including both of the two disabled parking bays, was occupied. As such, he struggled to make his way to the building for the assessment. That situation effectively summarises the lack of consideration that widely abounds for individuals with disability, such that they are prevented from seeking support for their disability as a result of the lack of reasonable adjustment for it. It is particularly shocking that that occurs even in Government-approved contractors' buildings. How can we expect individuals to seek support to reach their full potential in life and lead full lives when they are prevented from accessing basic public services?

There are currently about 11.6 million disabled people in Great Britain, constituting 16% of the working age adult population. That means that about a sixth of our population is likely to hold factors that, by definition, could act as a barrier to their engaging in valued activity.

As we know, legislation exists to support the access needs of disabled individuals. The Equality Act 2010 makes clear that service providers must take reasonable steps to ameliorate the substantial disadvantage experienced by an individual as a result of their disability. That requirement holds whether the cause of disadvantage is the manner of provision, a feature of practice, a physical feature of a service or, in fact, the absence of an auxiliary aid. Similarly, the 2006 United Nations convention

on the rights of persons with disabilities, which the United Kingdom has signed up to, states that member countries

“are to guarantee that persons with disabilities enjoy their inherent right to life on an equal basis with others”.

Given the legislation, it is remarkable that such substantial disadvantage continues to take place.

The House will be aware of the recent experiences of Anne Wafula Strike, an award-winning Paralympic athlete, who was unable to access a toilet on a three-hour train journey and was therefore forced to urinate herself. That demonstrates the huge practical and emotional toll of the lack of equitable access for people with disability. In Ms Wafula Strike's situation, the train did have an accessible toilet but it was out of order and no appropriate alternative was provided. Simply providing a basic level of service and assuming accessibility is achieved is insufficient. It is surely reasonable in this day and age to expect access to a disabled toilet. Anything less than that is simply unacceptable. As Ms Wafula Strike stated:

“People with disabilities don't want perfection, we just want the basics and to have our independence. But lack of access and inclusive facilities make us feel as if we are an afterthought.”

The Government, working alongside business, industry and public service providers, need to ensure that individuals with disability are not an afterthought, and indeed that services are designed with accessibility right across the United Kingdom.

Experiences similar to Ms Wafula Strike's were reported in the BBC investigation of late last year in which two researchers with disability attempted to engage in leisure activities such as going to a restaurant or taking a taxi. That highlighted the vast proportion of companies and service providers in the United Kingdom that do not act in proper accordance with the 2010 Act. Disabled individuals are being marginalised and excluded from public services every day of the week. As a result, they are excluded from a wide range of leisure activities. Data indicate that disabled individuals are less likely than non-disabled peers to participate in cultural, leisure and sporting activities.

I would like to spend some time speaking about three important areas: public transport; sporting and leisure grounds; and shopping centres. I am sure colleagues will add other issues to the debate. In terms of public transport, the key issue for the disabled population is accessibility. It is a basic issue: simply being able to gain access to public transport services. The recent Supreme Court ruling in the case of *Paulley v. FirstGroup PLC*, the bus company, gives a good example of the difficulties faced by disabled individuals.

In February 2012, Mr Paulley, a wheelchair user, was refused transport on a bus, as the dedicated wheelchair space was in use by a non-disabled service user. We must support the calls made by Lord Toulson in the ruling for greater clarification of the law. Clarity in legislation will ensure the appropriate and consistent application of the law such that disabled individuals can be confident that it will be applied on all occasions and in all settings. One such opportunity presents itself with the upcoming Second Reading of the Bus Services Bill, which includes recommendations for improved information to be provided to passengers in an accessible format on all bus services nationally.

[Dr Lisa Cameron]

Achieving a fully accessible public transport system is a key element of policy. Some work has been done on UK railways, with the Access for All programme ensuring that 150 of the UK's 2,552 railway stations—a small proportion—are step-free, with smaller-scale adaptations at other stations. However, I understand that funding for the programme is being cut. I would be obliged if the Minister responded to that point. Work is already being done at only a proportion of stations, and cutting the programme would simply make accessibility even poorer for the disabled population.

That situation can be contrasted somewhat with London, where Mayor Sadiq Khan has committed a further £200 million to increase the number of step-free underground stations from 70 to at least 100. That still represents just over one third of all the capital's underground stations, leaving the rest inaccessible. With recent increases in disabled individuals using rail transport—research indicates a rise in train assistance for disabled individuals of 21% over the three years up to 2015—further support to facilitate use is sorely needed.

I for one would like to know whether providers anticipate meeting targets. If not, what steps can be taken to ensure that they do so in as timely a fashion as possible? A programme of clear checking of improvements with timescales and appropriate penalties when an Act is not adhered to will help to ensure that disabled individuals can have faith in the frameworks used to ensure their wellbeing and inclusion. In that regard, we can look for guidance from excellent third sector organisations, including, for example, Changing Places, which is doing admirable work to ensure that toilets are accessible for all of those who might need them.

In relation to sports grounds, I am sure that colleagues will join me in the assertion that the many impressive achievements of UK athletes in the Olympic and Paralympic games have been a source of tremendous national pride, and an opportunity to increase participation in sporting activity throughout and across our communities. The stated legacy of the 2012 Olympic games included that:

“Every man, woman and child can find a sport they enjoy and in which they are able to get involved easily, regardless of their ability or disability”.

However, sufficient progress has not been made in the infrastructure and accessibility of sporting centres to successfully capitalise on the national mood.

The Select Committee on Culture, Media and Sport recently published its “Accessibility of Sports Stadia” report, which details the results of the investigation in to the basic accessibility of sports stadia, primarily football stadia. It found

“a shocking lack of provision for supporters with disabilities of all kinds, including in some cases a failure even to train staff in basic disability awareness.”

Despite the assertion from all premier league football clubs that accessibility would be improved by August 2017, a recent update has demonstrated little discernible improvement. We should also be looking at stadiums right across the United Kingdom—people enjoy sports, particularly football, in other nations too. The Committee reports:

“Detailed best practice guidance exists at both national and European level, but some clubs seem content to do the minimum legally required, without considering whether access is really adequate.”

That strongly echoes the findings on accessible travel I already discussed. Although legal and policy frameworks exist to protect the accessibility rights of disabled individuals, there is a fundamental absence of appropriate mechanisms to monitor adherence to that guidance and to follow up with reasonable consequences for breaches.

If we consider that access to grounds for disabled spectators is insufficient, it is not unreasonable to suspect that the direct involvement of disabled individuals in sporting activity is similarly poor. It is important to note that, where accessible leisure facilities are already available, they are not invulnerable to the pressures of our current climate. For example, I understand from people across the United Kingdom who have contacted me in my capacity as chair of the all-party parliamentary group for disability that the council-run Jubilee pool in Bristol, which has a range of accessibility aids, is due to be closed following recent council budget cuts. Surely that is a retrograde step. It cannot be taken. Given the paucity of freely accessible sports and leisure facilities, it is particularly sad that increasing financial restrictions are stopping local councils from continuing to support their citizens with disabilities to access vital public services.

The final area of accessibility I would like to discuss today is shopping centres—I am a bit of an expert on them, as my husband would attest. The 2014 DisabledGo investigation audited 27,000 high-street retail outlets and found that one fifth of stores failed to provide wheelchair access, only one third of department stores had wheelchair accessible changing rooms and one third did not have an accessible toilet. Only 15% of retailers had hearing loops to support customers with hearing impairments. Again, despite the framework provided by the Equality Act, shoppers with disabilities are restricted in the simple act of shopping. A follow up to that investigation to track more recent advances would certainly be welcome.

The situation is also an economic error. As a large segment of our population, disabled individuals and their families hold a combined spending power of £200 billion—what the Department for Work and Pensions has termed the “purple pound”. For us to block the financial contribution of this segment of the community from our economy is both unnecessary and absolutely illogical.

Furthermore, the employment capabilities of individuals with disability are vastly underused, with a gap in employment between disabled and non-disabled individuals of 32%, which clearly results in further economic disadvantage. Accessibility—accessing potential workplaces or public transport to workplaces—is relevant in that respect. It is my belief that tackling accessibility will take us in the right direction towards the Government's stated aim of halving the disability employment gap.

In Scotland, the 2010 framework, “A Working Life for All Disabled People”, underscores the importance of local authority support for employment, and the need to work with business partners to improve support and access for disabled people to enter the workplace. A new Scottish employability programme that will be introduced from April 2018 emphasises working in tandem with stakeholders to tackle the barriers to employment that face disabled individuals. It goes without saying that people with disability have a vast ability to contribute to their communities, their places of work

and our society, and problems of accessibility should not prevent them from so doing. Further investment in creating advanced accessibility on the high street, in our stadiums, across our leisure facilities and in the workplace is needed.

The needs of disabled individuals throughout our communities and across the UK are not being met by the accessibility of our shops, transport and leisure facilities. We are therefore marginalising and excluding one sixth of our society—one sixth who are able to contribute so much, but who are prevented from doing so by simple, solvable issues of accessibility. I call that we amend the legislation so that consequences are put in place for business and industries who do not act in accordance with the law. In doing so, we can protect and support the rights of our fellow citizens to engage with valuable community activities, live the lives of which they are capable, and achieve their full potential.

We may also follow the guidance of our Scottish Government counterparts, who in 2016 developed a cross-governmental disability delivery plan, in which accessibility problems were identified as a significant barrier to improving outcomes for people with disability. A series of clearly defined actions, including, for example, the development of a Government-moderated accessible travel hub to collate information and share good practice on accessible transport, and a help guide with practical advice for businesses in increasing accessibility, have been identified and can now be monitored.

I have a number of questions for the Minister. What plans do the Government have to continue to increase access to public and leisure services for disabled people in our country? What power are the Government willing to use to ensure industry compliance with the terms of the Equality Act? Do Ministers anticipate any barriers to obtaining ongoing compliance, and how will they deal with them? What steps are the Government willing to take to ensure compliance with the Equality Act within publicly provided services? What value do the Government place on ensuring access to leisure activities for disabled people? Can they indicate whether it is held in parity with work access, which I am aware is a priority? I suggest that the Government undertake a wide-scale investigation into the inaccessibility of leisure activities, so that the full scale of the current situation is understood, and so that well-targeted plans to ameliorate disadvantage can then be devised. Will the Minister lend support to the development of a UK Government disability delivery plan, detailing commitments and actions to improve accessibility for all members of our communities?

I thank all the organisations, constituents and individuals from across all parts of the United Kingdom who contributed their thoughts and experiences for the debate today. We are in 2017—let us make 2017 the year in which we deliver for people with disability.

1.49 pm

Chris White (Warwick and Leamington) (Con): I congratulate the hon. Member for East Kilbride, Strathaven and Lesmahagow (Dr Cameron) on securing this important debate—I apologise if I got my pronunciation completely wrong there.

It is absolutely right that we consider how we as a society can be as inclusive as possible. Too often, people

with disabilities are left in uncomfortable, inconvenient and distressing circumstances because of the lack of adequate facilities.

In particular, I want to raise awareness of a local campaign in my constituency, which has the innocent-sounding title of “No More Floor”. I am pleased to be involved with the initiative, which seeks to install changing facilities in Leamington to make a huge difference for children with severe disabilities and their families. As the name indicates, those children and young adults often have to be changed on the floor of a public convenience. I admit my ignorance: until I was approached by the campaigners, I thought that a disabled toilet would be perfectly adequate and cover all eventualities. I now understand the need for a hoist, which is the only alternative to changing someone on the floor. Such facilities are absolutely imperative and, as the hon. Lady mentioned, Changing Places is one of the organisations that helps to install them.

I am grateful to the Royal Priors, a shopping mall in my constituency, for giving up the necessary space to make such a changing facility possible and for making a financial commitment to the campaign. It is a shame, however, that a private sector organisation has had to deliver something that ought to be accessible to all. There is certainly an argument to be made that provision of such facilities ought to be put on a statutory footing, so that local authorities construct them within a particular radius or for a certain size of population. There is a facility in Shire Hall, the county hall in Warwick, but the next nearest is in Solihull, which does not give people many options. Such heavy restrictions on families must be addressed.

I take this opportunity to pay tribute to the two families involved in the campaign, and specifically to Emily Naismith and Francesca Anker, for their hard work and persistence in their aim to make a real difference to their community. I look forward to continuing to work with them. I have tremendous respect for the families who—I am sure they will not mind me saying—have already had to jump through a number of hoops just going through their daily lives. I wish they did not have to fight for such facilities but, as the campaign gets going, there will be a great deal of support for what they are trying to achieve.

Also in Warwick, I am delighted that Network Rail’s Access for All programme includes the installation of lifts at the train station. Warwick is a wonderful town and attracts thousands of visitors every year. Making access easier for people who need wheelchairs or have other disabilities will be a major step forward. The Rail Minister, the hon. Member for Blackpool North and Cleveleys (Paul Maynard), is not present, but I thank him for taking the time and trouble to look at that issue so we can bring the date of the project forward.

I look forward to the response of the Minister present today. In particular, I am interested in hearing his views on whether to put such matters on a statutory footing.

1.53 pm

Corri Wilson (Ayr, Carrick and Cumnock) (SNP): I thank my hon. Friend the Member for East Kilbride, Strathaven and Lesmahagow (Dr Cameron) for securing this important debate. I am delighted that we are having it at a crucial time for disabled people.

[Corri Wilson]

Disability policy should be based on the social model of disability—that disability is caused by the way society is organised, rather than by the person’s impairment or difference—and it is hugely important to look at ways of removing barriers that restrict life choices for disabled people. When barriers are removed, disabled people can be independent and equal in society, with choice and control over their own lives. It is therefore not the impairment or condition that disables, but society’s inability to adapt and to accommodate different needs. Our duty as parliamentarians is to ensure that disabled people are not left at a disadvantage when using facilities and services, that they are not disadvantaged in accessing employment or education and that we seek to remove the barriers that many people face in their everyday lives.

Much work has been done on the issue, and we have come a long way in recent years. The Equality Act 2010 provided some statutory protections, but we cannot sit back and suggest that means we are now all equal—we are not. The Act does not spell out what “reasonable adjustments” are in all cases, and it does not place a duty on all service providers to make specific disability adaptations. We have seen great improvements in accessible toilets, but wheelchair and ambulant-accessible toilets do not meet the needs of many people with profound learning disabilities, for example, or of those who need the help of at least one carer to lift or change them, such as people with muscular or neurological conditions, a stoma or limb loss, so I understand why people continue to campaign for facilities with additional space, hoists or an adult-sized changing bench.

I have spoken in this place before on behalf of the many people in my constituency with inflammatory bowel disease. Almost 2,000 public toilets have closed throughout the UK in the past decade, which has had a direct impact on people with IBD. A survey by Crohn’s and Colitis UK found that a quarter of young people with IBD believed that their condition made socialising almost impossible, and many cited the need to know the proximity of a toilet as a key factor. Members will be familiar with the “Breastfeeding Welcome” signs displayed in many shops, cafés and public buildings. I want to see a similar initiative for people with the “Can’t Wait” card, issued to those with Crohn’s disease, colitis and IBD. I am aware of a pilot scheme for the card, and we would welcome a national roll-out, because it could give people with IBD more confidence to take part in the kind of everyday activities that the rest of us take for granted.

A substantial number of buildings in the UK receive public funding, from libraries and museums to council buildings and town halls, and they could all be open to people with conditions such as IBD. The impact on those people’s lives would be significant. The issues faced by people with IBD are indicative of many of the barriers faced by people with hidden disabilities. I have heard repeated reports of people being berated for using accessible toilets or parking bays when they “do not look disabled”. The issue of hidden disabilities is very close to my heart, and I was delighted to hear of the moves made by Asda, which will hopefully be adopted by other major supermarket chains, to adapt its signage to reflect the reality that many conditions are not immediately apparent. That kind of action helps to combat stigma for many people, and it should be applauded.

Disabled people can live the life they choose, participating equally alongside other citizens, their families, communities and workplaces—but only if they are given the support to do so. There are many examples of good practice across the country, where voluntary groups have identified barriers to participation and come up with innovative solutions to enable access to services and amenities.

I take this opportunity to highlight the sterling work of the Girvan Youth Trust in my constituency to make the beach at Girvan accessible to wheelchair users. Its Family Sandcastles initiative will allow wheelchair users the opportunity to feel the sand between their toes and to spend time at the beach with their friends and family, rather than having to sit on the prom watching from a distance. The only other barrier to their enjoyment of this part of our fantastic Ayrshire coastline will be the one we all face—the Scottish weather. Another local group, the Carrick angling club, has installed wheelchair-accessible fishing platforms to ensure that mobility issues are not a barrier to participating in that popular activity. The club has been investigating further options to extend its accessible offerings.

We need to encourage those kinds of local initiatives to remove barriers to involvement and participation, and we need to emulate them when setting Government disability policy. It is extremely disappointing, therefore, to see UK Government policy so utterly condemned by the United Nations Committee on the Rights of Persons with Disabilities inquiry. The findings of the UN report starkly illustrated that the Government are undermining the rights of disabled people by imposing their obsession with austerity and social security cuts on some of the most disadvantaged people in our society. In this job I have witnessed the real hardship and distress caused by the Government’s policies. The Government’s Green Paper on disability employment support alludes to reform, but the process is fundamentally flawed and needs a radical overhaul. The Green Paper was a critical opportunity to get the system right for sick and disabled people, but one cannot help but be sceptical when the Government continue to insist on pressing ahead with cuts to employment and support allowance.

Dr Cameron: Does my hon. Friend agree that one outcome of those cuts is a drastic reduction in people’s accessibility and mobility due to the removal of Motability cars, which they depend on and feel are a lifeline that has helped them to get into employment and achieve full lives?

Corri Wilson: I completely agree.

In Scotland, we aim for a fairer, more equal and more inclusive society. To that end, the Scottish National party-led Government announced just before Christmas their plan to transform the lives of disabled people in Scotland. That plan was developed with disabled people, because we believe that the more than 1 million disabled people who contribute to our society should have control, dignity and freedom to live their lives as they choose and be supported to do so. That is in stark contrast to the cuts agenda that runs through every UK Government announcement about disability support, and we now face a further hurdle to equality for disabled people: a hard Brexit. That poses a real threat to disabled people’s rights. The Government must ensure that rights and protections for disabled people are not diluted as a result of us leaving the EU and stop paying lip service to equality issues.

2.1 pm

Patricia Gibson (North Ayrshire and Arran) (SNP): I thank my hon. Friend the Member for East Kilbride, Strathaven and Lesmahagow (Dr Cameron), who is a great champion for disabled people's rights.

It is always a pleasure to speak in debates where there is, broadly speaking, so much consensus. We all want disabled people to be socially included to the fullest possible extent. We all want to live in a society that sees the person, not the disability. We all want to remove the barriers that fate has placed in the way of any individual so that they can play a full role in society.

Alison Thewliss (Glasgow Central) (SNP): Is my hon. Friend aware of the challenge that some councillors and individuals undertook in Inverness during the week? They took to wheelchairs in the streets to get a better idea of those barriers. Would she encourage other people to do that in cities around the UK?

Patricia Gibson: I would indeed. That useful initiative gives those of us who are lucky enough not to have to live with a disability a unique insight into the kinds of challenges that disabled people have to face every single day of their lives, and I commend such practices.

We have heard poignant and human examples of such barriers and the effects that they can have on individuals who live with a disability, such as the constituent that my hon. Friend the Member for East Kilbride, Strathaven and Lesmahagow mentioned. She also outlined the distressing example of Ms Wafula Strike, which I am sure is not an isolated one. Like the hon. Member for Warwick and Leamington (Chris White), I commend the work that Changing Places has done to promote fully accessible toilets. The problem is that work still needs to be done, which throws into stark relief how far we still have to go in catering for people who live with a disability and removing the barriers they face.

The Equality Act 2010 is important legislation. It contains the public sector equality duty and requires "reasonable adjustments" to be made to avoid a person with a disability being placed at a "substantial disadvantage" to a non-disabled person when accessing services and facilities. However, we have heard that there are loopholes in that Act. It does not prescribe what a reasonable adjustment is in particular circumstances or place a duty on all service providers to make specific disabled adaptations such as installing lifts or hearing loops, as my hon. Friend the Member for Ayr, Carrick and Cumnock (Corri Wilson) so clearly set out.

There is no doubt that we have an absolute duty as a society to ensure equality of access to facilities. That ought to apply equally in the private sector and the public sector. It was absolutely correctly pointed out that equality of access should not be an afterthought. We must always guard against the marginalisation of disabled members of our communities. The disability employment gap shows that that is a real and present danger, and we cannot afford to be complacent, as my hon. Friend the Member for East Kilbride, Strathaven and Lesmahagow so eloquently pointed out.

This issue is not just about access to work, important though that is. It is about all elements of life: work, social life and leisure. Justice and fairness demands that. I commend the No More Floor campaign in the constituency of the hon. Member for Warwick and

Leamington, but the fact that such a campaign is needed should be cause for shame. It is a reminder of how little progress we have made in reality. A shortage of basic facilities consigns some people with a disability to being trapped in their homes, which can have a hugely negative impact on their lives, as my hon. Friend the Member for Ayr, Carrick and Cumnock pointed out. It is surely bad enough that people living with a disability often face negative attitudes without finding themselves excluded in and from public spaces—although perhaps those negative attitudes lead to exclusion.

It is worth repeating that there is an economic dimension as well as social and moral elements. Some 7 million working age people have a disability. That adds up to an awful lot of spending power. The so-called purple pound is apparently worth £249 billion to the economy. Is it not madness for 7 million people to be excluded from the ordinary, mainstream life that so many of us do and should take for granted? As has been mentioned, many people with a disability rely on Motability vehicles to access amenities in our communities, and Motability must continue to be supported.

I am proud that the SNP Scottish Government have devised a new disabled delivery plan—a policy commitment to disabled people—based on the need to remove any further barriers and ensure full access to buildings, including disability-inclusive housing, transport and communication. Some 93 actions will be achieved by 2021. We aim to secure transformational change in support for disabled people in Scotland. I urge the Minister to look at the Scottish Government's plans to see what can be learned from that policy commitment.

It would be remiss of me, while we are debating publicly accessible amenities for disabled people, not to mention that, with their new powers, the SNP Scottish Government are committed to establishing a social security system based on dignity and respect that will allow people with a disability to live as full and independent a life as possible, which I am sure we all agree with. Unfortunately, the UK Government have made cruel and punitive cuts to support for people living with a disability, as my hon. Friend the Member for Ayr, Carrick and Cumnock set out.

I hope the Minister will pledge that any laws regarding disability rights and equality will be fully repatriated to Scotland in the wake of Brexit. It is essential that the SNP Scottish Government's good work continues and develops. *[Interruption.]* The Minister really should pay attention. There is a very real concern among disabled people that their rights in law will no longer be protected by European Court of Justice judgments post-Brexit. That could lead to equality rights being more narrowly interpreted, as well as the loss of vital research funding and pooling of expertise that EU membership provides. Through European research, important treatments have been developed for diseases so rare that no one country could have developed them alone. As we agree that people living with a disability must have access to amenities, so we should agree that the rights of disabled people should be protected in the widest sense. I hope we do.

2.8 pm

Marie Rimmer (St Helens South and Whiston) (Lab): It is a pleasure to serve under your chairmanship,

[*Marie Rimmer*]

Ms Buck. I thank the hon. Member for East Kilbride, Strathaven and Lesmahagow (Dr Cameron) for securing this important debate.

Disabled people were not necessarily born disabled. In fact, 90% of disability is acquired. I am one of the 90%. As some Members may know, I have a disability. For the last 20 years, I have worn a bone anchored hearing aid, without which I cannot hear a sound. I understand the difficulty facing many disabled people and the trauma that they go through.

Since the passing of the Disability Discrimination Act 1995, it has been illegal to discriminate against a disabled person. The Equality Act 2010 places a duty on providers of goods, services and facilities to make “reasonable adjustments” in order to avoid a disabled person being placed at a “substantial disadvantage” compared with non-disabled people when accessing services and facilities. Service providers’ failure to comply is a form of disability discrimination.

How many times have we seen disabled people denied basic access to vital services such as public transport? As recently as mid-January, the Supreme Court ruled, on a case brought by disability campaigner Doug Paulley, that bus drivers must ensure that there is sufficient space for wheelchair users to ride the bus safely. Outside the big cities and in many rural communities, the local bus service is often the only lifeline for disabled people to get out and about. Without access to that vital service, many disabled people may be left alone and housebound.

Many hon. Members here will have heard the frankly appalling story—the hon. Member for East Kilbride, Strathaven and Lesmahagow outlined it—of Anne Wafula Strike. How disgusting that she was forced to urinate on herself. That is humiliating, inhumane and totally unacceptable; unfortunately, it is not uncommon. Last week in Bristol, I came across a disabled lady in a wheelchair who told me how she was pushed to the sidings and left sat in her wheelchair while she waited for assistance to get on a train that she had booked some days previously. For too long, transport providers have failed to provide adequate basic facilities for disabled passengers. When will the Minister liaise with rail providers to ensure that they make the correct adjustments, so disabled passengers can travel in dignity and comfort?

I will quickly discuss the term “reasonable adjustments”. It seems to mean one thing to disabled people and a completely different thing to many employers. To some employers, it means doing the bare minimum to meet the legal requirements. Will the Government legislate for all employers to provide disability awareness training for their staff, and provide the right support for small to medium employers to achieve that? A Government review found that the number of cases taken to employment tribunals has fallen by 70% since court fees were introduced. It has therefore become very difficult for disabled employees to bring their employers to task for failing to make reasonable adjustments. Will the Minister urge the Government to scrap the extortionate fees that make it harder for disabled people to challenge bad practice in the workplace?

Disabled people who believe that they have experienced discrimination as a result of not being able to access a good, a service or a facility are typically responsible for

taking action themselves, via the courts, against their employer. That is often a difficult, daunting and arduous process—more so for a person with a disability. Reasonable adjustments do not only mean adjustments to accommodate physical disabilities. Many people have learning disabilities or a mental health condition. Those so-called hidden disabilities are often forgotten. They require a different set of reasonable adjustments to someone who has a physical impairment.

I have experience of a case involving one of my constituents, who suffers from autism, learning difficulties and a severe form of tinnitus. He was called in for an assessment by the Department for Work and Pensions and was escorted by his 84-year-old mother. When she tried to explain that her son was not able to hear because of the noise around the room, she was told that the hearing would be terminated if she did not refrain from interfering. His assessment resulted in a major reduction of points, from 32 to six. He and his 84-year-old mother were left traumatised. It placed him in a difficult situation, and he was placed in what they call a support group. Anyone who meets this gentleman—he is a gentleman—will fully realise that he should not have been put in that group.

I took the case up. He had a reassessment in an appropriate place where there was no noise, his mother could accompany him, and there was someone who empathised with his difficulties. He wears ear muffs around his neck. He puts them on. Just one sound can set him off and make him severely ill. His reassessment resulted in the reinstatement of the original points. It was the most traumatic experience that that man has gone through. His mother still suffers from the after effects of being with him.

For too many disabled people, the legal requirements are nowhere near good enough. It is a shame that the Equality Act 2010, which replaced the Disability Discrimination Act 1995, failed to set out exactly what reasonable adjustments entail. That lack of clarity has a real impact on disabled people’s ability to live full and independent lives.

Alison Thewliss: I thank the hon. Lady for the great case that she is making. I have spoken to a number of organisations based in my constituency that work with deaf people, which have also found it difficult to get around the phrase “reasonable adjustments”. They feel as though they do not get access to the interview stage, never mind getting past that and getting a job, because people think that they will be unable to do it because of their disability.

Marie Rimmer: I concur. I know of and have been involved in many cases like that. I urge the Minister to provide urgent clarity on exactly what constitutes reasonable adjustments to stop irresponsible employers from skirting around the law.

There are too few disabled people in public office, including in this place. The access to elected office fund, which enables disabled people to stand for elected office and meet additional access requirements, has been suspended, and the Government’s evaluation report has been kicked into the long grass. Will the Government publish that evaluation and ensure that disabled people seeking to represent any party have support to meet the additional costs they face in standing for election?

A recent report by the Culture, Media and Sport Committee on the accessibility of sports stadiums highlighted the failure of some clubs to provide adequate facilities for disabled fans attending matches. Having a disability should not prevent someone from attending and enjoying a sports match. Provision for disabled fans should not be patchy depending on which club they support. Everyone has the right to see their favourite sports team win or lose. What steps are the Government taking to ensure that premier league clubs, with their huge revenues, prioritise improving access for disabled fans?

The majority of the daily problems faced by disabled people arise from confusion over the rules, poor or insufficient communication, inadequate training of service providers and/or a lack of enforcement by the relevant authorities. Will the Minister explain what mechanisms are in place to enforce the Equality Act to ensure that disability discrimination does not go unchallenged?

Organisations such as Euan's Guide offer information on accessibility for disabled people by offering access reviews of a range of service providers. It aims to inspire disabled people to try out new places and "remove the fear of the unknown."

What are the Government doing to ensure that more organisations like Euan's Guide are better supported to ensure that disabled people get the information that they need to access all facilities? That fear of the unknown prevents too many disabled people from being able to fully participate in society—and society suffers for that. The Government must do more to provide disabled people with the right information. By doing so, they would empower so many more disabled people to go out and lead full and independent lives.

2.19 pm

The Parliamentary Under-Secretary of State for Communities and Local Government (Mr Marcus Jones):

It is a pleasure to serve under your chairship, Ms Buck. I begin by thanking the hon. Member for East Kilbride, Strathaven and Lesmahagow (Dr Cameron)—I got a nod there, which is a good sign—for bringing this important issue forward for debate. I know that as chair of the all-party parliamentary group for disability, she has a particular interest in issues that have an impact on disabled people.

We need public amenities in the right place. We want to be sure they are well managed, clean and open, and we need to find toilets with the right layout for our needs. I will focus my comments on the issues that the hon. Lady mentioned in relation to facilities for disabled people. I will also try to answer some of the wider questions that have been raised.

First, I will talk about building regulations, which play an extremely important role in ensuring that facilities are available for disabled people. The aim of building regulation requirements is to ensure that toilet layouts work for as many people as possible. The first building regulations on accessibility were introduced in 1984, and requirements have been updated regularly to ensure that new building work takes the needs of disabled people into account. Building regulations already set out minimum standards for accessible toilets in most public buildings. That includes standards for unisex accessible toilets even in small buildings and additional provision in larger buildings.

Because people's needs and expectations evolve over time, my Department has commissioned a research project to look at the existing standards in part M of the building regulations. That research is looking at how well standards perform in meeting the needs of disabled people. The finalised report will help us to establish where a change to guidance is necessary and how guidance on accessible toilet provision might evolve to suite a range of needs. I understand that consistency of provision is important and that even small changes in layout, such as the position of wash basins or the omission of features such as shelves or coat hooks, can become awkward. Another area that may need to be considered is compliance with the requirements.

The number of people who need specialised toilet accommodation has increased in line with broader demographic and social change. We recognise that the availability of facilities such as Changing Places helps people to plan activities away from home. It is heartening to see that here in the UK, we have developed a new generation of accessible toilets, most commonly known as Changing Places. That model is now even being followed by other countries such as Australia and Germany.

Several hon. Members mentioned Changing Places, and I think we can all agree that having more Changing Places is a good thing. They provide an adult changing bench, a hoist, washing facilities and space for carers and users to use the facilities safely. Part M of the building regulations, entitled "Access to and use of buildings", was amended in 2013 to refer to Changing Places toilets as desirable and to provide links to information on their installation and use developed by the Changing Places Consortium. However, building regulations are not retrospective, and building control relates primarily to new buildings or works that involve major refurbishment. They do not apply to all buildings, so railway stations, airports and ports fall outside building control. Important locations such as high streets may not see the major development that would trigger building regulation requirements.

In his evidence to the Women and Equalities Committee, my hon. Friend the Minister for Housing and Planning said that we need a mixed economy in increasing provision. He is determined to look at the evidence we are now gathering to see what more needs to be done to provide the facilities needed for people with disabilities.

I am pleased to say that my Department has worked for the past 10 years, and continues to work, to encourage more Changing Places. We are working closely with Mencap, the British Toilet Association, PAMIS and the Changing Places campaign. The Government have supported great progress, which at the moment has been mainly on a voluntary basis.

Since the Department for Communities and Local Government became involved with Changing Places toilets in 2007, the number of Changing Places in the UK has increased from around 140 to 926 today. In March 2016 the figure was 813, and it is now 926, so we can see that the take-up is quite considerable and that momentum is growing.

We have also funded the development of a website to help people find the nearest Changing Places toilet quickly and easily. Using the site, anyone can find a Changing Places toilet on their planned route or wherever they are. However, I take on board the comment of my hon. Friend the Member for Warwick and Leamington

[Mr Marcus Jones]

(Chris White); we certainly need more Changing Places, because they are not available in every place that people might want to visit or across the transport network.

It is great to see my hon. Friend the Minister for Disabled People, Health and Work on the Front Bench today, listening intently to this debate. I know that she raised the issue of access and accessible toilets for disabled people at a Premier League event last autumn. At the time, only three premier league clubs had Changing Places facilities. That has now risen to five clubs with registered facilities and two further clubs with similar unregistered facilities. I understand that 10 other clubs are now looking into the issue to see what further action they can take, following significant work from the Changing Places Consortium and others.

Of course, other legislation supports the provision of more publicly available disabled toilets. Section 20 of the Local Government (Miscellaneous Provisions) Act 1976, for example, gives local authorities the power to require toilets to be provided and maintained for public use in any place that provides entertainment, exhibitions or sporting events, and places serving food and drink for consumption on the premises. Environmental health officers review plans and premises' licence applications, which includes advising on whether the sanitary facilities provided are sufficient in number, design and—most crucially in the context of our debate—layout. Once buildings are in use, there are duties on employers and service providers under the Equality Act 2010, which has helped to ensure that the needs of disabled people are anticipated and catered for.

Through the planning system, local authorities can also impose requirements or negotiate with developers to ensure that enhanced accessible toilets such as Changing Places are brought forward in new large-scale developments or in buildings with strategic importance. Furthermore, the Department for Work and Pensions has taken forward initiatives on the wider accessibility agenda, such as the accessibility hack, which explores ways to harness technology, people power and its work with sector champions to tackle the issues that disabled people face as customers.

Figures for the spending power of people with disabilities were mentioned on a number of occasions, which is a very important point. The figure I have is that people with disabilities and their families have £250 billion to spend. That reinforces the reason why people developing new shopping centres, motorway services and so on should really think about providing proper facilities, particularly Changing Places, that would be supported by customers with disabilities and their families.

I will answer as many of the specific questions asked by hon. Members as I can. The hon. Member for East Kilbride—I will not push it any further; I will call her constituency just “East Kilbride” from now on—asked whether anything was being done to improve access at DWP buildings where work capability assessments are undertaken. I can tell her that improvements are taking place to assessment centres and DWP offices. While I am on that subject, it is important to refer again to the Green Paper and the work on health, which has been consulted on. The Minister for Disabled People, Health and Work is looking at a number of reforms, particularly changes to the work capability assessment,

with the aim of ensuring that we have far better data so that we cut down on the number of assessments that are needed in the first place. As I understand it, that would also help with the assessments for personal independence payment.

The hon. Lady made several points about accessibility for disabled people on public transport. That is a very important issue. We have all seen the recent stories and been shocked at some of the things that have happened. Transport is clearly a very important issue. My counterparts at the Department for Transport have recently given evidence to the Women and Equalities Committee inquiry on disability and the built environment. We are looking closely at how transport services can be improved. I will write to the hon. Lady to set out the Government's position in more detail, and I will also write to the hon. Member for St Helens South and Whiston (Marie Rimmer) on that point.

The hon. Member for East Kilbride also mentioned what plans there were to increase access and asked about a UK accessibility delivery plan. This is quite a challenging area, because there are many issues that relate to the UK Government, but there are also many issues—for example, building regulations and transport policy—that directly relate to the UK Government only here in England and to the devolved Administrations in Scotland, Wales and Northern Ireland. The hon. Lady made a very good point. The Minister for Housing and Planning recently gave evidence for the Women and Equalities Committee inquiry on disability and the built environment. The Committee has expressed an interest in the possibility of a more strategic approach, as the hon. Lady advocated, and we will certainly look at those recommendations closely.

The hon. Lady asked what powers we can use to ensure compliance. Compliance with building regulations, for example, is a legal requirement. Non-compliance can result in fines, which can be unlimited. Compliance with the Equality Act 2010 is certainly also a legal duty—perhaps we need to remind service providers that that is a duty, not an option. That is a very important message that we can send from the House today. We consider the public sector equality duty carefully and expect every public body to consider it in undertaking its work. Again, that is not an option but a requirement.

My hon. Friend the Member for Warwick and Leamington made very important points. I was pleased to hear about the new lifts being installed at Warwick train station. I do not like to say that my own constituency of Nuneaton is in front of Warwick, but we have had lifts at our station for many years. It is really good to hear that, at Warwick, lifts are being installed to support people who have disabilities and need access to lifts because of things such as wheelchairs.

My hon. Friend also talked about putting Changing Places on a statutory footing and requiring Changing Places to be provided. I hear what he says. As I said before, we have commissioned research, and we will look carefully at its findings. The Minister for Housing and Planning will then look carefully at the point that my hon. Friend makes.

In relation to the comments by the hon. Member for North Ayrshire and Arran (Patricia Gibson), we are working on improving the issues to do with Motability vehicles, particularly as regards appeals.

The hon. Member for St Helens South and Whiston asked a question about elected office. We are working across political parties on this matter. All political parties have signed up to the Disability Confident work, on which the DWP is leading. I am informed by the Minister for Disabled People, Health and Work that we are also looking forward to introducing measures to ensure that we enable people with disabilities to hold elected office, which is extremely important. We do not have in this place enough people with disabilities, who have more depth of understanding of these issues when they are spoken about here. The same goes for people who represent their local areas on local authorities, and I will certainly be keen to work on that with my hon. Friend, who is here representing the DWP.

Dr Cameron: The Minister has given a thorough response so far. Given that a number of research and evaluation projects are under way, would he be able to come to the all-party parliamentary group for disability to update us on the progress being made in that regard and to inform us directly about the way forward?

Mr Jones: The hon. Lady makes a very good point. It is always a bit risky to put a colleague in the frame to undertake a meeting, but I will certainly bring that point to the attention of the Minister for Housing and Planning, who is always keen to engage with organisations in relation to his area of responsibility.

This is an extremely important issue. We should always take into account the needs of disabled people, and particularly the accessibility of public buildings, public toilets and Changing Places. We look forward to continuing a collaborative approach not just with hon. Members from both sides of the House, but with a number of voluntary and charitable organisations that I have mentioned today. I thank the hon. Member for East Kilbride for bringing these important issues to the House.

2.39 pm

Dr Cameron: I thank all hon. Members who have taken part in this debate, and I thank the Backbench Business Committee for enabling it. It would be helpful if a Minister could attend the all-party parliamentary group for disability to update us on the research. I am keen to take that forward.

We did not have a chance to speak about building regulations, but I am keen to understand how the refurbishment of the Palace of Westminster will be undertaken in relation to accessibility. Perhaps we can also look at that issue. I have previously spoken to the Minister for Disabled People, Health and Work on the Floor of the House about the possibility of allowing home visits where DWP offices are not accessible.

I thank everybody for taking part in this debate. We will certainly continue to look at this issue.

Mr Jones: I thank the hon. Lady for giving way—I had plenty of time to speak, but I just want to make two more points. First, my hon. Friend the Minister for Disabled People, Health and Work is looking at the refurbishment of the Palace, and I am sure she will have a discussion with the hon. Lady about it. Secondly, on building regulations and the work that that the all-party group is doing, my officials are engaged with officials in the Scottish Government on those matters.

Dr Cameron: To conclude, it is important that we take these issues forward across the nations and Governments of the United Kingdom to ensure that there is not a postcode lottery for people with disability. We must work together in a progressive way to ensure accessibility for all.

Question put and agreed to.

Resolved,

That this House has considered publicly accessible amenities for disabled people.

2.41 pm

Sitting suspended.

Road Traffic Law Enforcement

[MIKE GAPES *in the Chair*]

3 pm

Mrs Louise Ellman (Liverpool, Riverside) (Lab/Co-op): I beg to move,

That this House has considered the Second Report of the Transport Committee of Session 2015-16, Road traffic law enforcement, HC 518, and the Government response, HC 132.

Deaths on our roads have decreased over the past decade following sustained efforts to improve road safety. Nevertheless, in 2015, 1,730 people were killed on our roads and 22,144 seriously injured, many of them suffering life-changing consequences. That is the background against which the Select Committee on Transport carried out our inquiry into road traffic law enforcement. Our report was published in March 2016, and the Department responded in June.

There are three strands to road safety—education, engineering and enforcement—and they cut across Departments. Our report concentrates on enforcement, but inevitably touches on the other aspects. The National Police Chiefs Council told us that its task was to act in relation to the fatal four offences: inappropriate speed, drink and drug-driving, non-wearing of seat belts and driving while distracted, which mainly refers to the use of mobile phones but also involves other aspects.

Enforcement requires detection, which is implemented by a combination of specialist officers to apprehend offenders and the application of technology. Deterrence, which includes motorists' perceptions of the likelihood of being caught, is an extremely important aspect of traffic law enforcement. Over the years, there has been greater reliance on technology than on specialist officers. We expressed great concern about the major reduction in specialised road policing officers, the number of whom fell from a full-time equivalent of 7,104 in 2005 to 4,356 by 2014. Between 2010 and 2014, there was a 23% decrease in their number. There are regional variations on those figures, reflecting the different decisions of the 43 separate police areas overseen by police and crime commissioners. They take their own individual decisions about what they think is operationally appropriate, but all of them do so in the context of deciding different priorities against a background of a reduction in spending. There is no Home Office guidance on the issue, so those decisions are taken in individual areas.

It is interesting to note that although overall detected traffic offences halved over that period, the number of offences related to causing death on the roads, which are always reported, did not fall. That leads to the question whether the reduction in reported offences means that driving standards have improved or that detection rates have fallen. It is an important question to ask. We ask that the Department assess the impact of that drastic reduction in specialist road police officers. It is an important matter that is often not recognised.

Speed can kill. Driving too fast for conditions was a contributory factor in 7,361 accidents in 2015, 167 of which were fatal and 1,380 of which caused serious injury. That represents 11% of all fatal accidents and 8% of serious accidents. Exceeding the speed limit was a contributory factor in 5,272 accidents, 222 of which were fatal, and 1,152 causing serious injury. That constitutes 15% of fatal accidents and 7% of serious

accidents. Behind every one of those figures and each of those statistics lies a death or a life changed, perhaps forever.

Some 90% of fixed penalty notices imposed for breaking the speed limit were camera-detected. Speed cameras are frequently controversial. We listened to the experiences about speed cameras that have been put in different places, considered the various responses and concluded that it is important that cameras are placed where they can improve safety and that their financing is transparent, with excess revenues being invested in improving local road safety rather than financially benefiting the Exchequer or local councils. The financing for fixed speed cameras has changed in recent years. Recent changes have caused some local authorities and partnerships to remove such cameras, but they can be extremely important in improving safety, so there must be a proper assessment of where they are placed and how effective they are. We said that we felt the Road Safety Trust should review how the cameras are working and what is the most effective way to deploy them.

Motorists seem to regard penalties imposed for average speeds as fairer than those levied for speed at the moment when the camera flashes. We noted the growth of diversionary courses as an alternative to speeding penalties, with drivers paying for the courses. We asked a number of questions about those courses. We need to know much more about how effective they are. There should be more transparency about how they are financed, and more consistency in their availability across the country. Drivers pay to go on the courses, and they might pay different amounts in different areas; different courses are available in different policing and local authority areas, and it is not entirely clear how effective they are. We felt that a proper assessment should be made.

Although the Department told us that it was issuing guidance, and Highways England is also looking at the issue, it is not entirely clear what works best to make our roads safer. We felt that specialist officers should be deployed in areas where high speed causes fatalities, and that that should be combined with an educational campaign. In many areas, an educational campaign must go together with enforcement.

Recently, there has been a great deal of publicity about the horrendous deaths caused by drivers using handheld mobile phones, which falls under the category of distraction in vehicle. A driver using a handheld mobile phone was recorded as a contributory factor in 440 accidents in 2015, 22 of which were fatal and 75 of which involved serious injury. The wider category of distraction in vehicle was a contributory factor in 2,920 accidents, 61 of which were fatal and 384 of which caused serious injuries.

It is of great concern that fixed penalty notices for using a handheld mobile phone while driving have decreased by 90% from 167,000 in 2006 to fewer than 17,000 in 2015. The Government now state that they are planning tougher penalties, which is welcome, but those penalties will be effective only if drivers believe that they will get caught for using their handheld phone.

Jim Fitzpatrick (Poplar and Limehouse) (Lab): I saw the statistics that my hon. Friend has just cited about the 90% reduction. Could the Committee identify what caused that reduction? When I read that, I could not believe it was an accurate figure.

Mrs Ellman: My hon. Friend's comments are extremely important. It seems to be about a reduction in detection rates and in officers on the roads, which is of great concern to us. When we spoke to police who gave evidence to our inquiry, they told us that they felt the use of handheld mobile phones was an important factor in relation to road safety—perhaps an even more serious one than drinking and driving. The issue must be flagged up as one of great concern on which further action needs to be taken.

Since the publication of our report, I have been approached by people with proposals for using technology to both deter and prevent the use of handheld mobile phones when driving. Some of the proposals were extremely interesting, including a proposal for technology that would switch off the possibility of using a handheld mobile phone while the car was in motion, except for emergency needs. Another proposal referred to technology to detect the use of a mobile phone while somebody was driving. Some of the people who spoke to me were going to meet Ministers to discuss the matter further. I urge the Minister to look at how technology can be used to make progress in this area. It is horrendous when we hear of people being killed—people in cars or pedestrians at the side of the road—because of a driver being distracted by a handheld mobile phone. It is a very serious matter. We should not wait for the statistics that I read out to increase so that the problem becomes even more evident than it is already. Such an important issue should be addressed.

Pedal cyclists and motorcyclists are vulnerable road users. In 2015, 100 cyclists were killed on the roads and more than 3,000 were seriously injured. In the same year, 365 motorcyclists were killed and more than 5,000 seriously injured. One of the concerns raised by cyclists who gave evidence in our inquiry was the lack of enforcement of traffic laws and the lack of consistency in reporting near misses—accidents that almost happened. It should always be remembered that for a cyclist, a near miss could mean near death. There does not seem to be consistency in applying road traffic laws in relation to cyclists, and there is no proper national collation of what happens in such incidents, so we call on the Department to investigate and try to get national information about what is happening in different places. That is extremely important.

There are also issues to do with the Department's actions in relation to local authorities, which should be given the power to enforce civil regulations in moving traffic. The decriminalisation of parking offences shows what role local authorities can play. Enforcing civil regulations in moving traffic includes enforcing laws with regard to bus lanes, one-way systems and ignoring box junction markings. It is regrettable that the Department has again refused to activate part 6 of the Traffic Management Act 2004. It is not clear why the Government keep refusing, despite repeated requests. We were told that there was no call for it, but that is not correct because local authorities, among others, repeatedly ask for the measure to be activated. The provision is already has already been passed into law, so I would be grateful for further information from the Minister on why the Departments feels it cannot implement that part of the Act. It has already been agreed to, and it would have significant implications for local road management, for road safety and for the saving of lives.

Drinking and driving do not mix. Drivers impaired by alcohol contributed to 4,788 accidents in 2015; 126 of those were fatal and 1,120 caused serious injuries. It is important that information is gathered on whether drivers involved in accidents who have been drinking but are below the legal limit are in fact impaired in their driving. If that information is not gathered at the moment, it should be. It might help us come to a reasoned assessment of whether the limits should be changed. It is also important that the impact of other jurisdictions' decisions to lower the legal limit be assessed so that we can find out what impact that has made.

Wearing seat belts is extremely important. It is of great concern to know that 22% of car occupants who were killed in 2015 were not wearing seat belts. A major education campaign is required. Since 2014, cars sold in Europe have to have visual and audio warnings about seat belts. However, that applies to new cars, and it will take a long time for that to have an effect on our roads, so I call for a major campaign on that. It could be done simply and could save lives.

Heavy goods vehicles and road freight present their own challenges. The Driver and Vehicle Standards Agency's use of technology and its intelligence-based approach bring real benefits. Joint working in London and the south-east is particularly impressive. We saw how impressive that was in London. It is important that random checks are not abandoned, because they matter as well. The London safer lorry scheme should be assessed for wider application.

Issues surrounding the use of EU cross-border directives when non-UK drivers commit offences must be resolved. There has been a problem in that UK traffic law is based on charging the driver of a vehicle rather than the registered keeper, whereas the directive focuses on the keeper. The Government have been trying to resolve that issue, and we were told it would be resolved by May 2017. It is unclear how Brexit might affect that issue. What progress has been made in dealing with it? Again, this is to do with saving lives.

Penalties must be seen to be fair and consistent. When drivers are found to have been breaking road traffic laws, they should feel that the process is fair and that they were not simply caught in a random way. Since 2013, police officers have been able to issue fixed penalty notices for careless and inconsiderate driving offences. Specialist officers should be visible and act consistently in different parts of the country.

Road traffic law enforcement is essential, as our report has shown. It is, however, part of a wider approach to road safety, including not only enforcement but education and engineering. Those three strands must work together, cutting across Government Departments. The welcome reduction in casualties over the past decade has come about because the Department has given road safety a consistent focus over many years and different Departments have worked together. The Minister has already indicated that he will act on some aspects of our report, and I welcome the interest and commitment that he has shown. I call on him to explain what further steps he will take to reduce the number of people who die or are maimed on our roads, and how he will work with other Departments and local government to achieve that.

3.18 pm

Iain Stewart (Milton Keynes South) (Con): It is a pleasure to serve under your chairmanship, Mr Gapes. It is also a pleasure to follow the hon. Member for Liverpool, Riverside (Mrs Ellman), who has chaired the Select Committee very well over the many years I have sat on it. I want to pick up on some of the points she has made in a very good summary of our work. I enjoyed taking part in our inquiry. We heard good evidence from road safety experts across the field. I agree with the general thrust of the report. The UK does have a good record on road safety, but there is absolutely no room for complacency. There are a few worrying trends on which we need to take action. I want to say a few words on drink-driving, cycling, using mobile phones, using technology to help, speed cameras, and the regional variations in enforcement policy among different police forces.

Statistics show that, in the past decade, we have made good improvements on drink-driving, but it is still an issue. The improvement is partly cultural. My father's generation thought it acceptable to go out for a few pints and drive home. That was completely wrong, and the younger generation certainly seems to be much less tolerant of people who have a few drinks and then drive. It still happens too much, and this country has one of the highest drink-driving limits in Europe at 80 micrograms per 100 ml, whereas in most of Europe it is 50 micrograms. We noted in our inquiry that Scotland recently reduced its limit to 50 micrograms. It is probably a little too early properly to assess whether that has materially changed behaviour in Scotland, but it is certainly something we should look at.

I have always been somewhat sceptical about reducing the limit from 80 micrograms to 50 micrograms, something on which the Transport Committee in the previous Parliament conducted an inquiry. I have often felt that there is a risk of sending out mixed messages. At various times, including Christmas, the Department sensibly runs "Don't drink and drive" campaigns telling people not to drink at all. Yet by reducing the level from 80 micrograms to 50 micrograms, we are saying it is still okay to have a little and drive. If we want to go down the road of lowering the limit, I think we should follow countries such as Finland where it is effectively zero. The limit there is 20 micrograms per 100 ml—there cannot be a zero limit because we all have alcohol in our systems for a range of reasons, such as from aftershave, perfume and deodorant, so 20 micrograms is agreed as the effective zero limit.

It was interesting to learn during the inquiry that statistics show very few people being caught for drink-driving related matters in the 50 microgram to 80 microgram range. Most people were way over the 80 microgram limit. I have a slight concern that it might not be best to focus campaign efforts against drink-driving on reducing the limit. I should like to consider wider measures for tackling it. However, I do not have a blinkered view and if, for example, evidence from Scotland were to show a marked difference we should clearly consider doing the same in England.

It is a concern that the number of cycling fatalities and serious injuries is increasing. That is probably due in part to the fact that more people now cycle, which is a good thing for health and wellbeing and environmental reasons, and for congestion. The Government are doing

a lot to help promote cycling. It is not an entirely uncontroversial area, but the introduction of separate cycle lanes in London is making cycling better. However, there is an issue of enhanced law enforcement. Too many drivers pass cyclists without leaving sufficient room and are intolerant of them on the roads. That cuts both ways, however. I have seen plenty of cyclists who do not behave properly on the road. I should be interested to see better enforcement and education in both directions.

In Milton Keynes, we have a completely segregated cycle system. It was one of the design features—a system of "redways" right across the city, primarily to keep pedestrians and cyclists separate from the 60-mph grid roads. I find it incredibly frustrating that cyclists do not use them, and cause risk to themselves and other drivers by using the main grid roads. I should like slightly better education about how to behave. I did my cycling proficiency test at school. I do not know whether that is still a common feature—I understand it changed its name to Bikeability—but the Department for Transport could perhaps work with the Department for Education on promoting it. I should be interested to hear what cycling measures the Government propose.

The Select Committee Chair, the hon. Member for Liverpool, Riverside, was right to say that mobile phone use is a growing worry. It is becoming more of a menace. The idea of recording the number of cycling near-misses has been raised—the number of near-misses caused by drivers using mobile phones is quite high. I have observed it many times: a driver on his mobile phone suddenly pulls out into the fast lane, oblivious of the oncoming traffic. It has not always been an offence. A driver was shown using his phone in a film I saw the other week from the late '80s, when there were big clunky car phones. We need mobile phone use by drivers to become more of a social taboo, as with drink-driving and not wearing a seatbelt. It should be made clear through increased penalties and enforcement that it is not acceptable, and that it is one of the growing causes of accidents.

I would widen that, too, because mobile phone use is not the only issue. Particularly at the top end of the market, the display panels of more and more cars, which used to have just the radio and the heating controls or whatever, have screens for choosing music. Some even have web access, so web pages can be displayed, which is incredibly distracting. There must be a role for working with manufacturers to ensure that technology is used safely. As an example, a company in my constituency called Two Trees Photonics has developed a system of holograms that projects the information—the car's speed and similar things—over the end of the bonnet, so that the driver does not have to take his eyes off the road to look at things such as satnav information. I urge the Department to work more with manufacturers and, as the hon. Member for Liverpool, Riverside mentioned, to consider technology to block mobile phones when the car is in motion. To go back to the topic of drink-driving, I understand that there is also technology available that can sense the driver's alcohol level through the hands. If it is over a certain limit, the ignition will not start. There is a big role for technology of that kind.

I want briefly to talk about speed cameras. I absolutely agree that fixed cameras have an important role to play, particularly at dangerous junctions. The Committee also considered average speed cameras. They can be valuable, but that there is a danger of overuse, and of

confusion about the grace limit. Some people have said it is only 1 mph or 2 mph above the 50-mph average speed limit. Others say it is 10% plus 2 mph, so that people can go at almost 60 mph. There is a need for greater clarity about what is enforced. Average speed limits should not be used where there is no need for them. I agree that there are dangerous stretches of road where using average speed is very appropriate, even in normal circumstances. Certainly, it is absolutely right to use it to protect the workforce during motorway repair work. Too often, however, Highways England blocks off an enormous stretch of road—20 miles in some instances—when the work is happening in only a very small part of that. It increases driver frustration and the likelihood of risky behaviour. Some care should be used in deploying average speed technology.

Jim Fitzpatrick: I am interested in the hon. Gentleman's suggestion. Notwithstanding the anomalies that he suggests exist with average speed cameras—between where it is 1 mph or 5 mph over 10% or whatever—with fixed speed cameras, we can see people slow down and immediately speeding up again when they go past them. They might go up to 70 mph, 80 mph, 90 mph, below 100 mph or whatever. With average speed, drivers do not go more than maybe 10% plus 2 mph, so they are far more effective in reducing the speeds of every driver, and motorists actually obey them, surely.

Iain Stewart: The hon. Gentleman makes a very good point and I agree with him. Fixed cameras have their role, for example where there is a dangerous junction, to get speeds down to 30 mph or whatever it is. That is an appropriate use of them. However, I am guilty of what he described—we slow down before the fixed camera and then accelerate once we are past it. I hold my hands up on that. Many motorists do that and I agree that average speed cameras are a better tool than fixed speed cameras to prevent that.

I do not want to detain Members much further. Lastly, there is the issue of enforcement practice around the country. The Chair of the Committee was absolutely correct to say it varies from police force to police force. In many ways, it is right that we have that local flexibility and that police and crime commissioners can adapt their policies and resources to the specific needs of their area. It also allows innovation to take place with new practices, new technology and the rest.

However, there must be a better system of collating best practice information and then sharing it with other authorities, so that the good new ideas can actually influence the whole country. The Department has a better role to play in doing that. I would not want to see everything absolutely set rigidly from the centre—it is appropriate to have some local discretion on how enforcement takes place—but, as I say, we should learn from the best. That is one of the benefits of a devolved system.

I hope this has been a helpful contribution. It was a very interesting inquiry. We are not trying to fix a dreadful problem, because this country has one of the best records in this area, but one death is too many and anything we can do to improve our safety record must be welcomed. Once again, I thank my fellow members of the Committee and the Chair for this work. It was very interesting and I look forward to hearing what the Minister says.

3.32 pm

Jim Fitzpatrick (Poplar and Limehouse) (Lab): It is a pleasure to serve under your chairmanship this afternoon, Mr Gapes. There are at least two members of the Speakers' Panel who Chair our meetings who are fellow West Ham United supporters. I know that confers no special privilege; if anything, it is probably a disadvantage. However, it is a pleasure to see you in the Chair this afternoon.

I am delighted to follow the hon. Member for Milton Keynes South (Iain Stewart)—[*Interruption.*] There you go; there's fame for you. I am not in the main Chamber, as the annunciator says; I am here in Westminster Hall. Apparently I am in both at the same time. How does that work? Well, that might make a diary piece somewhere.

As I say, I am delighted to follow the hon. Gentleman and my hon. Friend the Member for Liverpool, Riverside (Mrs Ellman), who is the Chair of the Transport Committee, with whom I had the pleasure of serving on that Committee for a couple of years. I am very grateful for the Committee's report. I should say that I am vice-chair of the Parliamentary Advisory Council for Transport Safety's all-party group on road safety, and I am grateful to Katy Harrison for her briefing for this debate.

I begin by quoting from the opening paragraph of the summary of the Transport Committee's report, which I think needs a little qualification. It says:

"The UK has a very good road safety record in global terms. However, the decline in fatalities in road accidents"—

I always challenge that questionable use of the word "accidents". The hon. Member for Milton Keynes South said in his comments that people speeding and people on mobile phones cause "accidents". They do not cause "accidents"; they cause crashes, because they are making decisions deliberately, selfishly and carelessly that lead to collisions. Therefore, these things are not "accidents"; they are deliberate human mistakes and they could be avoided. Calling them "accidents" gets people off the hook, because we all have accidents, such as spilling glasses of water and all the rest of it. Crashes are not "accidents"; they are deliberate human acts.

The Committee's report goes on to say that the decline in road fatalities

"has slowed in recent years, and the most recent annual figures show a small increase in the number of road fatalities. The increase in injuries among pedal cyclists is of particular concern"

and that:

"While Education and Engineering are important, they cannot stand alone"—

as my hon. Friend the Chair of the Committee said. The report also states:

"Enforcement must be adequate and its methods designed to ensure safety in order to continue the trend in reducing road fatalities and injuries."

The UK's safety record may very well be in danger, because, as was mentioned by both the previous speakers, the figures are moving in the wrong direction and the number of road fatalities is slightly increasing. Perhaps the Minister, when he responds to the debate, can confirm that the number of people being killed or seriously injured—the KSI figures—in the last two or three years is going in the wrong direction.

[*Jim Fitzpatrick*]

As was mentioned by both previous speakers, our record in global terms is excellent—we need to say that. The Minister will know that I am chair of Fire Aid, which supports the UN's sustainable development goals on KSI reductions, particularly in the area of post-crash response, which includes exporting the British fire service's expertise and professionalism in extracting victims from vehicles and dealing with road collisions. We are working in 30 countries around the world and taking British expert advice, training and equipment out to those countries, which are in eastern Europe, Africa, Asia and elsewhere.

The Government signed up to the sustainable development goals, which apply to the United Kingdom and not just to other countries, to say that we want a 40% reduction in the 1.25 million people who are killed and the 20 million people who are seriously injured on the world's roads every year. Those targets—those ambitions—apply to the UK and not just to other countries. The European Union also has KSI targets to which the Government have signed up.

That makes the decision in 2010 by the former Secretary of State for Transport to abandon the UK's KSI reduction targets all the more disappointing. The Government's abandonment of a clear commitment to save more lives and reduce serious injuries was not only a signal lack of ambition but a retreat from the 30-year consensus started by the Thatcher Administration in the 1980s, probably by the hon. Member for Worthing West (Sir Peter Bottomley) when he was the Minister with responsibility for road safety. As I say, it commanded cross-party support for more than thirty years, but was abandoned because the former Secretary of State for Transport, it was reported, did not want to fail to meet the targets and consequently be accused of failure. However, not having targets basically said, "Well, we're not really having any ambition," which was very defeatist.

Let me turn to some of the specific recommendations in the Transport Committee's report and the Government response. Recommendations 1 and 2 basically deal with the number of traffic police officers and the fact that their number is falling. My hon. Friend, the Chair of the Committee, said that the number of offences for causing death has not fallen, but the number of traffic offences being detected has fallen significantly.

The Government response to those recommendations says:

"The level of effective roads policing is not necessarily dependent solely on one factor, for example all police officers can enforce the law, including road traffic law, and there can be improved targeting of resources on particular problems."

However, the Transport Committee's report says:

"The National Police Chiefs Council...emphasised"—
in the evidence it gave to the Committee—

"that road policing is a specialist skill set and a highly technical specialism that cannot be replicated by a 'regular front-line operational officer'."

As my hon. Friend the Chair of the Committee said, the number of specialist road police officers has consistently fallen over the last decade and it is now down to about 4,300 from about 7,100. The report states:

"The total number of detected motoring offences has more than halved over the past decade"

between 2004 and 2015. The need for a skilled and adequate road policing presence remains, not least to protect vulnerable road users. My question to the Minister is this: have cuts to the number of specialised road policing officers led to fewer traffic offences being detected? Obviously, if they have, that needs to be examined.

I had a brief exchange with the hon. Member for Milton Keynes South on speed cameras. I was tickled, I must confess, by recommendation 4 in the report, which said:

"Further deployment of average speed cameras (ASC), which are generally better received by motorists".

"Better received" is a euphemism. They are better obeyed by motorists. There are some motorists out there who do not think we should have speed cameras. We beg to differ on "better received". I might have argued for a stronger word than "received", because speed is clearly an issue, as both my colleagues have mentioned.

Recommendation 6 states:

"We recommend that the Government monitor the placement of speed cameras by local authorities to ensure that this is the case."

I will come back to the strong point that the Chair of the Select Committee made on devolvement to local authorities and using their expertise and technology to enforce the laws. Does the Minister have up-to-date information on how wide the deployment is of civilians in communities trained by the police in using handheld speed radar guns? It empowers local communities that think they have a problem with speeding to take the matter into their own hands and deter people from making the roads where they live dangerous.

Recommendation 15 states:

"We recommend that the Department fund research into the development and effective deployment of technology to detect illegal mobile phone use while driving."

That point was made by the Chair of the Select Committee. The Government's response cites the statistic that only 1.6% of car drivers were observed using a handheld mobile phone. I would like to think that that is anecdotal, because certainly in London the percentage seems to be higher. Obviously, this is a study that the Government would have undertaken. Given the serious dangers that the hon. Member for Milton Keynes South pointed out, even 1.6% is an issue.

If I may, I say hello to our civil servants. The last sentence of this part of the Government's response says:

"Ultimately, use of such a devise".

There is a spelling mistake, and we rarely find those in Select Committee reports and Government responses. I do not know how that sneaked in.

Will the Government consider the Transport Select Committee's recommendation to

"fund research into the development and effective deployment of technology to detect illegal mobile phone use while driving"?

That is of great interest to me and other road safety campaigners.

My second point on mobile phone use is that RAC research shows that most offenders are offered educational courses. With the welcome introduction of new penalties by the Government, they appear to be suggesting that courses will not be offered in future. Are they now discouraging the option of educational courses for illegal

mobile phone use? The key issue here, as the Chair of the Select Committee said, is detection. People do not commit offences if they think they will be found out. If they think they will get away with it, they will commit the offence. With fewer road traffic police on our roads and less visibility, more people think they will get away with it and more people will offend.

Recommendation 16 talks about how the “vulnerability of cyclists provides a particular road enforcement challenge.”

That is a huge issue for Members from all parts of the House. Central Government and local government are making great efforts to protect cyclists more, to promote cycling and to reduce the number of people who are vulnerable when they are cycling. I got a briefing from Cycling UK, and I must confess that I baulked at one of its responses to the Government’s response. It said:

“Cycling UK would suggest that the subsequent THINK! Campaign, urging cyclists to ‘hang back’ from lorries, merely added to the perception that cycling was dangerous, whilst also blaming victims.”

I think that is nonsensical. It is absolute rubbish. When I cycle from east London into Westminster, I travel down Lower Thames Street and the Embankment. Before we had cycle superhighway 3 and a dedicated lane, whenever I approached a junction or a traffic light and had an HGV in front of me, common sense would say to me, “Hang back.” It is basic common sense for the THINK! campaign to say to cyclists, “Hang back.” For Cycling UK to say that that is patronising or reinforces the fact that cycling is dangerous demeans the campaign for better cycling. I know what Cycling UK is trying to say, but when we undermine the solid messaging from the THINK! campaign on safer cycling, it does the promotion of cycling no good at all. We all want to see safer cycling, safer cyclists and more of us.

Recommendation 19 states:

“We recommend that the Home Office commission research on how collisions or near misses are handled by the police”.

The Chair of the Select Committee majored on that and outlined why the Committee thought that that was absolutely necessary.

My last reference is to recommendations 37 and 38. I agree entirely with the Committee that devolving powers could be a way forward. I understand the Government’s anxiety, especially given the abuses of unscrupulous parking companies levelling fines and massively increasing fines for people who are guilty of not paying the appropriate parking fee. Given the advances in technology, communities expect to be protected against unsocial and criminal elements. Speeding cars in urban environments, such as in my constituency—we have a rash of it in Wapping at present—should be tackled by the police and the council. CCTV, automatic number plate recognition cameras and other evidence-gathering technology should be deployed to protect communities against those who do not care about the rest of us. Given the support of local authorities, I reinforce the point that the Chair of the Select Committee made: I do not understand the Government’s reluctance to embrace local councils as allies in the fight against illegal, criminal and dangerous activity, especially in a climate of devolution where every level of government is devolving powers to local communities.

Our fellow citizens are more likely to come up against unacceptable behaviour and illegality on our roads than probably at any other time in their lives. Too many will die and far too many will suffer life-changing serious

injuries. The report is important, and I commend the Committee and all its members for bringing it forward. The Government need to do more to reassure our communities.

I do not in any way challenge the Minister’s personal commitment to having safer roads. On a personal level, I know he is totally determined to do the right thing. It is the same for the THINK! campaign and all the civil servants within the Department who work overtime to try to ensure that our roads are safer. The Chair of the Select Committee made references to education and campaign activity. Can the Minister tell us how much money was deployed on the THINK! budget last year, and how much will be deployed this year and next year? With no disrespect to the Minister, he inherited a suite of policies and decisions that fundamentally point the Government in the wrong direction on road safety. The reduction in road police, the U-turn on the Green Paper on new and younger drivers, and the abolition of KSI reduction targets, are all fundamental policies that have taken the Government in the wrong direction. We are very keen to see the KSI statistics for 2014, 2015 and 2016. I think they will suggest the Government are going in the wrong direction, and they are the only people who can change that direction. I am keen to listen to the responses of the shadow road safety Minister—my hon. Friend the Member for Birmingham, Northfield (Richard Burden)—and the Minister.

3.48 pm

Richard Burden (Birmingham, Northfield) (Lab): It is a pleasure to serve under your chairmanship, Mr Gapes, I think for the first time. I cannot claim to be a West Ham supporter—I very much hope you will forgive me for that.

The Parliamentary Under-Secretary of State for Transport (Andrew Jones): You should claim to not be a West Ham supporter.

Richard Burden: I will not rise to the Minister’s bait, even though he tempts me to do so. I congratulate the Transport Committee and its Chair, my hon. Friend the Member for Liverpool, Riverside (Mrs Ellman), on securing this debate and on considering the Government’s road safety strategy and, in particular, the issue of enforcement. I thank the hon. Member for Milton Keynes South (Iain Stewart) and my hon. Friend the Member for Poplar and Limehouse (Jim Fitzpatrick) for their important contributions to the debate. My hon. Friend’s contribution was remarkable. As he observed, he managed—according to the announcer—to achieve omnipresence, being here in Westminster Hall and speaking in the Chamber simultaneously.

This is a really important report. We all know—it has been mentioned several times in the debate—that the UK has a proud road safety record. At least, it had one for almost two decades, when deaths and serious injuries fell sharply, but the worrying reality is that since 2010 that progress has stalled. The latest rolling figures show that there has been no reduction in total road deaths and a 2% increase in serious casualties in the past 12 months. Meanwhile, even though a great deal was achieved over those decades, drinking and driving-related casualties have been effectively stuck at about 240 a year since 2010.

[Richard Burden]

My hon. Friend the Member for Liverpool, Riverside, and all hon. Members who spoke, drew attention to the situation regarding mobile phone use at the wheel. I know that at the end of last year the Government introduced more stringent measures on mobile phone use, which are welcome. However, is that really enough when the RAC's latest report on motoring estimates that almost one in three drivers still thinks it is okay to check their phone while at the wheel? In the way that it was made socially unacceptable to ignore having seatbelts in a car or to drink and drive, we must use every tool at our disposal to change the culture of drivers using mobile phones at the wheel.

Personally, like my hon. Friend the Member for Poplar and Limehouse, I do not doubt the Government's sincerity on road safety. However, the reality of their record has been one of disappointment in recent years. They are failing on their manifesto commitment to reduce casualties year on year. Some important causes of that failure have already been alluded to. The first, which my hon. Friend was right to mention, concerns road safety targets. They were introduced under Labour, and I have no doubt that they successfully reduced the number of KSIs—those killed or seriously injured. The reduction was about a third. Road safety targets focused minds and attention, and I still do not see the reason and logic behind the Government's persistent refusal to bring them back. As my hon. Friend mentioned, why, when we support international targets at the UN and European level, do we still reject them as far as our own country is concerned?

We also need to think about whether the Government's 2015 road safety statement was really up to the mark. I do not think it was. There was no clear statement of resources or guidance for local authorities, and there were no objective measures to improve young drivers' safety. Throughout virtually all of the last Parliament we were eagerly awaiting a Green Paper on young drivers that never materialised. It was going to be published "next year", then "at Christmas" and then "shortly", but then it never came at all. The 2015 statement also had no mention of the "Vision Zero" goal that other countries have adopted—the goal of eliminating deaths as part of a safe systems approach to road safety. As for measures to protect vulnerable road users, we are still waiting for the fully funded cycling and walking strategy that the Government have been promising "shortly"—in their word—for quite an extraordinary length of time.

The fact is that the Government's approach on this issue has been piecemeal and limited in effect. Central to that failure is the title of today's debate and the key recommendation underlined by the Transport Committee in its report last year: the question of enforcement. According to the response to my written question on 1 February, official figures show that since 2010 the number of officers outside the Metropolitan police with road policing functions has fallen from 5,337 to 3,436. That is a cut of about one third; it is actually a bigger cut than that identified by the Transport Committee. The Committee is right to say that a combination of education, engineering and penalties is key to improving safety conditions, but also that those things "must be backed up by effective enforcement with road users knowing that infringements will be detected."

That brings me to the question of how policing priorities are set and the constraints in that regard. The Government can say that policing priorities are a matter for local forces, and in a sense that is right—it is important that they are set locally and reflect local conditions—but they cannot be in any way meaningful if the police up and down the country simply do not have the resources to deliver the priorities that they want to deliver across the piece.

As the Transport Committee noted in paragraph 7 of the report, road policing is not a nationally set strategic priority, and the variation in strategies appears to be continuing. For example, in quarter 1 of last year, seven forces did not even submit casualty reports to the Government on time, forcing the DFT to estimate the figures. Meanwhile, across the country we have seen fixed penalty notices for mobile phone usage plummet by not far short of 90% over five years. I would like to think that that reflects a sea change in the attitude of motorists to using mobile phones, but I think we know from the RAC report and elsewhere that the reality is likely to be different. In evidence to the Select Committee, the Institute of Advanced Motorists noted that the falling levels of enforcement risk developing a culture in which being caught is seen as a matter of bad luck rather than bad driving.

I therefore ask the Minister to address the question that has been put to him twice in this debate so far. Will he reveal what impact assessment he has done on the effect of falling police numbers on road safety, and if there has been no such impact assessment, will he please undertake one? Can he also assure us that he will speak to his Home Office colleagues to ensure that forces send through accurate and timely casualty reports, which are essential? What meetings has he had with the Association of Chief Police Officers following the report from the Transport Committee and the latest statistics for the number of officers involved in road safety duties?

I have no doubt that every police and crime commissioner and every chief constable in this country wants to see safe roads. I have no doubt that every single one of them wants to devote as many officers as they can to achieving safety on our roads. However, if they do not have the resources to do that, all too often it is road traffic policing that ends up falling off the end of the list of priorities. My hon. Friend the Member for Poplar and Limehouse was right: the Department for Transport has a key role to play if that culture is to be turned around.

There needs to be a cross-Government strategy. It is vital that central Government does not work in silos on this issue and that the DFT steps up to take the lead on how we can ensure that the necessary resources are made available for effective enforcement. I hope the Government will think about how road safety can be integrated into their third attempt at producing a clean air strategy, and will they also think about whether the second road investment strategy can allocate a specific budget to road safety?

I hope that the Minister will address the important point made by my hon. Friend the Member for Liverpool, Riverside about ensuring that cross-border work on road safety, particularly in relation to the European Union, is maintained at a high level and that Brexit does not jeopardise or undermine that.

Will the Government also think about what levers can be used to incentivise further the uptake of telematics or black boxes and the use of technology to deter mobile phone use at the wheel, which various hon. Members have mentioned? Could the recently published Vehicle Technology and Aviation Bill, which has clauses on automated vehicles, be used as a vehicle—pardon the expression—for pursuing some of those agendas?

I hope the Minister will recognise, from today's debate and others, that there is cross-party concern about this issue. I hope he will agree to take full stock of his Government's road safety approach and recognise that despite their sincere pledges to improve road safety, the strategy is falling short as things stand. This is a cross-ministerial challenge for not only his Department but the Ministry of Justice and, equally, the Home Office. I hope he will ensure that the Home Office, police and local authorities are all on the same page and have the capacity, in practice, to enforce the law as we all want to see it enforced.

I would like to end with four further questions to the Minister on improving road safety. Will he commit to ensuring that all police forces have sufficient support to deliver reductions in all forms of casualties? What work is he undertaking to review the Scottish drink-drive limits that the hon. Member for Milton Keynes South mentioned? We need to look at what the impact has been of reducing the limit there and whether we can learn any lessons.

Will the Minister give us a timeframe for when the cycling and walking investment strategy will be published and an assurance that it will have the resources to back it up when finally it is published? Finally, will he listen to campaigners within the road safety community and do what my hon. Friend the Member for Liverpool, Riverside has urged him to do, and which I urge him again to do, by reinstating road safety targets? They can perform a valuable role in achieving the vision of nobody being killed or seriously injured on our roads in future.

4.2 pm

The Parliamentary Under-Secretary of State for Transport (Andrew Jones): I am not sure I have served under your chairmanship, Mr Gapes. I am not a West Ham supporter; I have to put that on the record right away. I congratulate the hon. Member for Liverpool, Riverside (Mrs Ellman) on securing this debate. Before we go any further, I must say that I will relay the comments on road policing to the Minister responsible in the Home Office. I have regular meetings with colleagues in the Home Office. This is very much a cross-departmental initiative, and we have had some very positive moves. I expect to see that continue.

In the Government's road safety statement in December 2015, we welcomed the fact that the Transport Committee was looking at this topic, and I am happy to reiterate that welcome in today's debate. This debate is extremely timely. Three weeks ago, my Department published road casualty statistics for the third quarter of last year. The figures for those killed and seriously injured on our roads showed an increase of 6% in the year ending 2016 compared with 2015. That is clearly a move in the wrong direction, and we must not in any way be complacent, but we must also be cautious before jumping to conclusions. There is not enough evidence yet to conclude that the

change can be explained by statistical natural variation in deaths over time. I am very aware that we will want to keep that under close review.

We have a manifesto commitment to reduce the number of road users, including cyclists, who are killed or injured on our roads every year. Enforcing road traffic laws to ensure that offenders pay the penalty for their wrongdoing can help to get that statistic on a downward trend again. I was asked whether I met regularly with the police service on the matter, and I do. The police lead is Chief Constable Suzette Davenport from Gloucestershire. I have also written to each of the forces around the country about their reporting, so I am happy to give confirmation right away on some of the questions asked.

Richard Burden: Before the Minister leaves the question of the police, I accept and am pleased about what he said before—that he will talk to his Home Office colleagues—but he was also asked a direct question on at least two occasions today about whether he had undertaken any review of the reductions in police numbers devoted to road policing and the impact on road safety. If he has not undertaken any such review, will he do so?

Andrew Jones: We look at all the ingredients that combine to influence road safety. On penalties for use of mobile phones, for example, it was highlighted that the number of penalties issued had fallen significantly—that is a fact—but during that time the number of people who have suddenly lost their lives in incidents in which handheld mobile phone use was considered a factor has remained exactly the same. The figure has been consistent. That tells us that mobile phone use is an ingredient, but that there is no direct causal link between one fact and another—a number of factors are in play. Do I think that enforcement matters, however? Yes, I do. I agree entirely with the principles of education, engineering and enforcement. Are we reviewing that? Yes, it is one of the many ingredients that we review constantly.

To go back to the big four, as the hon. Member for Liverpool, Riverside, the most common traffic offence is indeed speeding. We know that excessive speed kills, and I agree with the Select Committee that cameras are an important and effective technology in detecting speeding offences. We use technology in every other part of human life, so why on earth would we not use it in something as critically important as road safety? I occasionally get letters saying, "We need to remove cameras. They are an infringement of civil liberties", or that we are unfairly targeting motorists. That is absolute nonsense. It is, however, for local authorities and local police forces to determine where cameras should be sited for their best effect.

The best effect lies, I agree, in getting drivers to respect the speed limits, not in simply generating revenue. Where a camera generates significant ongoing revenue, the local safety partnership should be asking why and whether, for example, the speed limits are clearly signed. The Government are not generally in favour of hypothecating tax revenues—we are no different from Governments of all colours over many years—but, having said that, we are working to hypothecate the vehicle excise duty to Highways England and the road investment strategy. There is not, however, a parallel between hypothecating speed fines and road safety.

[Andrew Jones]

I agree that there is a high level of compliance—the hon. Member for Poplar and Limehouse (Jim Fitzpatrick) called it “obedience”, but it is compliance. That is the word we are looking for when we see the use of average speed cameras, because a marked change in driver behaviour results. That is a personal observation. He also asked if we had information from communities on local camera use and so on. I do not have that information, but I will see whether we can find some. If we can, I will share it with the hon. Gentleman.

Drink-driving is clearly a critical issue. We certainly take seriously the threat that all dangerous drivers, including drink and drug-drivers, pose to the safety of other road users. However, I must be up front and say that we have no plans to change the drink-drive limit. The rigorous enforcement of the limit and the serious penalties for drink-driving in this country are a more effective deterrent than changing the limit. We may have a higher drink-drive limit than other countries, but we also have a more successful culture of enforcement and of removing the issue than other countries.

It is also fair to recognise that we have made other changes. We changed drink-driving legislation in April 2015 to require high-risk offenders to undertake medical tests before they are allowed to drive again. We have also removed the so-called statutory option that allowed suspected drink-drivers the choice of an evidential breath test or a specimen of blood or urine, which afforded the potential for people to sober up during the time lag between the two. That option has now gone. My hon. Friend the Member for Milton Keynes South (Iain Stewart) is correct in saying that the average blood alcohol level for those stopped and convicted is not in the 50 to 80 mg category, which represents about 2% of those stopped. The average is in the 150 to 180 mg category. The people causing drink-drive problems pay absolutely no regard to drink-drive limits; they just do not think that the limits apply to them. The limits are not the issue here.

The Select Committee report did not explicitly consider drug-driving, but the Government’s response did, noting that drugs in a driver’s bloodstream can pose as much of a danger as alcohol. We have provided £1 million to police forces in England and Wales to support drug-driving enforcement. The evidence so far is that it has been highly successful, and for 2016 we are expecting an eightfold to tenfold increase over the previous year. When the data come out, we will be able to confirm that properly, but that is the indication thus far. We have some time to go before we get the final data, but it is clearly a successful policy.

The anecdotal feedback from police services around the country is that it has been a great addition to their toolkit, and that they have used the drug-driving laws to disrupt far more criminal activity, such as drug-dealing rings, tackling the drivers to take the rings out of circulation for a period. That is interesting. It is not exactly why we introduced the drug-driving rules, but it is a welcome side effect nevertheless. In March last year, just as the Select Committee report was being published, we launched a THINK! campaign to educate people about the dangers of drug-driving and send a clear message that it is unacceptable. A point was made about social unacceptability. We want drug-driving to be as

socially unacceptable as drink-driving. We as a society are a little further back on that journey, but it is clearly the direction that we want to go in. I want everybody to know that the consequences for drug-driving will be serious.

We talked a little about mobile phone use, particularly under the heading of distractions. I know that the Select Committee welcomes the higher penalties that Parliament has approved for drivers who use their mobile phones. Whether they are calling, texting or using an app, motorists caught using a handheld device will receive a fixed penalty notice of £200 and six penalty points on their driving licence. The changes will come into effect next week, on 1 March, making it one of the toughest fixed penalties. Drivers risk losing their licence after two offences, totalling 12 points, and new drivers who reach six points in one offence will lose their licence right away and have to retake both theory and practical driving tests. Such penalties will be effective only if drivers believe that an offence will be detected.

The hon. Member for Poplar and Limehouse asked whether fixed penalty notices were still appropriate. Our police service has operational independence. It is fair to say, though, that the Government would like more fixed penalty notices to be issued, particularly at the start of this major change to the penalty regime, so that the heavy penalties are understood and widely communicated and are used to effect behaviour change, because that is what this is about. If people see others losing their licences, it will effect a behaviour change.

Jim Fitzpatrick: Does that not reinforce the point that the Select Committee made about devolving some responsibility for fixed penalty notices to local authorities and other bodies, so that there can be allies in the field to detect and punish the people who breach the regulations that the Government want enforced?

Andrew Jones: I will come to the local enforcement of moving traffic offences, but the hon. Gentleman’s underlying point is correct. Do we need alliances? Progress on road safety issues is achieved by campaigners—they often lead the way—local government, national Government and various agencies, such as Highways England and High Speed 2, which have road safety budgets, all working together. That is how we have made progress as a country, and I see that as the way forward, too.

I certainly want to ensure that we get this message across, and there will be a strong THINK! campaign to warn drivers as part of the launch of the changes on 1 March. We are also working with the police on an enforcement campaign, but prevention is better than cure, and we have the opportunity through that advertising campaign to make clear the risk that drivers take. I want to make using a handheld mobile device at the wheel—including texting—as socially unacceptable as drink-driving. I am sure that the hon. Member for Liverpool, Riverside is absolutely correct that technology can help. Indeed, I will meet mobile phone companies next week and have already met other technology companies. Technology is moving pretty fast in this area. I am not normally at the cutting edge of technology, but I am happy to learn and I certainly see that technology can help here.

Seatbelts were mentioned. We recently had the 50th anniversary of seatbelt legislation, and I do not think any other single policy has generated a better

return in terms of improving road safety than seatbelts. I am pleased that compliance with seatbelt wearing remains very high. The awareness-raising work that has been done over a long period has clearly struck home, and wearing a seatbelt is now automatic for the vast majority of us. However, we are not complacent, and we will conduct a roadside survey later this year to establish whether there has been any significant change from the last time we conducted a survey, which was 2014.

Many colleagues mentioned vulnerable road users. It is a tragedy that three cyclists were killed on London's roads in just a week earlier this month—two of them in just 12 hours. I will come to that later, but the stories that one learns are truly tragic. All road users have a responsibility to those with whom they share the road. That responsibility is all the greater to road users whose mode makes them more vulnerable. London leads the way on cycling, ensuring that goods vehicles are properly equipped for seeing other road users and keeping them apart. We believe that decisions about restricting vehicle movement are best taken locally, although we recognise that having different standards in different places could be operationally quite difficult for road users.

The hon. Member for Poplar and Limehouse highlighted the THINK! Hang Back campaign, which actually had two strands. He mentioned the strand for cyclists, but there was a further strand of communication targeted at HGV drivers, including through trade organisations. That campaign was developed because research revealed that around 30% of cyclists were unaware of the dangers of being on the inside of an HGV that might turn left. Given that so many people thought that was a safe space to be in, we were quite robust in some of our communication to get the message across. There was no suggestion of apportioning blame—that is obviously ridiculous. We are trying to make people aware and get them to take responsibility for themselves and other road users. I made the point earlier that people have a responsibility to those with whom they share the road.

On fixed penalty notices and diversionary courses, the Sentencing Council has announced that penalties for people found guilty of serious speeding offences will increase on 24 April. Most speeding is not wilfully over the posted limit, and in such cases a fixed penalty notice is often the best way to remind drivers of the need to monitor and control their speed. The last increase in fixed penalty fines for speeding was in 2013. We keep them under review. Where there is a clear case for change, as with mobile phones, we have acted and will continue to act.

Police officers have discretion to decide how to dispose of an offence. Where an officer believes that the driver will benefit, the offer of a diversionary course is an effective way to proceed. What we are seeking to do is to change behaviour. The police officer makes a call on how that might be best achieved and we want to maintain the operational independence of our police.

As the Committee noted, we are evaluating the national speed awareness course, the most widespread of the diversionary courses that are offered. We hope to complete that work later this year. The Committee recommended that the costs of diversionary courses be standardised. I have some sympathy with drivers faced with a range of different costs for the same course, without any explanation for the variation. However, I can also see that the cost of delivery will vary from place to place. Where courses are

delivered by an external provider, contractual commitments may need to be taken into account. For the time being, therefore, we do not intend to mandate a single national charge for each type of course.

The Government's response to the Committee's report noted the objective of 188,000 vehicle compliance checks this year. So far, the Driver and Vehicle Standards Agency has checked 167,555 vehicles at the roadside, so it is well on track to meet that target. It has also found just over 20,000 serious defects and offences, which is well ahead of where it expected to be at this point in the year. We are therefore confident that the agency will meet both targets by the end of this financial year. The London industrial HGV taskforce uses the combined powers of the two bodies to target those identified as at the biggest risk of non-compliance. That targeting is working well, but we have not yet been able to develop similar programmes in other parts of the country.

On the cross-border enforcement directive, in our response to the Committee report, we stated that we would attempt to influence the European Commission to amend the directive in the future. Quite a bit has happened in policy in this area over the last few months. The purpose of the directive was to support member states in the investigation of eight different kinds of offence committed by drivers when driving in other member states and the legislation mandates sharing information about vehicle keepers. However, the UK prosecutes only drivers for the offences in question—a point that was made by the hon. Member for Liverpool, Riverside. There is nothing in the directive that obliges member states to compel their citizens to admit liability or to name the driver.

Parliament has seen our explanatory memorandum on the European Commission's review of the directive, which recognises that there is an issue for member states that have driver liability in place. We have some support from other member states on the topic and we continue to press for change.

My hon. Friend the Member for Milton Keynes South made an important point about sharing best practice. We feel that there is a role for the Department in sharing best practice. I have attended and spoken at roads policing conferences, which bring together enforcement leaders around the country. The sharing of best practice is not just carried out in this part of our departmental activity, but is spread much more widely.

We made clear in the Government's response to the report that the devolution of parking enforcement has not been without considerable concerns from motorists—a point that was noted by the Committee in its 2013 report, which expressed concern about the way in which local authorities used CCTV for parking enforcement. There have been concerns about revenue raising, penalty levels and the number of penalty charge notices issued. In response to that, new legislation was enacted in March 2015 to restrict the use of CCTV for parking enforcement. I received a letter in the last few days from a councillor suggesting that the powers be granted so that they could use them precisely for revenue raising. That is not quite what we were seeking—this is about safety and behaviour change.

Against that backdrop, the Government remains to be convinced about the case for giving authorities the powers to enforce moving traffic contraventions. I am not keen to see local authorities installing a raft of new

[*Andrew Jones*]

cameras on yellow box junctions and elsewhere, only to see penalty charge notices issued. Equally, I have seen freedom of information requests, often from the media, that indicate that some councils have made large sums of money from some specific box junctions. We therefore have no plans to change the current position to give local authorities outside London greater enforcement powers, and in that context we do not consider it appropriate to give London further powers either. However, I have met the Local Government Association to discuss the issue, and will continue to do so to see if we can find areas on which we agree.

I will highlight a few of the questions from hon. Members. Is this a matter for cross-departmental activity? Yes, of course it is. One only has to see the Treasury's positive response to road safety issues, with a £175 million budget announced in the autumn statement to tackle the top 50 problem roads in the EuroRAP assessment, or the way the Ministry of Justice is consulting on increasing sentencing. Do we have a publication date for CWIS—the cycling and walking investment strategy? I cannot give the House a specific date yet, but I can say that it will be published very shortly.

I am aware that the Government have signed up to the sustainable development goals. I am actually very keen to see us share some of our expertise and insights to help other countries to learn from the journey that we have been on over many years. I have spoken at conferences with representatives from many countries around the world, and I have said repeatedly that, if somebody would like information from my Department, we will make it available. We are happy to help as they go on the journey that we have been on. Equally, I am also happy if we can steal ideas, too; I am acutely aware that not all ideas will come from this country. I do not really mind where the ideas come from, so long as we make some progress.

A number of points have been made on whether to have targets. If other countries wish to have targets, that is obviously fine, but frankly I do not think that we need them. I do not think that targets have a direct cause and effect on policy in quite the same way that some colleagues here do. I do not need a target to tell me that this is an important issue or to bring forward ideas and initiatives: I just do not think it is related. We are bringing forward ideas because this is an issue that matters. It is simply not the case that policy is as simple as publishing a

target and then seeing a cause and effect like that. We have seen many other areas of Government policy in which targets have even had a perverse effect—most notably in health targeting. We have no plans to introduce targets, but we have plenty of plans to continue what we are doing to make our roads safer.

The Select Committee report noted that effective enforcement was one of the three E's, and a necessary adjunct to the engineering and education initiatives that help to deliver our road safety initiatives. The report also noted that road users should know that infringements will be detected. I agree, and I hope that I have demonstrated to the House that the Government take road safety seriously. I am grateful for the comments about my personal commitment to the subject from colleagues across the House. It is actually the first policy area upon which I commissioned work when I became a Minister, which I hope gives an indication of my personal commitment to it.

I am acutely aware of the importance of this issue. Behind every statistic is a shattered life or a shattered family. I have met many such families, and those are hard meetings, but they spur me on to do more in this area. It is clear that we have taken and are taking action. We have some of the safest roads in the world, and I will work to make them ever safer.

4.29 pm

Mrs Ellman: This is very much ongoing business. I thank all hon. Members present for the important comments that they have made, and I thank members of the Select Committee, who have contributed so well—particularly the hon. Member for Milton Keynes South (Iain Stewart) who, as hon. Members will have heard, made insightful and informed comments. We will continue to work together. I say to the Minister that resources are needed to make progress, and that a cross-departmental approach is required. If it is Government policy not to have targets, how will we know whether sufficient progress has been made? The Transport Committee will continue to pursue all of these issues.

Question put and agreed to.

Resolved,

That this House has considered the Second Report of the Transport Committee of Session 2015-16, Road traffic law enforcement, HC 518, and the Government response, HC 132.

4.30 pm

Sitting adjourned.

Written Statements

Thursday 23 February 2017

COMMUNITIES AND LOCAL GOVERNMENT

Local Growth

The Secretary of State for Communities and Local Government (Sajid Javid): Further to my statements of 23 January 2017 and 2 February 2017 regarding the growth deal awards to the local enterprise partnerships (LEPs) in the northern powerhouse, east of England, south-east and London, I am today announcing the six individual awards to LEPs in the south-west of England.

Between them they will benefit from £191 million of Government support from the local growth fund, on top of the £780 million committed in previous growth deals.

Table A: growth deal 3 funding awards for LEPs in the south-west of England

LEP	Funding Award (£m)
Cornwall and Isles of Scilly	18.03
Dorset	19.46
Gloucestershire	29.13
Heart of the South West	43.57
Swindon and Wiltshire	28.09
West of England	52.80

We have now awarded over £9 billion to LEPs from the local growth fund. With the home building fund and local transport majors launched in 2016 we have fulfilled our manifesto commitment to a £12 billion local growth fund. It is a crucial part of the Government's agenda to drive growth and devolve power to local areas, with decisions being made by those who know their local area best, and supporting the Government's commitment to build an economy that works for everyone.

This was the most competitive round yet, and awards were made based on a bidding round that took place last year.

The expanded deals will provide LEPs in the south-west with the power and funding to support local businesses, unlock housing where it is most needed and develop vital infrastructure to allow places to thrive. The funding will also be used to create jobs, equip a new generation with the skills they need for the future and attract billions of pounds of private sector investment. This investment is Government stepping up, not stepping back, building on our strengths to boost national productivity and growth.

I will announce the awards in the midlands shortly.

[HCWS491]

CULTURE, MEDIA AND SPORT

National Heritage Memorial Fund

The Parliamentary Under-Secretary of State for Culture, Media and Sport (Tracey Crouch): I am today announcing the start of a tailored review of the National Heritage Memorial Fund (NHMF). As a non-departmental public

body (NDPB), the NHMF, including its activities operating as the Heritage Lottery Fund (HLF), is required to undergo a tailored review at least once in each Parliament.

The review will consist of two stages. The first stage will provide a robust challenge for the continuing need for the functions performed by the NHMF and the HLF, and, if there is, whether some or all of these functions should be delivered by alternative delivery models or continued to be delivered by a NDPB.

If it is agreed that the functions should continue to be delivered as a NDPB, the second stage will review the organisational control and governance arrangements in place to ensure that they are compliant with the recognised principles of good corporate governance and delivering good value for money. The structure, efficiency and effectiveness of both the NHMF and the HLF will be considered as part of both stages.

The findings at both stages of the review will be examined by a challenge group, chaired by DCMS non-executive director Charles Alexander. A separate steering group will consist of representatives from the Welsh Government, Scottish Government, Northern Ireland Executive and UK Government.

In conducting the review, officials will engage with a broad range of stakeholders across the UK from heritage, culture and natural environment sectors. The review will follow guidance published in 2016 by the Cabinet Office: "Tailored Reviews: Guidance on Reviews of Public Bodies". The terms of reference for the review and a survey seeking evidence about NHMF and HLF can be found on the DCMS website.

I will inform the House of the outcome of the review when it is completed and copies of the report of the review will be placed in the Libraries of both Houses.

[HCWS492]

FOREIGN AND COMMONWEALTH OFFICE

International Court of Justice: Optional Clause Declaration

The Minister for Europe and the Americas (Sir Alan Duncan): The Government have informed the UN Secretary-General of an amendment to the United Kingdom's optional clause declaration accepting the compulsory jurisdiction of the International Court of Justice (Court/ICJ). The declaration accepts the jurisdiction of the Court in contentious cases that come within its scope.

The Government keep their declaration under review. The ICJ case on nuclear disarmament filed by the Marshall Islands against the United Kingdom in 2014 concluded with a judgment of 5 October 2016 that upheld the United Kingdom's preliminary objections to jurisdiction. We have now decided to build into our declaration two key elements that underpinned the principal arguments that the Government made in those preliminary objections.

The revised declaration requires other states to give six months' notice of a claim or dispute against the UK that they propose to submit to the ICJ. This would provide an opportunity for diplomatic engagement with

the state concerned. The prior notification of a claim is an established part of domestic dispute resolution in the United Kingdom, as well as being a feature of the dispute settlement provisions in many international treaties. The judgment of the ICJ in the nuclear disarmament case accepted that a state must be made aware that litigants have opposing views, otherwise a respondent state does not have the opportunity to react to those opposing views before the institution of proceedings against it. The revised declaration incorporates the UK position that was advanced in the proceedings that prior notification of the kind described is an appropriate step before an application instituting proceedings, seising the Court, can be submitted.

The United Kingdom would be held to the terms of the new declaration in respect of any proceedings that it may wish to institute. The Government are content to be held to this standard.

In addition, the revised declaration also includes a reservation excluding from the Court's jurisdiction any cases related to nuclear weapons and/or nuclear disarmament unless the other four nuclear non-proliferation treaty (NPT) nuclear-weapons states also accept the Court's jurisdiction with respect to the case. The Government do not believe the United Kingdom's actions in respect of such weapons and nuclear disarmament can meaningfully be judged in isolation. This amendment to our declaration provides that the ICJ will only have jurisdiction over nuclear weapons or nuclear disarmament disputes when the proceedings involve all five of the NPT nuclear-weapons states.

We have also made changes to advance the cut-off date for historical cases to 1987, keeping it at 30 years, and to make clear that a repeated claim, as well as a dispute, is also excluded.

The Government are firm in our commitment to a rules-based international order. We continue to accept the compulsory jurisdiction of the ICJ and believe that the Court has a valuable role to play in resolving international disputes peacefully.

[HCWS489]

HOME DEPARTMENT

National DNA Database Strategy Board

The Minister for Policing and the Fire Service (Brandon Lewis): I am pleased to announce that I am, today, publishing the annual report of the National DNA Database (NDNAD) Strategy Board for 2015-16.

Gary Pugh OBE, chair of the National DNA Strategy Board, has presented the annual report of the National DNA Strategy Board to the Home Secretary. Publication of the report is a statutory requirement under section 63AB(7) of the Police and Criminal Evidence Act 1984 as inserted by section 24 of the Protection of Freedoms Act 2012.

The report demonstrates the important contribution of the NDNAD to the investigation of crimes. I am grateful to the strategy board for its commitment to fulfilling their statutory functions.

Copies of the report will be available from the Vote Office.

[HCWS488]

Investigatory Powers Act 2016

The Minister for Security (Mr Ben Wallace): I am today announcing the publication of the Government's consultation on five new codes of practice under the Investigatory Powers Act 2016.

The Investigatory Powers Act does three key things:

It brings together powers already available to law enforcement and the security and intelligence agencies to obtain communications and data about communications. It makes these powers—and the safeguards that apply to them—clear and understandable.

It radically overhauls the way these powers are authorised and overseen. It introduces a “double-lock” for the most intrusive powers, including interception and all of the bulk capabilities, so that these warrants cannot be issued until the decision to do so has been approved by a judicial commissioner. And it creates a powerful new investigatory powers commissioner to oversee how these powers are used.

It ensures powers are fit for the digital age. The Act makes a new provision for the retention of internet connection records in order for law enforcement to identify the communications service to which a device has connected. This will restore capabilities that have been lost as a result of changes in the way people communicate.

This Act provides world-leading transparency and privacy protection. It received unprecedented and exceptional scrutiny in Parliament and was passed with cross-party support. There should be no doubt about the necessity of the powers that it contains or the strength of the safeguards that it includes.

All of these draft codes of practice set out the processes and safeguards governing the use of investigatory powers. They give detail on how the relevant powers should be used, including examples of best practice. They are intended to provide additional clarity and to ensure the highest standards of professionalism and compliance with this important legislation.

The consultation will last six weeks. Copies of the consultation document and draft codes will be placed in the Library of the House. Online versions will be available on the www.gov.uk website.

[HCWS487]

EU Resettlement Framework

The Minister for Immigration (Mr Robert Goodwill): The Government have decided not to opt in to the EU proposal for a regulation establishing a common European Union resettlement framework.

Under the proposed EU resettlement framework, the total number of people to be resettled to the EU in a given year and the countries to be resettled from would be decided by the Council following a proposal from the Commission and set out in annual Union resettlement plans. The framework would also establish certain common elements for the resettlement process, including: rules on admission, including eligibility criteria and exclusion grounds; the standard procedures governing all stages of the resettlement process; the status to be accorded to resettled people; and, the decision-making procedures for implementing the framework.

The UK is of the view that resettlement schemes are best operated at the national level. This allows for greater control and flexibility over both the source countries to be resettled from and the resettlement

process. The Government are of the view that the stated reasons for action at EU-level, such as alleviating pressures on countries hosting a disproportionate number of displaced individuals, gaining influence in policy dialogues with third countries, and improving the resettlement process, can equally be achieved through close co-operation between international partners operating national resettlement schemes. National schemes also allow resettlement efforts to be aligned with the domestic and international priorities of individual member states, including maintaining full control over the numbers to be resettled.

The UK has committed to resettling 20,000 Syrians to the UK under our Syrian vulnerable person's resettlement scheme (VPRS), and 3,000 vulnerable children and their families to the UK under the vulnerable children's resettlement scheme, by the end of this Parliament. In the year ending September 2016, 4,162 people were resettled under the Syrian VPRS, across 175 different local authorities. These commitments are in addition to our longstanding gateway protection programme and mandate resettlement scheme.

Until the UK leaves the EU, it remains a full member, and the Government will continue to consider the application of the UK's right to opt in to forthcoming EU legislation in the area of justice and home affairs on a case-by-case basis, with a view to maximising our country's security, protecting our civil liberties and enhancing our ability to control immigration.

[HCWS486]

Government Transparency

The Secretary of State for the Home Department (Amber Rudd): I have today laid before the House the second iteration of the Government transparency report on the use of disruptive and investigatory powers (CM 9420). Copies of the report will be made available in the Vote Office.

In view of the ongoing threat from terrorism, which remains at "Severe", meaning an attack is highly likely, and the persistent threats from organised crime and hostile state activity, it is vital that our law enforcement, and security and intelligence agencies can use disruptive and investigatory powers to counter those threats and to keep the public safe. This report sets out the way in which those powers are used by the agencies and the independent oversight which governs their use.

This Government remain committed to increasing the transparency of the work of our security and intelligence and law enforcement agencies, and this next iteration of the transparency report is a key part of that commitment. Since the last report was published, the Government have published extensive material on the use of investigatory powers. And the passage through Parliament of the Investigatory Powers Act 2016 saw more information about the work of the agencies put into the public domain than ever before. The transparency report builds on that.

It is split into two main sections. The first includes statistics on the use of disruptive and investigatory powers, explains their utility, and outlines the legal frameworks that ensure they can only be used when necessary and proportionate.

The second section explains the roles of the commissioners, and other bodies, that provide independent oversight and scrutiny of the use of the powers. The report also provides an overview of the Investigatory Powers Act 2016 and points to changes which will occur once the Act is implemented.

Publishing this report ensures that the public are able to access, in one place, a guide to the range of powers used to combat threats to the security of the United Kingdom, the extent of their use and the safeguards and oversight in place to ensure they are used properly. It is designed to be read in conjunction with the annual reports on the counter-terrorism (CONTEST) and serious and organised crime strategies.

Of course, there remain limits to what can be said publicly about the use of certain sensitive techniques, because to go too far could aid criminals and terrorists, encouraging them to change their behaviour in order to evade detection. However, it is vital the public are confident that the security and intelligence, and law enforcement agencies have the powers they need to protect the public, and the knowledge that those powers are used proportionately.

[HCWS490]

INTERNATIONAL DEVELOPMENT

Supply Process

The Secretary of State for International Development (Priti Patel): Like other Departments, the Department for International Development will meet a number of pre-existing and routine commitments from the Contingencies Fund due to the timing of the Royal Assent for the Supply and Appropriation (Anticipation and Adjustments) Bill.

Parliamentary approval for additional net cash of £512,182,000 (five hundred and twelve million, one hundred and eighty two thousand pounds), was sought in the 2016-17 Supplementary Estimate for the Department for International Development, which was published on 9 February 2017. To meet cash requirements ahead of that approval, expenditure estimated at £345,855,000 (three hundred and forty five million, eight hundred and fifty five thousand pounds) will be met by repayable cash advances from the Contingencies Fund. The advance will be repaid upon Royal Assent of the Supply and Appropriation (Anticipation and Adjustments) Bill.

The total official development assistance (ODA) allocation agreed with HM Treasury has not changed and the transaction will be returned upon Royal Assent of the Supply and Appropriation (Anticipation and Adjustments) Bill. This is a routine part of the normal intra-Government accounting process.

[HCWS494]

JUSTICE

Prison Governors

The Lord Chancellor and Secretary of State for Justice (Elizabeth Truss): I have today introduced the Prisons and Courts Bill, which will create a new statutory framework to support the Government's plans to make

prisons places of safety and reform. The measures in the Bill are a vital part of the wider structural reforms announced in the Prison Safety and Reform White Paper published on 3 November 2016.

The right framework and standards for improvement

In the White Paper we committed to reforming how the prison system is structured in order to make lines of accountability clear and create sharper and more transparent scrutiny.

To deliver this, the Prisons and Courts Bill will enshrine in statute the purpose of prison, setting out for the first time that reform of offenders is a key aim for prisons. The Bill makes clear how the Secretary of State for Justice will account to Parliament for progress in reforming offenders.

The Bill also provides strengthened powers to Her Majesty's inspectorate of prisons, including enabling the chief inspector to trigger an urgent response from the Secretary of State where they have significant concerns about a particular prison that need to be addressed as a matter of urgency. It puts the prisons and probation ombudsman on a statutory footing, giving them greater permanence and powers.

The White Paper set out how this new framework will be underpinned by new standards, a new commissioning structure and new powers for governors. This will create a more focused prison system where governors are clear what they need to deliver and are empowered to do so.

To deliver this, we will create new, three-year performance agreements signed by the Secretary of State and the governor of each prison. The agreements will be phased in over the next two years: the first third of prisons will sign the new agreements on 1 April, with the other two thirds moving to this approach by 1 April 2019. The agreements will include the following standards, based on the aims for prisons set out in the Bill, which governors will be held to account for:

Protecting the public. We will do this by measuring, from April 2017:

- The number of escapes from closed prisons;
- The number of absconds from open prisons; and
- Compliance with key security processes such as searching.

Reforming offenders. We will do this by measuring:

Time spent out of cell, starting from April 2017 in the prisons where the technology to track this has been introduced;

Progress made in getting offenders off drugs. Prisoners will be tested on entry and exit with a phased roll-out beginning in 2017;

Progress made in health, starting with a measure of medical appointments attended by prisoners starting in England from April 2017;

Progress made in maths and English, starting with qualifications gained from April 2017 and introducing testing on entry and exit in the longer term; and

Progress in maintaining or developing family relationships. This will be a new measure which we are currently developing.

Preparing prisoners for life on release. We will do this by measuring, from April 2017:

- Rate of prisoners being released to suitable accommodation;
- Rates of sustainable employment, including apprenticeships, and education in the period following release.

Improving safety. We will do this by measuring, from April 2017:

- Assaults on prison staff and prisoners;
- Disorder and self-harm; and
- Staff and prisoner perceptions of safety.

We want the public to understand what progress is being made in our prisons, so we will publish data setting out how prisons are performing. We will collect the data from April 2017 and begin publishing official statistics regularly from October 2017.

To support delivery of these reforms on the ground, on 1 April we are creating a new, operationally focused executive agency, Her Majesty's Prison and Probation Service, which will be responsible for all operations across prison and probation and will refocus headquarters on supporting, not micro-managing, governors. The Secretary of State will set standards, commission services, and hold them to account.

Empowering governors to deliver

If we are to hold governors to account for meeting this new standards, they must be given the power to deliver change. We are devolving key operational policies to give governors greater flexibility, and have already cancelled 101 policies to help reduce bureaucracy for prisons. We will also remove current restrictions so that from 1 April 2017, governors have the freedom to:

Design their regime to meet local delivery needs and target training and work in prisons to match the local labour market. Prisoners could, for example, work shift patterns to deliver new commercial contracts. This would help them to meet the standards to reform offenders and prepare prisoners for life on release.

Decide their workforce strategy, including their staffing structure, to support meeting the standards. They could bring in specialists to work with particular types of prisoners, and tailor their staffing to support the prison regime they have designed.

Control how they spend their resource budget. They could choose, for example, to pay for increased dedicated police officer time to reduce criminal activity in prison to improve safety and protect the public.

Plan and take decisions about health services jointly with local health commissioners, through a co-commissioning framework.

Over the coming months, we will build on these essential freedoms even further by giving governors additional scope to:

Decide what education opportunities they offer. Over 2017 and 2018, we will give governors control of the education budget, so that they can overhaul education and training to match the skills and qualifications prisoners need in the local labour market.

Control how family support services work. From autumn 2017, governors will control budgets for family services, like visitors' centres and parenting skills classes, so they can choose the right way to support family relationships.

Have more say on the goods and services in their prison. As each national contract ends, for example on food or equipment, we will determine how to devolve responsibility to governors.

This process of devolution and deregulation is being supported by learning from the work of the six reform prisons. These prisons will continue to explore and identify options for devolution across the estate as wider reforms are implemented. We have commissioned a formal evaluation to support this with regular feedback being provided to inform policy development ahead of the final report in early 2018.

These reforms are major changes that will result in sustained improvement over a decade. By the end of this Parliament this strategy will have delivered much needed new facilities, empowered governors and introduced modern technology to improve regimes, support reform and combat security threats.

[HCWS493]

WORK AND PENSIONS

Social Security

The Minister for Disabled People, Health and Work (Penny Mordaunt): Today I am laying before Parliament amendments to the personal independence payment (PIP) regulations to restore the original aim of the benefit, making sure we are giving support to those who need it most.

PIP is a modern and dynamic benefit which contributes to the extra costs faced by people with disabilities and health conditions. It replaces disability living allowance (DLA), which no longer properly took into account the needs of disabled people. Since PIP's introduction, greater support is going to the most vulnerable; over a quarter of those on PIP receive the highest level of support compared to just 15% of DLA's working-age claimants.

At the core of PIP's design is the principle that non-physical conditions should be given the same recognition as physical ones. That is why we developed the assessment criteria in collaboration with disabled people and independent specialists in health, social care and disability. Now, over two thirds of PIP claimants with mental health conditions get the higher daily living award, worth £82.30 per week, compared to 22% under DLA.

The Government continue to monitor the effectiveness of PIP to ensure it is delivering its original policy intent and supporting those who face the greatest barriers to leading independent lives. Two recent upper tribunal judgments have broadened the way the PIP assessment criteria should be interpreted, going beyond the original

intention. In order to make sure the initial purpose of PIP is maintained, we are making drafting amendments to the criteria which provide greater clarity. This will not result in any claimants seeing a reduction in the amount of PIP previously awarded by DWP.

The first judgment held that needing support to take medication and monitor a health condition should be scored in the same way as needing support to manage therapy, like dialysis, undertaken at home. Until this ruling, the assessment made a distinction between these two groups, on the basis that people who need support to manage therapy of this kind are likely to have a higher level of need, and therefore face higher costs.

The second judgment held that someone who cannot make a journey without assistance due to psychological distress should be scored in the same way as a person who needs assistance because they have difficulties navigating. By way of example, the first group might include some people with isolated social phobia or anxiety, whereas the second group might include some people who are blind. Until this ruling, the assessment made a distinction between these two groups, on the basis that people who cannot navigate, due to a visual or cognitive impairment, are likely to have a higher level of need, and therefore face higher costs.

If not urgently addressed, the operational complexities could undermine the consistency of assessments, leading to confusion for all those using the legislation, including claimants, assessors, and the courts. It is because of the urgency caused by these challenges, and the implications on public expenditure, that proposals for these amendments have not been referred to the Social Security Advisory Committee before making the regulations.

PIP is being devolved to the Scottish Government and I will continue to work closely with Scottish Ministers on the transfer of responsibilities.

The Social Security (Personal Independence Payment) (Amendment) Regulations 2017, Explanatory Memorandum and Equality Analysis will be available at www.legislation.gov.uk.

[HCWS495]

Petition

Thursday 23 February 2017

OBSERVATIONS

WORK AND PENSIONS

Implementation of the 1995 and 2011 Pension Acts

The petition of Residents of Wells,

Declares that as a result of the way in which the 1995 Pension Act and the 2011 Pension Act were implemented, women born in the 1950s (on or after 6 April 1951) have unfairly borne the burden of the increase to the State Pension Age; further that hundreds of thousands of women have had significant changes imposed on them with little or no personal notice; further that implementation took place faster than promised; further that this gave no time to make alternative pension plans; and further that retirement plans have been shattered with devastating consequences.

The petitioners therefore request that the House of Commons urges the Government to make fair transitional arrangements for all women born in the 1950s (on or after 6 April 1951) who have unfairly borne the burden of the increase to the State Pension Age.

And the petitioners remain, etc.—[Presented by James Heapey, *Official Report*, 20 February 2017; Vol. 621, c. 3P.]

[P002015]

Observations from the Secretary of State for Work and Pensions (Damian Green):

The pension system, along with the whole welfare system, needs to change to reflect the reality of today. In recent decades we are living longer, and we are able to work for longer as we become healthier.

The equalisation and acceleration of State Pension age for both men and women was necessary to ensure the system's sustainability in light of increasing life expectancy and increasing pressure on public resources, and the package now in place is balanced and affordable.

The changes to the State Pension age began with the gradual equalisation of State Pension age at 65 for both men and women, which was first set out in the Pensions Act 1995. This was necessary to meet the UK's obligations under EU law to eliminate gender inequalities in social security provision.

The increase of the State Pension age to 66 was set out in the Pensions Act 2007 and due to increasing life expectancy the Pensions Act 2011 accelerated this process to allow for a rise to 66 by 2020 for both genders and provided for the equalisation of the State Pension age to 65 by November 2018.

During the 2011 Pensions Act the Government made a concession which slowed down the increase of the state pension age for women so no one would face an increase of more than 18 months compared to the increase as part of the Pensions Act 1995. Transitional arrangements at a cost of £1.1 billion were made in order to lessen the impact of these changes for those worst affected, and for 81% of these women the increase will be no more than 12 months. This concession benefited almost a quarter of a million women who would otherwise have experienced delays of up to two years.

Reversing the 1995 Act would be unaffordable—costing a minimum estimate of £77 billion. Without equalisation, and in 2010, women would spend on average 41% of their lives in retirement with a State Pension age of 60.

These changes were fully debated and voted on in 2011 when legislation was before Parliament, and all those affected by increases in State Pension age by the 2011 Act were written to in the period between January 2012 and November 2013.

The Department for Work and Pensions provided a range of additional information in order for all individuals to find out their State Pension age and the conditions of their benefits.

Since April 2000, the Department has provided more than 14 million personalised State Pension estimates to people who requested them either online, via telephone or post, and encourages people to request these State Pension estimates as part of ongoing communications.

In addition, employment maximises people's opportunities to build up savings, helps to maintain social networks, and is beneficial to health provided the employment takes into account the person's broader circumstances. For most people work is beneficial not only because it provides an income, but also because it also gives individuals greater control over their own lives, and independent analysis by the Institute for Fiscal Studies has shown that the rise in women's State Pension age since 2010 has been accompanied by increases in employment rates for the women affected.

For those who struggle to find employment and where people need it, there is a safety net in place through the welfare system.

Supporting individuals aged 50 years and over to remain in the labour market and tackling the barriers to them doing so is a key priority for this Government. By the mid-2030s the number of individuals aged 50 and over will represent over half of the UK adult population and employers increasingly need to employ and retain the skills and experience of older workers. To support these individuals the Default Retirement Age was abolished, so individuals can retire when it is right for them, and the right to request flexible working was extended.

This Government are deeply committed to ensuring that employers are aware of the wealth of skills and experience that older workers bring to the workplace, and on 4 October the Government announced the appointment of the Business in the Community Age at Work leadership team led by Andy Briggs, CEO of Aviva UK and Ireland Life, as Business Champion for Older Workers. Mr Briggs and this team of employers will spearhead the Government's work to support employers to retain, retrain, and recruit older workers.

Jobcentre Plus Work Coaches have the flexibility to offer all claimants, including older people, a comprehensive menu of help which includes skills provision and job search support. Work Coaches undertake extensive training before taking up the post, and build up a wide range of skills and in-depth labour market knowledge, and additional training modules are available for Work Coaches when they deal with older claimants to support them more effectively and in understanding the challenges older claimants face.

Older Claimant Champions were introduced, in April 2015, in the seven Jobcentre Plus Regional Groups to tackle the barriers faced by older claimants in getting

back to work. Older Claimant Champions work with Jobcentre Work Coaches—and other staff—to emphasise the importance of supporting older claimants, share best practice and challenge out of date perceptions to support this group of people.

Where there are health conditions or disabilities, the Department has published the Work, Health and Disability Green Paper which looks at ways of better joining up the health, welfare and employment systems to support those seeking work as well as those in work. A Carers in Employment pilot has been established across nine Local Authorities to explore how businesses can give employees with caring responsibilities more help, for example promoting flexible working patterns and setting up carers surgeries to help carers manage their caring responsibilities alongside their paid work.

In addition to increasing employment prospects for women above the age of 60, this Government have introduced the New State Pension. The system in place for people who reached their State Pension age before 6 April 2016 was extremely complex and the new State Pension brings greater clarity by helping people to

understand their State Pension more easily. It is also much more generous for many women who have been historically worse off under the old system. On average, women reaching State Pension age last year get a higher state pension over their lifetimes than women who reached State Pension age at any point before them, even when the acceleration of State Pension age is taken into account. And, by 2030, over 3 million women stand to gain an average of £550 extra per year as a result of these changes.

The New State Pension works hand in hand with Automatic Enrolment, enabling many more people to save in a workplace pension. And, combined with reviews of the State Pension age, these measures are designed to form the main elements of a sustainable basis of retirement income in the decades to come.

The Government have already made transitional arrangements for those most affected by changes to their State Pension age and introducing further concessions cannot be justified given the imperative to focus public resources on helping those most in need.

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