

**Tuesday
10 October 2017**

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**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES
(HANSARD)**

Tuesday 10 October 2017

House of Commons

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The House met at half-past Eleven o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

BUSINESS BEFORE QUESTIONS

MIDDLE LEVEL BILL

Motion made,

That the promoters of the Middle Level Bill, which originated in this House in the previous Session on 24 January 2017, may have leave to proceed with the Bill in the current Session according to the provisions of Standing Order 188B (Revival of bills).—(*The First Deputy Chairman of Ways and Means.*)

Hon. Members: Object.

Bill to be considered on Tuesday 17 October at Four o'clock.

CITY OF LONDON CORPORATION (OPEN SPACES) BILL
Bill read the Third time and passed.

Oral Answers to Questions

HEALTH

The Secretary of State was asked—

Mental Health Workforce

1. **Stephen McPartland** (Stevenage) (Con): What recent steps he has taken to increase the size of the mental health workforce. [901005]

The Secretary of State for Health (Mr Jeremy Hunt): Today is World Mental Health Day and the whole House will want to congratulate Time2Change on its 10th anniversary and the remarkable change in attitudes towards mental illness that it has helped to bring about. Our mental health workforce has increased by 30,000 since 2010 and another 21,000 posts are planned.¹

Stephen McPartland: On World Mental Health Day, I congratulate the Secretary of State on the work he has done, especially for children. We have had 42% more children receiving care for eating disorders and over 21,000 more children have received access to mental health provision. What targets does the Secretary of State have to help to improve such provision?

Mr Hunt: Our plans envisage treating another 70,000 children every year by 2020-21, but that is still not enough. It will take us from one in four children needing help to one in three. That is why we are publishing a Green Paper on child and adolescent mental health.

Mr Kevan Jones (North Durham) (Lab): One of the staffing shortages is actually in children and young people's services. In County Durham in my constituency,

the waiting time for autism diagnosis is two years. I have raised this with the mental health trust and NHS England, but the problem seems to be with the clinical commissioning group. What can the Secretary of State do to ensure that the extra money that he has pledged to put into the service actually gets to the service?

Mr Hunt: I would like to thank the hon. Gentleman for speaking out about mental health, like so many colleagues in this House, which makes a massive difference to the Time2Change campaign. It is unacceptable for someone to be waiting that long, and I do not want to stand here and defend it. I will certainly look into the individual case that the hon. Gentleman raises, but the fact is that many Members will know of similar cases. The money is starting to get through to the frontline. It is not just money, though; it is also capacity, and having trained mental health therapists—nurses; psychiatrists—and that is why we are boosting their training, too.

Dr Sarah Wollaston (Totnes) (Con): As someone who is married to an NHS psychiatrist, may I start by paying tribute to all those volunteers, carers and professionals working in mental health on World Mental Health Day? Has the Secretary of State seen today's briefing by the Children's Commissioner, highlighting the vital importance of prevention and early intervention? Will he set out what steps he is taking to support a growing workforce—volunteers and professionals—working in prevention and early intervention?

Mr Hunt: My hon. Friend is absolutely right. I am aware of the report that she talks about. We know that half of mental health conditions become established before the age of 14, which is why early intervention is so important. In July, I announced an expansion in the mental health workforce—another 21,000 posts. A number of those will be in children's mental health, to address the issues she raises.

Tim Farron (Westmorland and Lonsdale) (LD): The Secretary of State may know that because of a reduction in the number of mental health clinicians in Cumbria, the Cumbria Partnership NHS Foundation Trust has now chosen to end consultant psychiatric call-out care from 8 pm to 9 am. It would have started last week, but it is going to start in the next two or three weeks. That means, as I am sure he is aware, that it will not be possible to section people under the Mental Health Acts between those hours unless they are within an NHS facility. People in police stations, people in care homes and people at A&E departments will not be—

Mr Speaker: Order. If the hon. Gentleman wants to make an application for an Adjournment debate, he can do that on a subsequent occasion. I think we have got the gravamen of his question.

Tim Farron: The question is: does the Secretary of State agree that that is not an appropriate use of resources, and will he provide the resources that are needed?

Mr Hunt: The hon. Gentleman raises a very serious issue. I will not go into it in detail now, but I will certainly look into it closely and get back to him, if I may. Obviously it is very important.

1. [Official Report, 16 October 2017, Vol. 629, c. 4MC.]

23. [901029] **Mims Davies** (Eastleigh) (Con): On World Mental Health Day, may I also welcome the progress the Government have made? We are doing all that we can to make changes. However, too many patients in my constituency, particularly younger patients, have to travel out of Eastleigh for the treatment they need, especially given the challenges facing Southern Health. Will the Secretary of State outline what he will be doing to right this wrong?

Mr Hunt: My hon. Friend is right to draw attention to the issues around Southern Health, which will have directly affected a number of her constituents. That organisation is being turned around. However, she is also right to say that too many people are travelling out of area for their treatment. We have record numbers of children's beds commissioned, but in the end this is about the capacity of the system of trained psychiatrists, psychologists and therapists, which was why we announced the extra 21,000 posts.

Barbara Keeley (Worsley and Eccles South) (Lab): On World Mental Health Day, may I thank my hon. Friend the Member for Washington and Sunderland West (Mrs Hodgson) for wearing yellow for #HelloYellow on behalf of our team?

The Secretary of State's claim that thousands of extra mental health staff will be appointed by 2021 is fanciful unless he tells us how they will be funded. Today, the Care Quality Commission reports that mental health services are struggling to staff wards safely. We have also learned recently that two out of five mental health staff have been abused or attacked by patients in the past year. Most blame staff shortages for that violence. Rather than telling us about recruiting for 2021, what is the Secretary of State going to do today to protect staff from violence?¹

Mr Hunt: Let me tell the hon. Lady what has happened in mental health. Some 30,000 more people are working in mental health today than when her Government left office—a 5.8% increase in clinical staff. On top of that—she asked about money—we have committed an extra £1 billion a year by 2021 so that we can employ even more people. We are the first Government to admit that where we are now is not good enough. We want to be the best in the world; that is why we are investing to deliver that.

21. [901027] **Fiona Bruce** (Congleton) (Con): Parental conflict is recognised as a key cause of children's mental health problems. What is the Department doing to address that, and will Ministers be willing to meet a group of colleagues who supported the "Manifesto to Strengthen Families"? Its policy proposals seek to discuss how strengthening families can address children's mental health problems.

Mr Hunt: My hon. Friend is absolutely right. Children who come from troubled or chaotic family backgrounds are far more likely to have mental health issues. I am more than happy to meet her and to feed her thoughts into our mental health Green Paper.

Nursing

2. **Rachel Maclean** (Redditch) (Con): What steps he is taking to broaden routes into nursing. [901006]

1. [Official Report, 16 October 2017, Vol. 629, c. 4MC.]

The Secretary of State for Health (Mr Jeremy Hunt):

Developing new routes into nursing is a priority for my Department, which was why last week I announced plans to train 12,500 new nursing associates through the apprentice route in the next two years and to increase the number of nurses we train by 25%—the biggest increase in the history of the NHS.

Rachel Maclean: I welcome the fact that there are currently record numbers of nurses working in the NHS, but what is the Secretary of State doing to provide assurances to hospitals, such as the Alex in my constituency, that have faced issues with recruitment and retention? I very much welcome the new routes into nursing, including degree apprenticeships. What further actions does he propose to take?

Mr Hunt: My hon. Friend is absolutely right to raise this issue. The Alex is going through a difficult period and I know that as the local MP she is giving it a lot of support. The fact is that in 2014 we turned down 37,000 applicants to nurse degree courses. That is why we think that we need to do much, much better in training a number of people who would make brilliant nurses. That was why we announced the big increase last week, which will help the Alex and many other hospitals.

Mr Ben Bradshaw (Exeter) (Lab): University admissions departments have reported an 8% fall in the number of people accepted on to nursing courses this autumn, so the situation is getting worse, not better as the Secretary of State claims. What contingency does he have in place, in the event that we crash out of the European Union, to address a further haemorrhaging of European Union staff from the NHS, and when will he review his disastrous decision to abolish nurse bursaries, which has had such a negative impact?

Mr Hunt: Let us be clear: we took the difficult decision on nurse bursaries precisely so that we could have the biggest expansion in nurse training places we have ever had. When we had the higher education reforms in 2011, which the right hon. Gentleman's party opposed, we also saw a drop in initial applications, but then we saw them soaring to record levels. That is what we want to happen with nurses, because we need more nurses for the Royal Devon and Exeter, and all the hospitals that serve our constituents.

Maria Caulfield (Lewes) (Con): I welcome the apprenticeship route and the associate nurse route into nursing because living on a bursary of £400 a month is no fun, believe me. However, will the Secretary of State look at nurse training so that when nurses qualify they are able to take on courses such as venepuncture and cannulation as soon as possible? Many student nurses and newly qualified nurses are frustrated that they cannot be used in those roles.

Mr Hunt: I will certainly look into that. Of course, my hon. Friend understands this issue better than many in this House. The really exciting change is that it will now be possible for healthcare assistants who could make fantastic nurses to progress to being nurses without needing to take out student loans because they will be able to carry on earning while they learn. That will open up big opportunities for many people.

Justin Madders (Ellesmere Port and Neston) (Lab): Although we support moves to broaden access to nursing, these measures are effectively an admission that the scrapping of bursaries has been a disaster, but whatever recruitment strategies there are, the Government need to improve retention. The Royal College of Nursing recently reported that half of nurses surveyed said that “staff shortages are compromising...care”.

What steps are the Government taking to ensure that nurses can do their jobs properly right now?

Mr Hunt: The hon. Gentleman is right to bring that up. One thing we can do a lot better is to improve the opportunities for flexible working. We have announced that we will be making new flexible working arrangements available to all NHS staff during this Parliament. We are also expanding programmes to encourage people who may have left the profession to come back into nursing.

Dr Philippa Whitford (Central Ayrshire) (SNP): I think everyone would welcome an expansion of nurse training places, but the Council of Deans of Health stated in June that no new extra places had been funded either in universities or, crucially, in hospitals, where 50% of the course is carried out. Will the Secretary of State clarify when that funding will be made available?

Mr Hunt: Next year.

Dr Whitford: Obviously we know that it takes quite some time to train a nurse, and one in 10 posts in England is vacant—that is twice the rate we face in Scotland. We also know that there is a 51% increase in nurses leaving the profession, a 96% drop in those coming from the European Union, and a limit on the use of agency staff, so where does the Secretary of State expect NHS England to find the 40,000 nurses it needs right now?

Mr Hunt: Let me just remind the hon. Lady that there are 11,300 more nurses on our wards than there were just four years ago, so we are increasing the number of nurses in the NHS. She mentions what is happening in Scotland. I gently remind her that nearly double the proportion of patients are waiting too long for their operations in Scotland as in England.

17. [901022] **Richard Graham** (Gloucester) (Con): The Secretary of State will know that the University of Gloucestershire recently introduced courses for both the higher apprenticeships scheme as a pilot project and for nursing degrees. These have been incredibly popular in my constituency and around the county of Gloucestershire. Does he support our bid to have a university technical college that will provide pathways for people into health and care, working closely with all NHS organisations?

Mr Hunt: I support all universities that are trying to move into offering more courses that can help me to ensure that we have enough staff for the NHS. I am sure that the University of Gloucestershire's bid will be powerful, but I am aware that other hon. Members are supporting bids from their own constituency—including, I have to say, that of the University of Surrey, which puts me in a somewhat difficult position.

Myopic Choroidal Neovascularisation: Eylea

3. **Ian Austin** (Dudley North) (Lab): What his policy is on making Eylea available as a treatment for myopic choroidal neovascularisation. [901007]

The Parliamentary Under-Secretary of State for Health (Steve Brine): The National Institute for Health and Care Excellence is developing guidance on the use of Eylea for the treatment of myopic CNV. NICE has published draft guidance for appeal that recommends use of the drug subject to a patient access scheme that makes it available to the NHS at a discounted price. NICE expects to publish final guidance this November.

Ian Austin: NICE needs to get a move on, because these drugs have been available to patients in Scotland and Wales, but patients in England will be going blind in the meantime.

Some people are told that their eyesight is too good to be treated, but by the time it has declined, they are told that nothing can be done to help. Will the Secretary of State meet my constituent, Elaine Shaw, who has been campaigning on the issue, the Macular Society and the Royal National Institute of Blind People so that we can discuss how to prevent people from facing an increased and unacceptable risk of preventable sight loss?

Steve Brine: Obviously I would be deeply concerned if patients were losing their sight due to treatment not happening in a timely way. Dudley clinical commissioning group tells me that it has already made funding available for Eylea following consideration of the NICE evidence summary issued in June 2016. This is the first drug that we have appraised through the new fast-track process for treatments that demonstrate clear cost-effectiveness. Patients will have routine access to Eylea from 1 December should the guidance remain unchanged. Of course, I would be happy to meet the hon. Gentleman and his constituent.

Transvaginal Mesh Implants

4. **Paul Masterton** (East Renfrewshire) (Con): What discussions he has had with the Medicines and Healthcare Products Regulatory Agency on transvaginal mesh implants. [901008]

The Parliamentary Under-Secretary of State for Health (Jackie Doyle-Price): My colleague, Lord O'Shaughnessy, met the MHRA on 27 September to discuss this very important issue. The Department will have further discussions with NHS England on the support given to patients who have suffered due to this procedure and has asked the regulator to work with the clinical community to assess the associated risks and whether alternative treatments offer better outcomes for patients.

Paul Masterton: Thousands of women across the country, including my constituent Elaine Holmes, the co-founder of the Scottish Mesh Survivors group, have to live with the catastrophic consequences of transvaginal mesh implants. With health regulators across the globe now waking up to the scandal and issuing alerts or deregistering mesh devices, will Ministers join me in urging the MHRA immediately to reclassify this damaging procedure as high risk?

Jackie Doyle-Price: I thank my hon. Friend for his work in this area. I fully sympathise with anyone who has suffered complications as a result of these devices, but we do not currently have enough evidence to warrant our asking the MHRA to reclassify these procedures, and this is a view shared by other regulators across the world. I can advise him, however, that the National Institute for Health and Care Excellence strongly recommends that mesh implants not be routinely offered for the first surgical intervention on prolapse. That guidance is being updated—publication is due at the start of the new year—and will include an overarching document that looks in depth at the devices and the conditions surrounding the need for them, as well as the treatment of complications, to support better health outcomes.

Karin Smyth (Bristol South) (Lab): A constituent came to my surgery to explain how this has impacted on her life. It is truly harrowing. I understand that NHS England has set up 17 regional teams to look into this. I want to be able to assure my constituent that the voice of women and how this is impacting them on will be considered. I would be grateful if the Minister could respond so that we might understand what the future holds.

Jackie Doyle-Price: I am absolutely aware that many women experience substantial side effects and complications following this procedure. Equally, however, many women also experience considerable relief from symptoms. We need a good review of the evidence to make sure that we adopt this procedure only when it fully suits women and that women understand the risks associated with the procedure. But I fully sympathise with the hon. Lady's constituent.

Mrs Sharon Hodgson (Washington and Sunderland West) (Lab): It is deeply worrying, though, that this procedure was introduced with so little evidence to support it. I think we all have to agree it has led to unacceptable complication rates for certain products. Will the Minister heed the words of Professor Heneghan and hold a public inquiry into the numbers of women adversely affected and why the safety of so many women was disregarded?

Jackie Doyle-Price: I say again that many women have received relief from their symptoms following this procedure, but we need more evidence before we can properly review it, so it is important that we allow NICE to undertake its work so that we can take a clear view. Any procedure comes with risk—no surgery is without it—but obviously the more evidence we can gather, the better we can advise women of those risks.

Five Year Forward View for Mental Health

5. **Rebecca Pow (Taunton Deane) (Con):** What plans he has for the implementation of the NHS's five year forward view for mental health. [901010]

14. **Anna Soubry (Broxtowe) (Con):** What plans he has for the implementation of the NHS's Five Year Forward View for Mental Health. [901019]

The Parliamentary Under-Secretary of State for Health (Jackie Doyle-Price): We are making good progress on the implementation of the five year forward view for mental health. We have published a workforce plan and invested more money than ever before, and we are providing care to 120,000 more people this year compared with 2013.

Rebecca Pow: The charity Mind recently produced a report called "Feel better outside, feel better inside", which advocated the benefits of eco-therapy—using activities such as gardening, farming and exercise. The National Garden Scheme has also produced a publication on this. Is the treatment being utilised within the NHS?

Jackie Doyle-Price: I thank my hon. Friend for her work in this area. Yes, I can give her that assurance. It is welcome that local authorities and clinical commissioning groups are considering innovative approaches concentrating on wellbeing, as well as acute services, and eco-therapy is part of that agenda.

Anna Soubry: I am sure that you, Mr Speaker, and the rest of the House will send their condolences to the family and friends of Rebecca Nevin, a constituent of mine who died aged 32 after many years of poor mental health and an addiction to alcohol. Her father, Stephen, like many parents of adult sufferers of poor mental health, felt largely excluded by health professionals. Does my hon. Friend agree that we need health systems and workers who maintain patient confidentiality while recognising and acting on the genuine concerns of parents of adults?

Jackie Doyle-Price: I am sure that we are all very sorry to hear of the death of my right hon. Friend's constituent, and we send our condolences to her family. It is extremely difficult to balance patients' right to confidentiality with the needs and requests of their families, and we will study any recommendations that emerge from the coroner's investigation.

Luciana Berger (Liverpool, Wavertree) (Lab/Co-op): I heard what the Secretary of State said about funding earlier, and what the Minister said a moment before. However, I sent freedom of information requests to every CCG in the country, and found for the second successive year that more than half of them are not increasing the proportion of their budgets that they spend on mental health. That flies in the face of a commitment made by the Secretary of State at the Dispatch Box, and it flies in the face of the spirit of the Five Year Forward View for Mental Health. On World Mental Health Day, will the Minister, along with the Secretary of State, commit herself to ensuring that we ring-fence the money that they say is available for mental health?

Jackie Doyle-Price: On World Mental Health Day, I can confirm that we are spending £574 million more on mental health this year. It remains our principle that decisions should be made locally by CCGs, but we have very clear expectations of them, and they will be held to account via inspections.

Norman Lamb (North Norfolk) (LD): The 'Five Year Forward View' suggested that the Government accepted the case for comprehensive maximum waiting time standards in mental health to match those in physical

health. Given that children throughout the country are routinely waiting for months to start their treatment, may I ask what progress the Government are making with the introduction of a maximum waiting time standard for children's mental health?

Jackie Doyle-Price: The right hon. Gentleman has raised an excellent point. Our Green Paper on children and young people's mental health will address exactly those issues. We have made clear that we will tackle mental health through early intervention, and early intervention for children and young people is central to that.

NHS Staffing Levels

6. **Thelma Walker** (Colne Valley) (Lab): What recent assessment he has made of trends in staffing levels in the NHS. [901011]

The Minister of State, Department of Health (Mr Philip Dunne): Not only has the number of nurses on our wards increased by more than 11,000 since May 2010, as my right hon. Friend the Secretary of State mentioned earlier, but the NHS has nearly 11,300 more doctors, over 2,700 more paramedics, over 26,000 more supporters for clinical staff, and 5,700 fewer administrators. However, we recognise the pressures on staff from increasing demand. That is why last year my right hon. Friend announced a 25% increase in the number of doctors in training, and why last week he announced a 25% record increase in the number of nursing training places.

Thelma Walker: Huddersfield Royal Infirmary, which is in my constituency, is currently facing plans for a downgrading that would result in the loss of 500 hard-working professionals. Is it too much to ask for the Minister, or the Secretary of State, to visit the hospital, as I have requested, before those hard-working trained professionals are lost, and can he assure me—and my constituents—that those cuts, and the pressures on nearby hospitals, will not jeopardise the safety of patients?

Mr Speaker: Order. There is a growing tendency for colleagues to ask two questions rather than one, which is not fair on other colleagues who are trying to get in. Forgive me, but the questions are too long, and frequently the answers are as well.

Mr Dunne: I will try to keep this answer short, Mr Speaker.

As the hon. Lady will know, the local joint health overview and scrutiny committee has referred those proposals to the Secretary of State, and it would not be appropriate for me to visit the hospital while the referral is in progress.

Julie Cooper (Burnley) (Lab): On the subject of vital NHS staff, will the Minister join me in congratulating the thousands of community pharmacists on their daily commitment and professionalism? Will he confirm, once and for all, that he has no intention of downgrading their role and putting patients at risk? Surely he agrees that the Prime Minister would have been well advised to seek a cough remedy from a qualified community pharmacist rather than relying on an unqualified Chancellor of the Exchequer.

Mr Dunne: As the hon. Lady will know, we have inserted payment for extra activity into the contract for community pharmacists because we want more activities to take place in community pharmacies. For example, many flu vaccinations throughout the country are now being carried out by pharmacists.

Martin Vickers (Cleethorpes) (Con): I thank the Minister for the recent meeting that he had with me and other colleagues about Grimsby Hospital, which is in special measures. It was clear from a recent meeting I had with the chief executive that staff vacancies are one of the biggest problems preventing the hospital from getting out of special measures. What additional support can the Department offer in order to get the hospital back on track?

Mr Dunne: I was pleased to welcome my hon. Friend to a meeting a few days ago to discuss the situation, together with his Opposition constituency neighbours. One of the things that we will be looking at in the coming weeks is the allocation of the new doctor training places. As part of the criteria, we will be looking to ensure that some of those places are allocated to areas where it is difficult to recruit, such as rural and coastal areas.

Mr Philip Hollobone (Kettering) (Con): The Minister has visited Kettering General Hospital and knows the wonderful work that the doctors and nurses there do. The problem that the hospital faces, however, is that too few of the doctors and nurses are full-time permanent members of staff, and too many locums are being hired, at great expense to the hospital budget. What is my hon. Friend's advice for Kettering hospital on tackling the issue?

Mr Dunne: When I visited Kettering General Hospital we discussed excessive agency staff costs. One of the measures announced last week by my right hon. Friend the Secretary of State was a drive to invest more in both regional and local bank agencies within the NHS so that we can reduce the reliance on more expensive agency staff.

End-of-Life Care

7. **Catherine McKinnell** (Newcastle upon Tyne North) (Lab): What steps his Department is taking to improve end-of-life care. [901012]

The Parliamentary Under-Secretary of State for Health (Jackie Doyle-Price): By 2020 we want significantly to improve patient choice in end-of-life care. The Government's end-of-life care commitment sets out exactly what everyone should expect. In September we published a report on the good progress that we have made over the first year.

Catherine McKinnell: The End of Life Care Coalition has said that it remains deeply concerned about the enduring gap in resources for community-based health and social care services. Meanwhile, Together for Short Lives continues to highlight the unacceptable postcode lottery faced by 40,000 children with life-limiting conditions. What is the Minister doing to ensure that all clinical commissioning groups and sustainability and transformation partnerships will meet the Government's requirements in full for both children and adults by 2020?

Jackie Doyle-Price: I thank the hon. Lady for her question, and I know that she, through her role on the all-party parliamentary group for children who need palliative care, will continue to hold me to account on these commitments. We did look at the work undertaken by Together for Short Lives to improve end-of-life care for children, which does require special attention—she is quite right to raise that. NHS England recently co-hosted a policy summit with Together for Short Lives, and I will be meeting it next week to discuss that further. We are also engaging local sustainability and transformation partnerships to support planning for end-of-life care, and helping all trusts to develop and improve their services. This work is ongoing, but it remains a key priority.

Will Quince (Colchester) (Con): When it comes to baby loss, the end of life can often be sudden and unexpected. In this Baby Loss Awareness Week, will the Minister join me in welcoming the launch of the national bereavement care pathway, and pay tribute to Sands, baby loss organisations and charities, the APPG and the former Care Quality Minister, Ben Gummer, who did so much to make it happen?

Jackie Doyle-Price: I am of course happy to join my hon. Friend in congratulating those organisations and thank him for all the work that he has done. The 11 pilots launched only last month are very much down to his work and that of hon. Members across the House, who have done so much over the past year to raise awareness of the issue.

Tony Lloyd (Rochdale) (Lab): Many people would prefer to die at home, but that is actually very difficult to achieve, not only because of the lack of support for Macmillan nurses, for example, but because, frankly, of the reluctance of the authorities to effect a speedy transition to a home base. What can the Government now do to ensure that dying at home is a real option?

Jackie Doyle-Price: The hon. Gentleman is quite right: many people would elect to die at home, if the opportunity were available. We need to ensure provision to allow people to do that, if that is their choice, because we should be supporting people to honour their choices at the end of their lives, and it enables us to treat more people in hospitals and hospices.

Maggie Throup (Erewash) (Con): Hospices, such as Treetops Hospice Care in my constituency, provide outstanding end-of-life care. Although these services benefit from generous charitable donations that enable them to operate on a day-to-day basis, what more can the Government do to help support hospices when capital investment is needed to improve the current setting of new build?

Jackie Doyle-Price: One of the strengths of our hospice movement is that it relies heavily on charitable donations, which shows that people are generous and that they want to support good, locally focused care. However, CCGs should look at where they can support hospices with their care costs, and we will certainly consider including that in the end-of-life care programme.

Public Sector Pay Cap: NHS Staffing Levels

8. Christian Matheson (City of Chester) (Lab): What assessment he has made of the effect of the public sector pay cap on staffing levels in the NHS. [901013]

11. Marsha De Cordova (Battersea) (Lab): What assessment he has made of the effect of the public sector pay cap on staffing levels in the NHS. [901016]

The Secretary of State for Health (Mr Jeremy Hunt): NHS staff do a fantastic job in tough circumstances, and pay restraint has been challenging for many of them. However, given the financial pressures, it is also true that the NHS would not have been able to recruit an additional 30,000 staff since May 2010 without the cap.

Christian Matheson: The NHS is short of 3,500 midwives and 40,000 nurses. What proportion of those numbers does the Secretary of State put down to the public sector pay cap?

Mr Hunt: As I said in my previous answer, without pay restraint we would not have 11,300 more doctors in the NHS and 11,300 more nurses on our wards. The hon. Gentleman will know that we recognise that it was not sustainable to carry on with the 1% rise going forward, which is why we have been given the leeway to have more flexible negotiations next year.

Marsha De Cordova: Hospital wards and GP surgeries are chronically understaffed, and the knock-on effect is that waiting lists are spiralling out of control. Is it not in the best interests of patients to scrap the pay cap so that the NHS can be run with the relevant number of staff in place?

Mr Hunt: I welcome what I think is my first question from the hon. Lady, and I can give her some good news: the pay cap has been scrapped.

Helen Whately (Faversham and Mid Kent) (Con): In the work that I have done in hospitals, staff have told me that they are most unhappy about too much reliance on temporary staff, rota gaps and not feeling valued, as opposed to issues around pay. The latter—not feeling valued—often goes hand in hand with poor management practices. What is my right hon. Friend doing about those causes of staff unhappiness?

Mr Hunt: My hon. Friend, who has a lot of experience of working in the NHS, is absolutely right. The new Care Quality Commission inspection regime is designed precisely to identify good, strong leadership, because that has the best impact on staff and, through that, the best impact on patients.

Drug Treatment Services

9. Jeff Smith (Manchester, Withington) (Lab): What assessment he has made of the advice of the Advisory Council on the Misuse of Drugs on the level of funding for drug treatment services. [901014]

The Parliamentary Under-Secretary of State for Health (Steve Brine): We thank the ACMD for its report, and we take its advice seriously. Discussions will happen across Government, and we will respond fully in due course in the usual way.

Jeff Smith: The ACMD says:

“England had built a world class drug treatment system... This system is now being dismantled due to reductions in resources.”

More than 100 local authorities have had to reduce spending on addiction services this year as a result of Government cuts. Will that reduction in addiction treatment budgets not just cost the NHS more in the long term?

Steve Brine: The Government are already investing £16 billion in public health services over the spending review period. We made it a condition of the public health grant that local authorities have regard to the need to improve the take-up and outcomes of their drug and alcohol services. Local authorities are best placed to make those decisions. The investment in effective services means that the average waiting time is just three days and, according to our monitoring systems, treatment outcomes in Greater Manchester are generally better than or in line with the rest of England.

Mental Health: Education

10. **Mary Glendon** (North Tyneside) (Lab): What discussions he has had with the Secretary of State for Education on promoting improved education in schools and youth settings to tackle the stigma associated with mental health. [901015]

The Secretary of State for Health (Mr Jeremy Hunt): Ahead of our autumn Green Paper on children and young people's mental health, we are having productive discussions with the Department for Education on the vital role that schools can play in tackling both mental health problems and the stigma surrounding them.

Mary Glendon: The YMCA and NHS's #IAMWHOLE campaign, which was launched this morning, shows that young people seeking help are often dismissed by those around them, largely due to a lack of understanding of mental health difficulties. Will the Secretary of State meet the YMCA to discuss what can be done to combat the stigma?

Mr Hunt: I am more than happy to meet the YMCA. I also want to point out the amazing work done by the “Time2Change” campaign. I was at an event to mark its 10th anniversary, and I heard from young people who have spoken up about their mental health conditions, which takes a lot of courage. Things are changing, and we can draw a lot of hope from what is happening on the ground.

Sir Desmond Swayne (New Forest West) (Con): Family doctors undertake such work, but why have only a quarter of them had any formal training in mental health?

Mr Hunt: My right hon. Friend is absolutely right to point out that a GP is often the first point of contact for many people. What are we doing? Three thousand mental health professionals will be seconded to GP surgeries over the next few years to give GPs the back-up they need in that area.

Mr Speaker: Not for the first time, I implore the right hon. Member for New Forest West (Sir Desmond Swayne) to issue to colleagues his textbook on succinct questions.

Sir Vince Cable (Twickenham) (LD): Since the demand for children and youth mental health services far outstrips supply, will the Secretary of State consider diverting resources to voluntary bodies, such as the admirable Off The Record in my constituency, which have a much lower threshold for referral?

Mr Hunt: We will look at the role of voluntary organisations, and I totally agree with the right hon. Gentleman that they have an incredibly important role to play. We must also consider the role of schools, because teachers are extremely enthusiastic to do more around mental health. I think that if we give them more support there is a lot more they could do.

Jim Shannon (Strangford) (DUP): The Secretary of State will know that when it comes to physical health and stigma, the Department will react right away. Do the Government now recognise the importance of treating mental health with equal status to physical health?

Mr Hunt: We absolutely recognise that and we have legislated for it. The children and mental health Green Paper will take further steps in that direction.

Bournville Gardens Health and Community Medical Centre

12. **Richard Burden** (Birmingham, Northfield) (Lab): What progress has been made on the Bournville gardens health and community medical centre project in Birmingham. [901017]

The Parliamentary Under-Secretary of State for Health (Steve Brine): The building of the new health and wellbeing centre is supported by NHS England for funding in principle through the estates and technology transformation fund, subject to due diligence checks including a value for money exercise.

Richard Burden: That is fine, but is it not the case that although approval was given by the NHS technology and transformation fund last autumn, NHS England has spent the past 18 months negotiating new procedures for the premises cost directions? The delays in those procedures are jeopardising things such as that health and wellbeing centre. Is it not time that Ministers stepped in to ensure that projects on which everyone agrees can be approved under existing regulations and should not have to wait for the renegotiations?

Steve Brine: The hon. Gentleman is right that NHS England has been negotiating changes to the premises cost directions, which govern how we manage premises costs for general practitioners, but that is not the reason for the delay. We are working through the detail of the content of the scheme and it is not yet at the point of seeking approval. At the end of the day, this is public money and I think that the hon. Gentleman and everybody in this House would expect me to make sure that things are done properly.

Congenital Heart Services: North-West

13. **Lucy Powell** (Manchester Central) (Lab/Co-op): What recent assessment he has made of the adequacy of provision of congenital heart services in the north-west. [901018]

The Minister of State, Department of Health (Mr Philip Dunne): As the hon. Lady knows, the adult congenital heart disease service provided in Manchester has been included in the long-standing clinical assessment of CHD services undertaken by NHS England, which is now reviewing the more than 7,500 responses to the public consultation, which ended in July. The adult CHD service in Manchester was suspended by the trust in June, when the only CHD surgeon left. Hospitals in Leeds and Newcastle continue to deliver level 1 care and paediatric CHD services continue to be provided by Alder Hey Children's Hospital in Liverpool.

Lucy Powell: Is not the truth behind what happened that Ministers and NHS England prejudged the review and therefore left services untenable and unviable in Manchester? There are no level 1 adult congenital heart services anywhere in the north-west and patients are having to travel to Leeds and Newcastle for the treatment. Will the Minister apologise today to those patients for this botched review, which has left patients with a great deal of uncertainty and has meant that they have had to travel huge distances?

Mr Dunne: I am sure that the hon. Lady will not want to confuse her patients by suggesting that relying on a single surgeon for prolonged periods is necessarily in their best interests. The facilities that remain in Central Manchester University Hospitals NHS Foundation Trust are intended to remain and include CHD outpatient services for adults and children. Level 2 services also continue to be provided in Manchester.

Unmet Social Care Needs

15. **Preet Kaur Gill** (Birmingham, Edgbaston) (Lab/Co-op): What estimate he has made of the number of people living with unmet social care needs. [901020]

The Parliamentary Under-Secretary of State for Health (Jackie Doyle-Price): By passing the Care Act 2014, this Government established a national eligibility threshold that defines the care needs that local authorities are required to meet. This eliminates the postcode lottery of eligibility across England. Social care continues to be a key priority for this Government. That is why local authorities in England will receive an additional £2 billion for social care over the next three years. In the longer term, we are committed to establishing adult social care on a fair and more sustainable basis.

Preet Kaur Gill: Age UK estimates that nearly 1.2 million older people have unmet care needs. After the Government dropped their disastrous dementia tax policy during the general election, all they can offer people is yet another consultation. In the words of the hon. Member for Totnes (Dr Wollaston), the Chair of the Health Committee, is it not time the Government just got "on with it"?

Jackie Doyle-Price: I do not recognise Age UK's assessment of unmet need. As I said, the requirements are enshrined in statute and local authorities should be held to that. In response to the hon. Lady's final point, let me say that we are getting on with it, but we need a real cultural change in how we tackle these issues. There is a long-term issue to address in the fact that we are all living longer. This is not just going to need a sticking

plaster; we will need to take the public with us. So this is not just another consultation; it is a vehicle for making sure that we as a society tackle this issue once and for all.

Derek Thomas (St Ives) (Con): The Royal Cornwall Hospitals NHS Trust was put into special measures last week, but delayed discharge caused by unmet social care needs contributes to the pressure in the trust. I welcome the £12 million that was awarded to the council this April to address that, but what more can the Minister do to help to relieve the pressure? Will he meet me and my Cornish colleagues to discuss the healthcare challenges faced in Cornwall and on Scilly?

Jackie Doyle-Price: My right hon. Friend the Secretary of State has visited twice in the past year, and the Minister of State, Department of Health, my hon. Friend the Member for Ludlow (Mr Dunne) is more than willing to meet my hon. Friend next week, with other colleagues.

Clinical Commissioning Groups and Local Authorities

16. **Robert Neill** (Bromley and Chislehurst) (Con): What assessment he has made of the level of co-operation between clinical commissioning groups and local authorities. [901021]

The Parliamentary Under-Secretary of State for Health (Steve Brine): The Government want and expect strong relationships and joint working between the NHS and local authorities to make a success of STPs. They are meant to be a one-system solution.

Robert Neill: The London Borough of Bromley has had considerable success in joint working with its clinical commissioning group, through joint appointments, a multi-agency use of funding and a complete sign-up from the council, but we are concerned that reorganisation may detract from this operation at the local level. Will the Minister agree to meet me to discuss Bromley's proposals to build on the success it has had so far?

Steve Brine: We are confident that we have some of the best STP leaders in place. I was looking last night at the figures for south-east London, and I saw that my hon. Friend's local STP is highly rated, both on leadership and overall. I was thinking about him in the gym last night and I thought he might say what he did, so let me say that I am very happy to meet him and to broker a meeting between him and the NHS.

Mr Speaker: It is interesting to hear about the thoughts of the hon. Gentleman when he is on the treadmill or the exercise bike—it is always useful to have a bit of additional information.

20. [901026] **Rachael Maskell** (York Central) (Lab/Co-op): Despite co-operation between the CCG and the local authority, we have had severe rationing and cuts and a seriously underfunded mental health service: the funding formula is seriously failing the health economy in York. In particular, the capped expenditure process will make it far, far worse. Instead of just slashing budgets, will the Secretary of State meet me to understand York's health economy and to put real solutions in place?

Steve Brine: I am always happy to meet Members, including the hon. Lady in order to talk about York. As the shadow Secretary of State said, the STP proposals are not about Tory cuts; they are about redesigning services in the local area. So I am happy to meet her to talk about her area.

Topical Questions

T1. [900887] **Mr Jim Cunningham** (Coventry South) (Lab): If he will make a statement on his departmental responsibilities.

The Secretary of State for Health (Mr Jeremy Hunt): This week is Baby Loss Awareness Week, and the whole House will want to mark the tragedy faced by too many parents every year by redoubling our efforts to reduce avoidable baby death and harm. I am pleased to tell the House that to mark World Mental Health Day today the entire Cabinet was this morning briefed by two of the country's leading mental health experts, Poppy Jaman and Professor Sir Simon Wessely, on our plans announced today to roll out mental health first aid to 1 million people in England.

Mr Cunningham: Can the Secretary of State tell us what progress has been made regarding an inquiry into the contaminated blood scandal?

Mr Hunt: I can absolutely tell the hon. Gentleman the answer to that: we have been making very important progress with families over the summer; and we have decided the shape of the inquiry and the leadership of the inquiry and all the factors around the terms of reference need to be decided in close consultation with the affected families. So we are keen to get on as quickly as possible, but we have made some progress in understanding their wishes.

T4. [900890] **Royston Smith** (Southampton, Itchen) (Con): Oesophageal cancer is one of the most aggressive cancers with some of the lowest survival rates. Early symptoms are frequently masked with over-the-counter heartburn remedies. Will the Secretary of State consider meeting manufacturers and charities such as Barrett's Wessex in my Southampton, Itchen constituency to develop a clear warning on packaging to encourage regular users of heartburn remedies to seek medical advice about their condition?

The Parliamentary Under-Secretary of State for Health (Steve Brine): I thank one of my constituency neighbours for that question. Improving outcomes for all cancers is one of my main priorities in this job. I visited the Christie hospital in Manchester last week to see the progress being made on the proton beam therapy facility there. I know Barratt's Wessex in my hon. Friend's constituency, as it also does work with some of my constituents. We must do better on these rarer cancers with poor outcomes. I will look at what BW does exactly.

Several hon. Members rose—

Mr Speaker: Order. I gently remind Ministers that answers from the Front Bench must be very brief during topical questions, because many other colleagues are waiting to contribute and I do not want to disappoint them, as that would be unfair.

Jonathan Ashworth (Leicester South) (Lab/Co-op): Can the Secretary of State tell us how many elective operations he expects to be cancelled by 31 December?

Mr Hunt: What I can tell the hon. Gentleman is that every year over Christmas time, when we know that hospitals will be busy, we suspend elective care in particularly busy places. That is how we keep patients safe.

Jonathan Ashworth: I am grateful to the Secretary of State for his answer, but already more than 80,000 elective operations have been cancelled. That is an increase on the past year. A&E attendance is up on the past year, bed occupancy is higher than last year and the Care Quality Commission has today warned that the NHS is straining at the seams. Winter is coming. Last week, the Tory party made spending commitments worth £15 billion, but not 1p extra for the NHS, so will the NHS fare worse or better than last year this winter, or are we set for another winter crisis made in Downing Street?

Mr Hunt: What the CQC actually said this morning is that the majority of health and care systems across the NHS are providing good or outstanding quality; that the safety of care is going up; and that performance is improving. None the less, the hon. Gentleman is right that we are always concerned about winter. Let me tell him the new things that are happening this year to help prepare the NHS: £1 billion more going into the social care system in the most recent Budget; a £100 million capital programme for A&E departments; 2,400 beds being freed up; and an increasing number of clinicians at 111 call centres. A lot is happening, but, overall, let me remind him that our NHS is seeing 1,800 more people every single day within four hours—that is something to celebrate.

T7. [900893] **Robert Neill** (Bromley and Chislehurst) (Con): The Minister will be aware that clinical commissioning groups and the London region are currently consulting on changes to governance and commissioning arrangements. Given the positive words already said about arrangements in Bromley, will my right hon. Friend confirm that no changes of any kind will undermine the accountability at a local level, or the ability to commission locally in Bromley?

Mr Hunt: I can confirm that because the legal accountability, whatever co-operation arrangements are made, will stay exactly the same.

T2. [900888] **John Mann** (Bassetlaw) (Lab): My hospital trust tells me that there are no open or distance learning courses available anywhere to train new nurses. Considering the number of local people who are keen to be trained and the barriers that face them, will the Secretary of State agree to have a chinwag with me to solve this problem in Bassetlaw?

Mr Hunt: That is a very attractive offer, and I am always happy to have a chinwag with the hon. Gentleman. Last week, we announced something that I hope will resolve that, which is that we are looking at holding nurse training courses on-site in hospital and community sites so that experienced healthcare assistants do not have to go to a higher education institution to do their training.

T9. [900895] **Jack Lopresti** (Filton and Bradley Stoke) (Con): The last Labour Government downgraded Frenchay hospital in my constituency. My constituents and I have been waiting for several years for the much-needed and much-promised community hospital. What action are the Government taking to ensure that that finally happens?

The Minister of State, Department of Health (Mr Philip Dunne): My hon. Friend is a doughty campaigner for Frenchay hospital and keeps it uppermost in our minds. The way in which we are looking at the pattern of health provision for the next period is through the STP process, and I encourage him to engage with the STP leadership in his area and make the case for Frenchay hospital.

T3. [900889] **David Linden** (Glasgow East) (SNP): The palliative care we provide to terminally ill children is an incredibly serious topic. I want to refer to the point made by the hon. Member for Newcastle upon Tyne North (Catherine McKinnell) and to press the Minister on giving children's care parity of funding with adult care. Will she follow the example of the Scottish Government and provide parity of funding?

The Parliamentary Under-Secretary of State for Health (Jackie Doyle-Price): As I previously advised the House, I am in conversation with Together for Short Lives to look at how we improve palliative care for children. This clearly raises a different set of circumstances and sensitivities, and it is essential that we do our best for these children.

Huw Merriman (Bexhill and Battle) (Con): Do Ministers have any plans to review the "do not resuscitate" guidance for hospitals? I have a constituent who has such an order placed on him, despite the fact that he has left hospital and is in a care home, it cannot be rescinded and his family have not consented.

Jackie Doyle-Price: My hon. Friend is right to raise this issue. Certainly, in CQC inspections in the past, the whole issue of "do not resuscitate" orders has been an area of concern. This is something we will very much look at as part of the end of life policy, but I would like to hear more about the case my hon. Friend mentioned, if he would like to write to me.

T5. [900891] **Clive Lewis** (Norwich South) (Lab): Accountable care systems are a systemic change to the way the NHS will be managed and a significant step towards an Americanised care system, so will the Minister explain why NHS England is having a fundamental reorganisation take place under the radar without a national consultation?

Mr Hunt: Accountable care systems are supported by such rabid right wingers as Polly Toynbee, writing in *The Guardian*, because they are about health systems coming together to co-operate to give the best care for patients. That is what is happening across the NHS, and it is already delivering great results.

Craig Tracey (North Warwickshire) (Con): This Friday marks Secondary Breast Cancer Awareness Day. In 2015, the Government recognised that data collection for this type of cancer was not good enough. However, research by Breast Cancer Care shows that less than a

third of trusts collect the number of people diagnosed with secondary breast cancer. Will the Minister confirm what actions the Government are taking to ensure that all trusts are collecting this information, given its importance to improving outcomes?

Steve Brine: I thank the co-chair of the all-party group on breast cancer in what is BCAM—Breast Cancer Awareness Month. We must never forget the treatment and support we give to those living with and beyond the cancer diagnosis. We must always remember those living with secondary breast cancer and the work of the third sector—brilliant charities such as Breast Cancer Haven and Breast Cancer Care—so that we can focus on access to a specialist nurse. As my hon. Friend says, the collection of data is critical, and I will be discussing that at my roundtable with some of the main players in the cancer community later this week.

Grahame Morris (Easington) (Lab): Will the Minister abolish the patient penalty and scrap hospital car parking charges, which punish both the sick and hard-working NHS staff, as well as causing problems for residents living adjacent to NHS hospitals, such as Peterlee Community Hospital in my constituency?

Mr Hunt: I do understand the concerns raised, and all hospitals are under a responsibility to make sure that they have proper arrangements in place for people on low incomes and people who have to visit hospitals regularly.

Kevin Hollinrake (Thirsk and Malton) (Con): Antibiotic resistance is a major threat to humanity. Will the Minister outline the progress we have made in opening up the £50 million global antimicrobial resistance innovation fund to applications?

Steve Brine: I thank my hon. Friend for that. We expect the first launch to be the bilateral UK-China partnership £10 million fund, which we expect to go live early in 2018. Further information on the calls for the remaining £40 million will be announced in due course.

T10. [900896] **Mary Glindon** (North Tyneside) (Lab): In the light of the latest statistics from the Office for National Statistics showing a record number of drug-related deaths registered in England and Wales, will the Minister meet members of the drugs, alcohol and justice parliamentary group to discuss this issue and see how it can be addressed?

Steve Brine: I am very happy to meet the group, and the hon. Lady should contact my office. The Home Office is the lead Department for cross-governmental drugs policy, and we obviously released the new cross-Government drugs strategy earlier this year. However, this cannot all be about drugs services and picking up the pieces after things have gone wrong; it can also be about prevention. We should, as somebody once said at this Dispatch Box, understand a little more and condemn a little less.

Wendy Morton (Aldridge-Brownhills) (Con): This month is Stoptober, and someone who manages to stop smoking for 28 days is five times more likely to quit for good.

Legislation is obviously part of this, but perhaps the Minister could update us on what more could be done.

Steve Brine: At the last health oral questions, I committed to publishing the new tobacco control plan. I did that on 18 July. We have had a lot of legislation, from this and the previous Government. It is Stoptober, and there has never been a better time to quit. We now need to take that legislation, work with the control plan the Government have published and work it through local authorities and smoking cessation services, because my hon. Friend is absolutely right that where buddying services are used, we have better outcomes.

Dr Rosena Allin-Khan (Tooting) (Lab): There is a crisis in mental health staffing levels. Does the Secretary of State accept that today, throughout the country, there are 2,000 fewer mental health nurses than there were when he took charge five years ago?

Mr Hunt: What I accept is that we have 30,000 more professionals working in mental health than when my Government came into office. There has been a decline in the number of mental health nurses, but we have in place plans to train 8,000 more mental health nurses, and that will make a big difference.¹

Richard Graham (Gloucester) (Con): The Gloucestershire Hospitals NHS Foundation Trust capital expenditure bid would fund a 24-hour urgent care service, and it would also increase bed capacity and improve hospital performance in Gloucester and Cheltenham, to the benefit of patients throughout the county. When do Ministers expect to announce the results of the bid? Will they take this particular bid into careful consideration?

Mr Dunne: I am aware that, under the Gloucestershire STP, a proposal has been submitted for capital funding to support plans to improve the clinical environment for patients and staff at the Gloucestershire Royal Hospital. I am afraid that my hon. Friend will have to join me in awaiting the Chancellor's announcement in the Budget as to whether there will be a second phase of capital funding for STPs. If there is any funding, it will be allocated thereafter.

Kate Green (Stretford and Urmston) (Lab): GPs in my constituency tell me that because of changes to personal data rules they will no longer be able to charge for providing reports for private insurance and legal claims. Will Ministers update the House on the situation? What assessment has been made of how GPs will cope with the additional costs they will face?

Mr Hunt: I am happy to look into that matter and write to the hon. Lady.

Helen Jones (Warrington North) (Lab): If nurses or other NHS staff are awarded a pay rise above the current pay cap, will the Government fund that pay rise fully, or will they require it to be met by cuts in patient services?

Mr Hunt: That is something I cannot answer right now, because the latitude that the Chancellor has given me with respect to the negotiation of future pay rises is partly linked to productivity improvements that we will

negotiate at the same time. The fact is, though, that we do have that flexibility, and I hope we can get a win-win as a result.

Heidi Alexander (Lewisham East) (Lab): May I take the Secretary of State back to the issue of nursing associates? Given that evidence shows that for every 25 patients for whom a professionally qualified nurse is replaced by a non-nurse, mortality on an average ward rises by 21%, how comfortable is he with reports that hospitals in Lincolnshire and Leicester are using nursing associates to plug gaps in the nursing workforce?

Mr Hunt: The hon. Lady should be very careful before talking down nurse associates. They do a fantastic job, they are trained, they are helping our NHS and they are welcomed by their nursing colleagues.

Bill Esterson (Sefton Central) (Lab): Under this Government, there has been an unprecedented fall in the number of nurses: the NHS is short of 40,000 nurses and more than 6,000 have gone since 2010, under this Conservative Government. When will the Secretary of State acknowledge that he is failing the NHS and failing patients, and when will he do something about it?

Mr Hunt: With respect, I really think the hon. Gentleman needs to get his facts right. The number of nurses has gone up, not down, since this Government have been in office. The number of nurses in our hospitals has gone up by more than 11,000, because this Government are supporting safer care in all our hospitals.

John Cryer (Leyton and Wanstead) (Lab): The number of unfilled nursing posts in London is now more than 10,000—whatever the Secretary of State's figures say, it is more than 10,000. When will they be filled?

Mr Hunt: When we have put through the biggest increase in nurse training places in the history of the NHS—the 25% increase that I announced last week.

Jo Swinson (East Dunbartonshire) (LD): Suicide is the most common cause of death for men under the age of 45, and men are significantly less likely than women to seek support from loved ones or medical professionals when they have mental health problems. How can services be better targeted at men to encourage them to seek help more quickly and thereby reduce misery?

Mr Hunt: This is a very important issue and the hon. Lady is right to raise it. The Time to Change campaign has said that this year it will focus on men, specifically to try to address the issues she mentioned. We are rolling out crisis plans throughout the country to make sure we are better able to reach people who reach out to us.

Mike Amesbury (Weaver Vale) (Lab): What reassurance can the Secretary of State give to the Amplify youth project in Northwich in my constituency that timely and improved access to mental health services will be provided?

Mr Hunt: We have said that by 2020-21 we want to be treating an extra 70,000 young people every year, but the truth is that that is still not enough. We need to

bring down waiting times much more dramatically, which is why we are doing a lot of work across Government and we have a Green Paper coming out shortly.

James Frith (Bury North) (Lab): Newly released NHS guidance makes it clear that walk-in services can have a future as part of urgent treatment centres. Does the Secretary of State agree with me and thousands of patients in Bury North that Bury walk-in centre can, should and must stay open and that Bury CCG should ensure this when it concludes its review?

Mr Dunne: Current plans by NHS England to look at the urgent and emergency care pathways include creating 150 urgent treatment centres by the end of this year. I am happy for the hon. Gentleman to write to me about Bury and will respond in due course.

Mr Geoffrey Robinson (Coventry North West) (Lab): Is the Secretary of State aware that there is widespread support in the House for his Government's commitment to enact the principle of deemed consent for organ donation? He knows from a previous meeting that my private Member's Bill is due for its Second Reading early in the new year. Will he therefore agree to an early meeting now, so that we can co-ordinate the two and see how to advance his intentions? I know that my hon. Friend the Member for Barnsley Central (Dan Jarvis) will be with me again and, with the Secretary of State's commitment to this, we look forward to an early meeting.

Mr Hunt: I very much enjoyed our previous meeting, which was not so very long ago. I hope the hon. Gentleman is happy that we have made good progress since that meeting, with the Prime Minister announcing that we will start a consultation, but I am always happy to see him and his colleague the hon. Member for Barnsley Central (Dan Jarvis).

Gareth Snell (Stoke-on-Trent Central) (Lab/Co-op): The Secretary of State will be aware that he and he alone has responsibilities under the Health and Social Care Act 2012 to deal with referrals from local authorities of clinical commissioning group decisions. Almost a year ago, Stoke-on-Trent City Council and Staffordshire County Council referred a matter to the Minister regarding the closure of community care beds. To date we have had no response. Letters from me and my hon. Friend the Member for Stoke-on-Trent North (Ruth Smeeth)

have gone unanswered. When will we get a response? Is this a case of wilful indifference towards his responsibilities or just ignorance of the Act?

Mr Hunt: May I apologise to the hon. Gentleman if he has not had a prompt reply to any letters to me or my Department? I will look into the issue that he raises and ensure that he gets a rapid response.

Mohammad Yasin (Bedford) (Lab): Yesterday the private ambulance service that provided non-urgent patient transport at Bedford hospital ceased trading, leaving the East of England Ambulance Service NHS Trust to pick up the pieces. Will the Minister order an inquiry to establish what went wrong, and does he agree that using private companies to run key services for our NHS is simply not working?

Mr Dunne: The hon. Gentleman will be aware that private and independent providers of patient transport services provide services all across the country and support the ambulance services in that work. I will look into the case that he raises in relation to Bedford and write to him.

Ruth George (High Peak) (Lab): All of the local dementia and rehabilitation beds in my rural constituency of High Peak are earmarked for closure. In some cases, patients and their families will have to travel 25 miles across the moors to Chesterfield. Given the importance of staff being able to work with families to support patients to return home, will the Minister agree to look again at such decisions, which make this work practically impossible?

Mr Dunne: The hon. Lady will be aware that the STP plans being considered for her area include providing more services in the community by community nurses and other nurses in our community hospitals being reassigned, which will allow them to undertake care for more patients than they can at present within community hospitals.

Several hon. Members *rose*—

Mr Speaker: Order. I am sorry, but we must move on. Demand invariably tends to exceed supply.

BAE Systems Military Air & Information Sites: Job Losses

12.38 pm

Mr Mark Hendrick (Preston) (Lab/Co-op) (*Urgent Question*): To ask the Minister of State, Department for Business, Energy and Industrial Strategy if she will make a statement on the likelihood of over 1,000 jobs being lost across the north of England at BAE Systems Military Air & Information sites.

The Minister of State, Department for Business, Energy and Industrial Strategy (Claire Perry): I know that the Government, and indeed all of us, are disappointed to hear the news that BAE Systems is considering reductions of up to 1,400 staff in its military air and information business, 375 in its maritime services division and 150 in its applied intelligence business. This is a concerning time for those working for BAE Systems, particularly in the run-up to Christmas. That is why I can assure the hon. Gentleman that the Government stand ready to support fully those affected. Indeed, colleagues across the Ministry of Defence, my Department and others are reviewing what support we can offer the company as it goes through this process. Of course, the Department for Work and Pensions is also standing by to provide whatever advice or support is required.

I would like to set out three main points. First, I will provide an update on the process; secondly, I will explain the rationale for the changes; and thirdly, I will set out what the Government are doing to support BAE Systems and this vital sector with our business. The company will now enter a 30-day statutory consultation process, and no final decisions will be taken about the level or type of redundancies until that process is complete. The Government will continue to work with BAE Systems to ensure that compulsory redundancies are kept to a minimum, and the company assures us that the reductions will be managed on a voluntary basis as far as possible. I emphasise that, as is usual in such cases, the DWP rapid response team is engaged and standing by, ready to deploy. It is incredibly important that the skills that people in the workforce have built up are retained in the UK industry as far as possible. That is why we will be using the talent retention system that was designed by my Department, working with the sector, to ensure that vital skills are not lost to the UK.

I turn now to the rationale for the announcement. The House should be absolutely clear that BAE Systems has taken this decision as a result of normal business practice. The decision is the result of internal restructuring and a drive to transform its business so that it can continue to be one of our most efficient and effective companies, generating export orders across the world. This is not related to any UK defence spending decisions. *[Interruption.]* Labour Members can shout all they like, but I hope that we can avoid getting politics into this. It was very striking how during conference speech after conference speech Labour Members—not the hon. Members opposite me, for whom I have great respect—went out of their way to criticise the industry that we are talking about. I suggest that we calm down and think about the people affected and what we can do to support them.

In the last year, the Ministry of Defence has spent almost £4 billion with BAE Systems, as part of the £18 billion—half of which is spent in the manufacturing sector—that we spend across Government buying products and services from UK industry. We continually bang the drum and lead the charge for our world-leading defence industry right across the globe, maximising export opportunities for companies such as BAE Systems and the thousands of people employed in their supply chains. Indeed, only last month the Defence Secretary signed a statement of intent with Qatar to buy 24 Typhoons and six Hawks from BAE Systems. This is extremely positive news, and it demonstrates continued confidence globally in Britain's defence and aerospace industry. We will continue to work with BAE Systems to maximise opportunities for the Typhoon and the Hawk training aircraft, and the Type 26 global combat ship, in markets such as Saudi Arabia, Indonesia, Belgium, Finland, Canada and Australia.

In conclusion, we absolutely understand that this is a worrying time for those affected. We are determined to do all we can to support BAE Systems' future export opportunities, and I stand ready to meet workers, unions or MPs who are concerned about the potential impact of the announcement in their constituencies.

Mr Hendrick: Thank you, Mr Speaker, for allowing this urgent question. Today's announcement by BAE Systems has come as a huge blow to thousands of workers and their families across Lancashire in the run-up to Christmas. The majority of Lancashire MPs have today written to the Prime Minister seeking immediate action and offering to establish a taskforce to avert the disaster. We ask the Minister for a swift, meaningful and positive response to our request.

What intermediate and longer-term actions are the Government taking to win contracts around the globe, to fly the flag and to sell the Eurofighter Typhoon and the Hawk? That is essential to sustaining the UK's leading-edge technology and sovereign capability, as well as highly skilled jobs and the massive supply chain in the north-west of England. In order to maintain a leading edge, we must look to the future. BAE Systems has taken a big step by developing a £12 million academy in Lancashire. Will the Government play their role and announce an industrial strategy for aerospace, as they have done with shipbuilding, and will they commit themselves to assisting BAE Systems to develop a sixth-generation manned fighter aircraft?

With my right hon. Friend the Member for Chorley (Mr Hoyle) and my hon. Friend the Member for Hyndburn (Graham P. Jones), I met Prime Minister Cameron to urge him to secure vital contracts with Japan and India. We were assured that there was good news on the horizon, but there clearly was not. The Minister mentioned Qatar and that is obviously positive, but it is nothing like the size of the other contracts. Lancashire builds the finest because we have the best workforce in the world. We do not want to be let down again, so I ask the Minister to use her good offices to impress on the Prime Minister the major concerns of Lancashire MPs and indeed of MPs from across the House.

Claire Perry: I commend the hon. Gentleman and many of his colleagues for their absolutely resolute support both for the company and the sector. Of course

[Claire Perry]

I would be delighted to meet the taskforce, and I think we should extend the offer to the workers and unions affected. It is absolutely clear that we need maximum communication about the process, or to encourage the company to ensure maximum communication, particularly at this worrying time.

The hon. Gentleman is right to say that the Government have a vital part to play in banging the drum for British exports. I have mentioned the Qatar statement of intent, and clearly there are ongoing conversations with countries, such as Saudi Arabia, that have expressed an interest in this technology. There is an appetite around the world for this technology. For every unit that is sold, the whole provision—supply and maintenance—will have a measurable impact on the work available for the hon. Gentleman's constituents and those of other Members.

The hon. Gentleman asked about the industrial strategy for this sector. We are very keen—we are already having conversations about this with the aerospace sector—on a bespoke sector deal. He will know that we have worked with the industry, on initiatives such as the technology for the future combat air system, to set out what we need to do both across this export-facing part of the business and right across the supply chain to ensure we have the right level of investment and skills.

Mr Speaker: I call the good doctor—Dr Julian Lewis.

Dr Julian Lewis (New Forest East) (Con): When BAE Systems says to the Government that this is normal business practice, will the Government reply to BAE Systems by reminding it that it is not a normal business, because it enjoys a near monopoly position in many parts of the British defence procurement structure? Will they therefore extract from BAE Systems a promise to work closely with the Government to examine to what extent any streamlining is really necessary and to what extent it can be ameliorated by common action, bearing in mind the special treatment that BAE Systems so often receives from the United Kingdom Government?

Claire Perry: My right hon. Friend is right to remind us that we spend almost £4 billion in procuring products and services from BAE Systems. Again, if we want to have a globally competitive, highly efficient bastion of success in this vital industry, it is really important to allow the company to go through its management processes. Of course we want to procure from BAE Systems, but we also procure from a wide range of other suppliers. It would be wrong for the Government to try to interfere in business processes, but we can say that we are committed to making sure that the company does this as sensitively as possible.

We also want to explore other opportunities. I am struck by the locations of some of the plants that may be affected, and I am also struck by the investment opportunities with, for example, the Siemens investment in offshore wind turbine production in Hull. There are opportunities for skilled engineering staff right across the UK and right across the region. [Interruption.] I am sorry to hear the hon. Member for Kingston upon Hull East (Karl Turner), who knows Hull very well, talking down a major investment in skilled engineering. We remain absolutely committed to working with this company.

Nia Griffith (Llanelli) (Lab): Employees and families across the country will be hit hard by the news that has come from BAE today. The loss of nearly 2,000 highly skilled jobs is nothing short of devastating for communities and local economies that have a proud history of defence manufacturing. Moreover, if these redundancies go ahead, there is a very real risk that these skills will be lost forever, with a knock-on impact on this country's manufacturing capability. What support will the Government be offering to those highly skilled workers who have lost their jobs, and how will the Government support the communities affected?

A vibrant defence industry is vital for the security of this country and it brings immense economic benefits. In its statement, BAE points to uncertainty in future orders as a reason for the job cuts, and we know that the Government have pursued a stop-start approach which has not given the industry the long-term stability that it desperately needs. Will the Minister now agree that it is time for the Government to come forward with a proper defence industrial strategy to enable the sector to plan ahead? I know from my conversations with those in the industry that they are very concerned about the gaping funding holes in the MOD's defence equipment plan. What action are the Government taking to address those and to give the industry confidence?

UK-based defence companies are also facing a great deal of uncertainty owing to the Government's handling of Brexit. We know that the defence and aerospace industries have wide-reaching supply chains that cross many borders, so what steps are the Government taking to ensure that the sector is not disadvantaged by Brexit, and that companies do not take their manufacturing elsewhere?

Finally, the slowdown in Hawk production was also cited as a reason for cuts, but the Government could take immediate steps to counter that by bringing forward orders for nine new Hawk aircraft for the Red Arrows, thus securing their future as the face of the RAF and a global ambassador for British engineering across the world. That would provide a much needed boost to the industry. Can the Minister commit to doing that today?

This is no time for Government to stand by and do nothing. Ministers need to rise to their responsibilities and realise that proactive engagement with the industry could make a real difference to the workers concerned and to the future of our country's defence industry.

Claire Perry: I am entirely in agreement with the hon. Lady about the need to engage closely to understand the reasons. To reassure her on a couple of points that she raised, this is not due to any stop-start change in the Government's procurement; this is in fact due to gaps in bringing forward some of the export orders. As I mentioned, the Secretary of State has signed a statement of intent with Qatar, and indeed we are standing by to do everything possible to support further export opportunities.

The hon. Lady may not have heard, but I mentioned the talent retention system. She is absolutely right: for too long we have not thought about people and their skills and worked out whether there are other opportunities, especially in the region, to ensure that those skills are not lost. That is why we will be deploying the talent retention system that has been developed by my Department with this industry, and looking to see what more can be done.

To allay some of the hon. Lady's questions about our commitment to shipbuilding, I can tell her that we have published the national shipbuilding strategy. I am told that we will be bringing forward the refresh of the defence industry policy document very shortly.

We need to focus on the people who may be concerned about this, meet them to gain an understanding of their concerns, and see what more can be done, particularly to ensure that those vital skills are not lost to this or other sectors.

Mr Mark Francois (Rayleigh and Wickford) (Con): The tranche 3 variant of the Typhoon aircraft, especially when equipped with the new electronically scanned radar, will be one of the most capable and effective combat aircraft in the world. The Minister has already mentioned the letter of intent with Qatar for 24 Typhoons, and there are, as she has intimated, a number of other countries around the globe that are still interested in Typhoon, not least Saudi Arabia. Can she assure Members in all parts of the House that, just as the Government gave strong support to the Qatari deal, they will strain every sinew to try to support further Typhoon exports, not least in Saudi Arabia?

Claire Perry: I am nervously rising to answer a question from my right hon. Friend, who knows more about this than many of us will ever know. He is absolutely right: not only have we signed the statement of intent, but only last month the Secretary of State got on a plane to Saudi Arabia to press the case for using these aircraft, not just for the upfront sale but for the thousands of jobs that depend on the long-term upgrade and servicing.

All Members across the House should be supporting these export deals and the jobs that are reliant on them. It was a shame that hon. Members—[*Interruption.*] Well, they say, “Here we go.” Perhaps they were not listening at conference. It was a shame that the right hon. Member for Islington South and Finsbury (Emily Thornberry) used her moment on the Labour party conference podium to attack the Government for strengthening co-operation and the deals that this brings with our key regional ally. Let us get behind this industry, so that we can protect and invest in this technology for the future.

Carol Monaghan (Glasgow North West) (SNP): This morning's news is deeply worrying for BAE workforces across the UK, and we have only just heard that that includes 15 workers in Fife. Of course, it is not just the 2,000 BAE workers who will be affected but the small and medium-sized enterprises, the supply chains and the communities as well. The SNP offer our sympathy this morning to all those who are affected directly and indirectly by today's announcement.

This is the latest evidence of the Government failing to deliver on defence programmes, and this is not just about an export industry. This is about undermining skilled jobs, undermining our own defence industry and undermining the defence of the UK as a whole. What are the Government doing to investigate what has gone wrong in BAE?

Skilled workers have been mentioned a number of times. Skilled workers are exactly that—skilled. They cannot easily move from one position to another; extra training is required, so what are the Government doing

to assist them? And what has been done to provide guarantees to those who are currently still employed in the sector?

Finally, can the Minister now confirm that future MOD orders will come as a steady drumbeat, and not be plagued by the dithering, delays and indecision that have contributed to today's announcement?

Claire Perry: I appreciate that point, and of course the hon. Lady is right to speak for those who may be concerned about their job future, but she represents, proudly, I know, a country that has built two of the largest ships the Royal Navy has ever purchased and that has contracts to build eight Type 26 frigates and five offshore patrol vehicles—two decades' worth of shipbuilding contracts signed by this Government. She refers to a stop-start approach. That is why the strategic defence and security review system has been brought forward. That is why we are absolutely determined to spend taxpayers' money wisely, and supporting British industry, UK industry, is fundamental to that. I suggest that she has a look at some of those proud ships—the QE2 class—and perhaps she will come back just a little bit more cheerful.

Mark Menzies (Fylde) (Con): As the Member of Parliament for Warton, where final assembly of Hawk and Typhoon takes place and where 750 of the jobs that will be lost are largely located, I urge the Minister to work, as the Government did in 2011, to mitigate job losses. Then a 3,000 headline figure was mitigated to 100 compulsory losses. A similar effort must be put in this time.

Secondly, thank you for the work that the Government are doing on supporting defence exports, particularly to Qatar and Saudi Arabia, with the Prime Minister's visits to Bahrain and Saudi and the Defence Secretary's visit to Qatar. Please will the Minister not be put off by siren voices that want us to disengage from the largest export customers for these aircraft?

Claire Perry: My hon. Friend makes the case very powerfully. Of course, at Warton there are some additional benefits from the F-35 contracts being brought forward, but he is absolutely right to say that we must be really focused on these jobs and the uncertainty, but we must also be resolute in pursuing export opportunities for this fine British company.

Karl Turner (Kingston upon Hull East) (Lab): The Red Arrows renewal programme is well overdue and is entirely in the Government's gift. If it was renewed, it would save jobs at Brough and the Lancashire plants. Get on with it!

Claire Perry: I am sure that the hon. Gentleman's pulses beat a little faster when the Red Arrows come over, as mine do when they fly over my constituency. I hear what he says and will discuss it with Ministers, but will he please work with me and others to ensure that this uncertainty is minimised for those in his constituency?

Anna Soubry (Broxtowe) (Con): Does my hon. Friend agree that it is somewhat concerning, if not a little peculiar, that those who are standing up, notably representatives of the SNP, to condemn these job losses

[Anna Soubry]

sing the praises of BAE, quite rightly, yet support a policy of being opposed to all arms sales, notably to Saudi Arabia?

Claire Perry: My right hon. Friend knows that I share her position. I would make the point that these are potential job losses and that we are at the start of the process. There has to be a consultation period. A significant amount of work needs to be done with the unions, the workforce, broader industry and skilled employers right across the affected regions to ensure that we do not lose skills, that we minimise job losses, and that any job losses that do come forward are managed through voluntary redundancy.

John Woodcock (Barrow and Furness) (Lab/Co-op): The bottom line is that, had exports gone to plan, these sites would not be in this position. We have heard a lot of commitment in words, but we need to see action from the Government. May I make what I hope is a constructive suggestion? The Minister's point on participation has been heard and I suggest she does not repeat it now. There are ambassadors all around this House, including on the Labour Benches, who could help in an official position to deliver and to get orders for their workforces in their communities. Will she please consider that?

Claire Perry: I commend the hon. Gentleman, and the people he represents in Barrow, for flying the flag and doing such an amazing job for such a vital British industry. He knows better than anyone else the importance of maintaining those skills. At this point, I think we will all put our shoulders to the wheel and do whatever we can to fly the flag for British exports. I would be delighted to work cross-party to do just that.

Victoria Atkins (Louth and Horncastle) (Con): BAE Systems is a vital employer in my constituency. It maintains the Typhoon jets that fly from RAF Coningsby and many of my constituents commute to Brough in Humberside, where BAE Systems provides highly skilled careers and apprenticeships. Sadly, we have heard today that Brough is to lose 400 jobs. In that spirit, I very much hope the Government will work with BAE Systems to ensure opportunities for employees and apprentices at Brough. Can my hon. Friend confirm that the commitment to spend 2% of our budget on defence will continue, and that the Government will continue to support this great British company?

Claire Perry: We will of course spend at least 2% of our national income on the defence budget. We will do all we can by working with the company and other players, in particular through the talent retention system. One crucial point, in response to the hon. Member for Llanelli (Nia Griffith), is that we cannot lose these skills from the British workforce. They are vital and they have been acquired over many years. We have to ensure that they are maintained and that the productivity they generate is developed.

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): What are Her Majesty's Government doing to sell the Type 31e frigate to the United States? The Secretary of State for Defence has mentioned that that is a

possibility. Secondly, will the Minister urge the Secretary of State for International Trade to come to the Chamber to explain what exactly he is doing for BAE?

Claire Perry: The hon. Gentleman will know that my right hon. Friend the Secretary of State for International Trade is flying the flag relentlessly for all aspects of the British economy, including British ships. I am sure he would be delighted to answer a written question or a letter from the hon. Gentleman on that point.

Mr Bob Seely (Isle of Wight) (Con): I spoke to BAE this morning as soon as I heard the news. What support will the Department for Work and Pensions provide to those affected? Will the Government assure me that any support package includes Isle of Wight workers affected at the BAE Cowes plant in my constituency? May I also highlight the importance of the advanced radar programme on the Isle of Wight, both for UK defence and for island jobs?

Claire Perry: The Department for Work and Pensions has a well tried, tested and effective rapid response deployment process to get in and talk to companies and people affected during the consultation process to make sure they are aware of any statutory rights and responsibilities, but also of any opportunities. I understand my hon. Friend's point about the Isle of Wight and I will make sure it is reflected in any work going forward.

John Spellar (Warley) (Lab): I am afraid the Minister really does not get it. When the French, the Americans or the Russians pursue a contract, they take a relentless whole-of-government approach. Incidentally, that is how it was under Prime Minister Tony Blair. On behalf of the industry and its skilled workforce, will the Government up their game and secure new contracts, especially with Saudi Arabia and the Gulf states?

Claire Perry: The right hon. Gentleman is brave to mention the former Prime Minister's name. Of course this is a whole-of-government responsibility. [Interruption.] In other countries, leaders of the official Opposition do not stand up in public and criticise exactly the sort of defence deals we are trying to sign, or put at risk the renewal of technologies such as Trident, which are absolutely vital to our technology and knowledge base. I suggest he has a word with the Labour Front Bench and then perhaps we can have more of a conversation.

Richard Graham (Gloucester) (Con): BAE's huge contribution to skills, jobs and exports depends not least on cross-party political support for our exports to foreign Governments. Some on the Opposition Benches absolutely understand that, but the fact of the matter is that the Labour party leadership loses no opportunity to criticise what those of us in the Prime Minister's trade envoy team are trying to do. Will the Minister confirm that although there will be job losses in some parts of BAE, there have been significant increases in other divisions, for example at least 350 new jobs in its cyber division?

Claire Perry: My hon. Friend is absolutely right to point out that this is a very dynamic business, which has to respond to globally changing conditions. It employs almost 36,000 people right across the UK. He is also absolutely right to point out other opportunities. It is absolutely critical that we back these British businesses,

focus on export opportunities and work together. Many of us represent constituencies affected by these sorts of announcements and we all fly the flag for one the most successful companies in the world—BAE Systems. Let us get on and do it.

Ruth Smeeth (Stoke-on-Trent North) (Lab): Our thoughts are with the workforce and their families who have received such devastating news. Let us be clear that the people who build and develop our military platforms are as vital to our national security and sovereign capability as those who operate them. We simply cannot afford to lose their skills. Will the Minister commit to developing a defence aerospace strategy, and to meeting immediately unions and employers across the sector to ensure we are not in this position again and can retain our sovereign capability?

Claire Perry: Like me, I am sure the hon. Lady is very pleased that we now have an industrial strategy that focuses on these vital sectors, putting together sector deals working with unions, employers and government. The offer has been made to all sectors to come forward with deals. As I understand it, the aerospace sector deal is well advanced.

Yvonne Fovargue (Makerfield) (Lab): What actions is the Minister taking to ensure that all the young people who have started apprenticeships with BAE Systems and may be affected will be able to complete them, not only retaining the current skills we have but building the skills base for the future?

Claire Perry: The hon. Lady is right to highlight the vital role of apprentices. I think we are all proud of the fact that we now have over 3 million apprenticeship starts. Until we know—this will become clear through the consultation process—the details of any redundancies and the types of jobs that are being laid off, it is too early to comment, but she raises a very important point and I will take it under consideration.

Gordon Marsden (Blackpool South) (Lab): The job cuts at Warton and Samlesbury are twice what they were in November 2015, so it is not surprising that people in Blackpool and Fylde will be concerned. The supply chain has been mentioned. What specifically will the Minister and the Department do with buyers to ensure apprenticeships in supply chains are also supported, and that the Lancashire local enterprise partnership is given the support and resources it needs to support both BAE and the supply chain?

Claire Perry: We stand by ready to understand any potential impact, once the scale of any job reductions is known, and to support the Lancashire local enterprise partnership and other companies in the area to process, cope and adapt to any changes.

Chris Stephens (Glasgow South West) (SNP): I have constituents who are BAE employees and, even though they are perhaps not directly affected, I know that they will be nervous. May I press the Minister on Ministry of Defence procurement processes? Specifically, will the Department look at work that is currently going out to international competition? I think that that could be avoided and that the work could be held in the UK.

Claire Perry: I refer to my earlier answer about the level of UK Government investment in Scotland, particularly in shipbuilding. We have to look at every procurement decision and understand whether it has the right capabilities for the sorts of conflicts that we ask our armed forces to undertake and what is best value for money for the taxpayer, so it will always be a mix. We should all be proud of the fact that the Government directly spend almost £4 billion a year with BAE Systems and about £18 billion a year with the British industrial sector.

Diana Johnson (Kingston upon Hull North) (Lab): The Minister will win no friends in east Yorkshire by saying that people who might be made redundant from BAE Systems can go and get jobs in the renewables industry at Siemens. We need both sets of jobs in both industries—both, not one—to flourish in our area. I am not convinced at all that the Minister is taking our sovereign capability seriously if these jobs go. That is important to our national security, so what will she do about protecting it?

Claire Perry: The hon. Lady speaks passionately on behalf of her constituents. To put this in context, we are talking about a company that employs around 36,000 people right across the UK. It has to go through—as all companies do—a process to make itself as efficient and effective as possible so that the maximum number of productive jobs can be maintained. The level of engagement of the MOD and Secretaries of State is striking—getting on planes, signing the statement of intent with Qatar and pushing for the Saudi deal. This is what we need to do. She is right to say that we need both sorts of jobs. We need a vibrant, highly productive industrial sector that operates right across the UK, which is why she should welcome the industrial strategy and the work going on in the low-carbon economy.

Dan Carden (Liverpool, Walton) (Lab): I worked at the Unite trade union when this country was faced with the steel crisis. This Government had to be dragged, kicking and screaming, from a position where it would take no action to a position where it was willing to take a 25% stake in the industry. We are seeing the exact same thing again. If there was a serious industrial strategy, the Minister would take action and guarantee those jobs for the future of the industry.

Claire Perry: I lead for the Government on the steel industry. Indeed, I am working with the steel sector on its sector deal right now. The steel sector is dependent on the opportunities that come from companies such as BAE Systems being able to invest and thrive in the UK economy. The hon. Gentleman should commit to work with the steel companies' customers, as we want to do, to ensure that they can offer the maximum market for the products of the vital and critical steel industry.

Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op): It has been a bad week for the defence industry. These job losses come on top of rumours that the Government are scrapping the Royal Navy's amphibious ship capability, and the threat to the Royal Marines. Does the Minister agree that the Government are presiding over emerging sovereign defence capability gaps, and do something about it?

Claire Perry: I gently say that the hon. Gentleman should focus more on the facts and less on the rumours. We have committed to raising our national spending target to more than 2% of national income. We have undertaken strategic defence and security review programmes that have clearly set out a defence strategy for the future. We have invested in two decades-worth of shipbuilding contracts north of the border. I am always happy to discuss the facts. I suggest he puts down the muck sheets and focuses on the facts.

Julie Cooper (Burnley) (Lab): The Minister talks about seeing things in perspective, but the perspective is this: the loss of 750 jobs in Lancashire is absolutely devastating for individuals, families, communities and the industry itself. Will she not only work hard with BAE Systems to mitigate these losses, keep them to the lowest possible number and protect as many jobs as possible, but look to protect jobs in the supply chain in constituencies such as mine in Burnley, whose very success and existence relies on BAE Systems thriving?

Claire Perry: As I said, we are keen to work closely with the company as it goes through this process. The offer is there for the hon. Lady and others who have important companies in their constituencies to work together, speaking to workers and the unions to ensure that we minimise the number of job losses and maximise skills retention both in this company and in the supply chain.

Mr Paul J. Sweeney (Glasgow North East) (Lab/Co-op): When I worked at BAE Systems, more than 1,700 of my colleagues across the British shipbuilding industry were made redundant in 2013. At the time, that was predicated on investment to create a world-class industry, but that investment is no longer happening. We see the same across these cuts. Every time it happens, a major plank of British industrial capability is lost, whether it is the ability to build tanks or carry out the final assembly of the F-35 aircraft. We cannot compete in shipbuilding internationally or in submarine manufacturing to the same extent that we could. Will the Government commit to reviewing how they finance capital infrastructure investment in defence and ensure that we are doing this in the best possible way?

Claire Perry: The hon. Gentleman raises the point—I defer to his considerable knowledge of the company—that companies need to be competitive in order to thrive and export, and we are told that that is the reason for today's announcement. But we are spending £60 billion over the next 10 years on shipbuilding in the UK. That is one of the biggest investments in shipbuilding that I can remember. We are doing what we need to do domestically but, equally, we need to support the export opportunities for these companies right across the world.

Emma Hardy (Kingston upon Hull West and Hessle) (Lab): The latest announcement of the loss of 400 jobs in Brough will be devastating to communities such as Hull and East Riding. I am sorry, but the response so far reeks of complacency. It is not good enough to say that Siemens have created jobs in Hull so that workers from Brough can find jobs elsewhere. We want more jobs, not fewer. So here is a simple question for the Minister: will she choose to save jobs by bringing forward the order for Hawks for the Red Arrows, or will she choose to see 400 jobs go?

Claire Perry: The hon. Lady should be incredibly proud of the fact that one of the highest rates of jobs creation has been in Yorkshire and the north-east. We have to support our industries, which we do through our procurement strategy and our support for exports. I was told that in the recent years to 2015, the county of Yorkshire created more jobs than the whole of France. We should be celebrating that success.

Christian Matheson (City of Chester) (Lab): In order to be competitive, we have to retain the skills that it looks like we are going to lose, but things are going in the wrong direction. Has the Minister seen the estimates from Unite that suggest that 25% of our defence expenditure by 2020 will be in the United States alone? Are we not missing a defence industrial strategy that will stem that, so that we are paying people for skilled jobs, not to be unemployed?

Claire Perry: I am happy to look at the sums, but I am sure that the hon. Gentleman understands that we have to ensure that we are buying the technology we need from the best places across the world when we are supporting our future defence capabilities. We are continuing to invest in and support this vital sector. He will be pleased to know that we are working closely with Unite and other unions where we are producing industrial strategy sector deals. The role and commitment of the workers that—particularly in the steel industry—has been vital in getting us to where we are cannot be underestimated. That is why the door is open for consultations and conversations with workers, the unions and colleagues from across the House.

Cat Smith (Lancaster and Fleetwood) (Lab): Some 750 of these potential job losses are in Lancashire, which rightly worries many of my constituents who work there. The loss of these highly skilled and well-paid jobs will have a devastating impact on the Lancashire economy. Will the Minister tell us more about what conversations she is having with the local enterprise partnership in Lancashire, what resources and support we can have in the area, and what conversations she is having with the Department for Work and Pensions about the potential job losses and the devastating impact on my constituents?

Claire Perry: We are right at the start of the process. Indeed, the company was not supposed to make the announcement until tomorrow, as I understand it. We want to have those conversations with the LEP and other employers with the aim of minimising the number of potential job reductions made by the company and maximising the redeployment of those people who have acquired such valuable skills over their time of work.

Helen Jones (Warrington North) (Lab): Those of us with constituents who work in the supply chain for BAE Systems, as well as those who have constituents directly employed by the company, are disappointed to hear the Minister's statement because she talked about managing decline. The Opposition want to see proper investment in the skills we need and in defence industrial strategy so that we do not have to buy technologies from abroad. We need the Government to bring forward orders in order to protect jobs. They can do that now. Why is the Minister not doing that?

Claire Perry: This is not about managing decline. We have a record number of people in work and have committed more than 2% of our national income to national defence. *[Interruption.]* And we have more than 2 million apprentices, I am told. The hon. Lady will understand that businesses and companies evolve and grow and invest in different technologies. The procurement of the F-35 fighter has brought forward jobs for BAE Systems. I appreciate her passion, but if she wants to stand on the platform of a party that wants to support exports in this vital sector, she needs to come across to the Government's side of the House.

Liz McInnes (Heywood and Middleton) (Lab): The Minister has made a great deal of what was said at the Labour party conference, but what impact will these job losses have on making this a country that works for everyone, and how will it help my constituents to live the British dream?

Claire Perry: I commend the hon. Lady for doing her homework. As the company goes through its normal business processes, we all have to stand by ready to do whatever we can through the consultation process to ensure that the minimum number of people lose their jobs and the maximum number, with those vital skills, find other opportunities. The whole Government stand by ready to do that. Looking ahead, I call that maximising the British dream.

Point of Order

1.20 pm

Philip Davies (Shipley) (Con): On a point of order, Mr Speaker. Yesterday, following the Prime Minister's statement, the Leader of the Opposition, quite properly and rightly, sat through the entirety of the exchanges, as is the custom of the House. It did not go unnoticed, however, that the official spokesperson for the SNP, the hon. Member for Ross, Skye and Lochaber (Ian Blackford), left early. Given that we are about to have a couple more statements, could you rule on whether it is appropriate for official spokespeople on the Opposition Benches to stay for the entirety of the exchanges on a statement, rather than beetling out just after they have made their contribution?

Mr Speaker: I thank the hon. Gentleman for his point of order. The position is extremely clear—at least it has always been so—but I am happy to take this opportunity to reiterate it. If the representative of a party speaks for that party as a spokesperson, he or she remains in the Chamber for the remainder of the exchanges—no ifs, no buts. The only circumstances in which I would regard it as excusable to leave—and in those circumstances, the person would make a request—would be if they were suddenly indisposed. It is not acceptable for somebody to leave the Chamber because he or she has finished and thinks, “I have other commitments; I need to go somewhere else.”

I do not mind telling the hon. Gentleman that I was asked yesterday “would it be all right if” the Member left to attend to commitments elsewhere, and my answer was no. Let me say in terms that brook of no contradiction that I do not expect official spokespersons or their representatives to come to the Chair and seek to engage in protracted conversations or attempted negotiations on that matter. I say to the SNP Chief Whip in terms unmistakable that it is a rank discourtesy for a Front-Bench spokesperson to speak and then leave apparently on the grounds of being very busy, having many commitments, having a very full diary or having to be somewhere else. No, that is not acceptable.

As the hon. Member for Shipley (Philip Davies) said very fairly, the Leader of the Opposition sat in his place throughout the exchanges, as he always does and as his predecessors have always done, and that has always been the established practice in the House. If a Member has made commitments to be elsewhere that will cause him or her to have to leave early, the answer is that those commitments should not have been made and should be cancelled. If a Member thinks that he or she would like subsequently to be somewhere else, the answer is very simple: put someone else up to speak on the statement, but do not speak and then leave. Not only is it in defiance of parliamentary convention, but it is rude to other colleagues. I should not have to make that point in respect of a party leader. It is so blindingly obvious I should have thought that everybody would have grasped it in any case.

I think that that is pretty clear and I am grateful to the hon. Member for Shipley.

Race Disparity Audit

1.24 pm

The First Secretary of State and Minister for the Cabinet Office (Damian Green): I rise—with some trepidation, Mr Speaker—to make a statement about the race disparity audit, which the Government are publishing today through a new website, Ethnicity Facts and Figures, and a summary report, which I have ordered to be placed in the Library of the House.

The audit was announced just over a year ago by the Prime Minister as part of her commitment to tackling injustices in society. This exercise has been unprecedented in scale, scope and transparency. It covers detailed data on around 130 different topics from 12 Departments. The first product of the audit is the website, which has been created to be used by all citizens. It has been developed through extensive engagement with members of the public from across the UK, public service workers, non-governmental organisations and academics. I hope that hon. Members will agree, once they have had the chance to examine it, that the website is clear and user-friendly. Each section of the website includes simple headlines and charts, and allows users to download all the underlying data.

Although the past few decades have witnessed great leaps forward in equality and opportunity in British society, the audit shows that there is much more still to do if we are to end racial injustice. In itself, that will sound to hon. Members like an unsurprising conclusion, but the audit adds a lot more clarity and depth to that single challenge. It tells us in which public services there are the largest disparities and whether those are increasing over time or diminishing, and about the influence of poverty and gender on the wider picture. For example, black people were over three times more likely than white people to be arrested and more than six times more likely to be stopped and searched.

Three issues demonstrate the added complexity of the data. First, there are significant differences in how ethnic minorities are doing in different parts of the country. For example, while employment rates are generally higher for white people than for ethnic minorities, there is a larger gap in the north than in the south. Also, if people are expecting a report that is relentlessly negative about the situation for ethnic minorities in Britain today, I am pleased to say that it is simply not the case that ethnic minorities universally have worse outcomes. For example, people of Indian and Pakistani origin have similar levels of home ownership to white people, although that is not true of other ethnic minorities.

Secondly, on some measures there are very significant differences between ethnic minority groups. Education attainment data show that there are disparities in primary school that increase in secondary school, with Asian pupils tending to perform well and white and black pupils doing less well, particularly those eligible for free school meals. Finally, on other measures, it is white British people who experience the worst outcomes, such as in relation to self-harm and suicide in custody, or smoking among teenagers.

In terms of what happens next, the data set out on the website present a huge challenge not just to Government but to business, public services and wider society. We hope that the website will not only contribute to a better

informed public debate about ethnicity in the UK, but support local managers of public services to ask how they compare to other services.

On behalf of the Government, I have committed to maintaining and extending the Ethnicity Facts and Figures website. More importantly, I commit that the Government will take action with partners to address the ethnic disparities highlighted by the audit. We have made a start through initiatives such as the action taken by the Department for Work and Pensions in 20 targeted hotspots. Measures in those areas will include mentoring schemes to help those in ethnic minorities into work and traineeships for 16 to 24-year-olds, offering English, maths and vocational training alongside work placements.

On the criminal justice system, I want to thank the right hon. Member for Tottenham (Mr Lammy) for his recent report. I am pleased to announce that the Ministry of Justice will be taking forward a number of the recommendations in his review. These will include developing performance indicators for prisons to assess the equality of outcomes for prisoners of all ethnicities, committing to publishing all criminal justice datasets held on ethnicity by default, and working to ensure that our prison workforce is more representative of the country as a whole. In addition, the Department for Education will carry out an external review to improve practice on exclusions. It will share best practice nationwide and focus on the experiences of the groups that are disproportionately likely to be excluded. The House can expect further announcements on future Government work to follow in the coming months.

The approach that the Government are taking is “explain or change”. When significant disparities between ethnic groups cannot be explained by wider factors, we will commit ourselves to working with partners to change them.

The race disparity audit provides an unprecedented degree of transparency in reflecting the way in which ethnicity affects the experiences of citizens. It is a resource that will tell us how well we are doing as a society in ensuring that all can thrive and prosper, and I commend it to the House.

1.30 pm

Dawn Butler (Brent Central) (Lab): I thank the First Secretary of State for early sight of his statement.

There is value in putting all the data together in one portal, but what matters most is what the Government are going to do about the problems that have been identified. For some years, the Women’s Budget Group and the Runnymede Trust have been looking at some of the burning issues, including the impact of austerity on black and minority ethnic women in the United Kingdom.

The real uncomfortable truth is that the Prime Minister cannot pretend she did not know that there were in-built structural injustices before 2010, because she wrote to the then Prime Minister about “real risks” that

“women, ethnic minorities, disabled people and older people will be disproportionately hit by cuts”.

Our Prime Minister, knowing full well the damage that would be caused by Conservative cuts, has done nothing but exacerbate the problems. Far from tackling burning injustices, she has added fuel to the fire. We need solutions and a sustained effort to tackle those burning injustices, because talking shops just will not cut it.

Mentoring schemes are good, but they are not nearly ambitious enough. The closure of Sure Start centres has contributed to the poor start of many young children, and the closure of Connexions, which was a valuable tool for young people, was also a mistake.

The Prime Minister has said that if these disparities cannot be explained they must be changed, so let me ask the Minister some questions. Will he explain or change the Government's policy of rolling out universal credit, which has caused some people to lose their homes and has caused vulnerable people to plummet into debt? Will he explain or change their policy on the public sector workers' pay cap, which has disproportionately affected women and people from diverse communities? Will he explain or change their policies on personal independence payments, which have resulted in the statement by a United Nations panel that the UK has failed to uphold disabled people's rights? *[Interruption.]* Conservative Members may not like to hear this, but it is important if we are to tackle the burning injustices that exist in our country.

Will the Minister explain or change the Government's policies on tuition fees, which have crippled the life chances of young people? Will he explain or change the delay in the increase in the minimum wage, which the Government have renamed the living wage? Will he explain or change the Health and Social Care Act 2012, the house-building programme, the Access to Work policy, or the Trade Union Act 2016? There are so many policies that the Government need to explain or change.

We cannot ignore the fact that the actions of this Government have contributed to the burning injustices in our country. They have failed to understand the value of equality impact assessments, which the last Prime Minister described as "red tape". Britain is at its best when everyone has the opportunity to succeed—*[Interruption.]* The hon. Member for Bexhill and Battle (Huw Merriman) says, "What are you going to do about it?" Let me tell him. Labour issued a manifesto to tackle problems of discrimination. Its policy proposals included the introduction of equal pay requirements for large employers; the launching of an inquiry into name-based discrimination; the implementation of the Parker review recommendations; the enhancement of the powers and functions of the Equality and Human Rights Commission, which has been subject to Government cuts; and the boosting of income through the introduction of a real living wage—to name just a few.

There are other possible solutions to the problem, some of which must come from the Minister's own side. The Government should reintroduce race equality audits and impact assessments, independently assess the Treasury, introduce "blind" sentencing in the criminal justice system, and implement their responsibilities under the public sector equalities duty.

What we need is a Government who are not afraid to act on uncomfortable truths, and Labour is that Government in waiting. History has shown that positive change only happens under a Labour Government, and we are ready once again to deliver a fair and more equal society for the many and not the few.

Damian Green: I am puzzled by the disparity between the Labour party's response to the audit and that of the stakeholders who actually work in the sector. I came to the House today from a roundtable at No. 10 that was chaired by the Prime Minister and attended by about

12 of the principal non-governmental organisations that have worked for many years to improve the lives of ethnic minority people in this country. They are universally positive about this, unlike the Labour party—*[Interruption.]* The hon. Member for Brent Central (Dawn Butler) says that was not what they told her, but I have quotations from them here. Simon Woolley of Operation Black Vote has said:

"The findings from the Race Disparity Audit present us with a real opportunity to make transformative change in tackling persistent race inequality"—

[HON. MEMBERS: "What are the Government going to do?"] He actually went on to say:

"Yes, some findings make uncomfortable reading, but unless these things are laid bare we can't begin to resolve them."

After 13 years of a Labour Government trying to hide the facts, we now have a Government who are ready to expose them and to do something about them.

Jeremy Crook of the Black Training and Enterprise Group—apparently it has also been ignored by the Labour party—says:

"The data can support local communities to have conversations with local public bodies about ensuring that no ethnic group gets left behind in education or health or any other area of public life."

The people who actually know what they are talking about welcome the audit, and welcome what the Government are doing. The people who do not are members of the Labour party who live in their own world.

The hon. Member for Brent Central appeared to take the general view that in all areas problems for people from ethnic minorities were getting worse. I appreciate that the website has been live for only about an hour, so she will not yet have had time to investigate all 130 datasets, but when she does, she will find a point that is much more nuanced than those that she has made. There are some problems, and some things are getting worse, but some things are getting better. The difference between the general employment rate and the rate among all ethnic minorities decreased from 15 to 10 percentage points between 2004 and 2016. Since 2004, employment rates have increased among all ethnic groups. The inactivity rate among Pakistani and Bangladeshi people, who have often had the worst unemployment rates, has fallen by 10%—*[Interruption.]*

I would hope that Labour Members, rather than laughing from the Front Bench, might welcome the fact that some of our most disadvantaged communities are doing better than they ever have before in this country. The Labour party seems to think that that is something to laugh about.

The hon. Lady referred to universities and tuition fees. I remind her that more disadvantaged people are applying for university places and going to university than ever before, and more people from black and minority ethnic communities are applying than ever before. Labour Members have a view of the world in which people are permanent victims, but that is not what this audit shows. Their lack of transparency, and their lack of ability to welcome a step by the Government that is welcomed by all experts in the field, reflects very badly on their party.

Mrs Maria Miller (Basingstoke) (Con): I thank my right hon. Friend for his statement, and the Prime Minister for her commitment to tackling the injustice

[Mrs Maria Miller]

that is race discrimination. When will the Government bring forward plans across Government to ensure that it is clear what every single Department is doing to tackle these inequities, and particularly to separate economic disadvantage from race discrimination, because at the moment the figures blur together?

Damian Green: My right hon. Friend makes a good point, because we of course need to determine the real causes of disadvantage, as I have said. Sometimes they are based on ethnicity, and sometimes on other factors. That is precisely why, in addition to the individual measures that I have announced today for three Government Departments, other Departments will be making policy proposals in the months and years ahead to address the various disadvantages, and they can now, for the first time, be based on publicly available facts and figures. That is the great advantage of the step forward that we have taken today, because we now have transparency. We will have much better evidence to ensure that the policies we bring forward to tackle disadvantage will be effective.

David Linden (Glasgow East) (SNP): I thank the First Secretary of State for advance sight of his statement. None of this comes as a surprise to any of us. A lot of work has been done over the years, including by the right hon. Member for Tottenham (Mr Lammy). Although we would welcome any new, user-friendly website, it really should not have been the centrepiece of today's statement. I very much hope that the Government will be able to take effective and robust action. Given that Departments are carrying out their own pilots in the reviews, it is important that we have a holistic, multifaceted and co-ordinated response. Therefore, when will the Government come to the Chamber with a statement setting out how Departments will go forward with a joint solution for this problem?

Damian Green: That question is slightly similar to the previous one I answered from my right hon. Friend the Member for Basingstoke (Mrs Miller). When the hon. Gentleman reads the audit, he will find that, rather than having a one-size-fits-all solution, it is precisely the value of the data we now have that will enable us to take specific action in a number of different areas.

Emily Thornberry (Islington South and Finsbury) (Lab): When?

Damian Green: I have announced some of the action today. I am sorry that the shadow Foreign Secretary was not listening to the statement I made all of five minutes ago, when I announced three separate pieces of action. There will be action from other Government Departments as we develop the policy response to the evidence.

Let me make one final point to the Scottish National party's spokesman. I would encourage him to encourage his colleagues in the Scottish Government to take part in this process, because so far we have found it quite difficult to get the equivalent information for some areas in Scotland that are completely devolved. Facts and figures on reserved matters in Scotland, where they are available to the UK Government, are included in

the audit, but at the moment there are no devolved facts and figures, and I genuinely think that it would help people in Scotland if those could be added to the audit figures.

Philip Davies (Shipley) (Con): The review by the right hon. Member for Tottenham (Mr Lammy) did not actually include much hard evidence of discrimination. For example, despite setting out with the assumption that black people are more likely to be found guilty by juries, it concluded:

"Juries are a success story of our justice system. Rigorous analysis shows that, on average, juries—including all-white juries—do not deliver different results for BAME and White defendants."

Will the Minister therefore ensure that success stories are also highlighted, that any actions taken are based on evidence, and evidence alone, and that we do not have solutions looking for problems?

Damian Green: I am delighted to have the opportunity to agree entirely with my hon. Friend—that might be regarded as a rare treat. He is exactly right; the report by the right hon. Member for Tottenham (Mr Lammy) was very fair in pointing out the great successes in the criminal justice system as well as the problems, some of the answers to which I have announced today, and my right hon. Friend the Lord Chancellor will follow up on those. Across the board in this area there are indeed some successes, as I set out in response to the Opposition spokesperson. In some areas there are clearly endemic problems that have been going on for a long time, and action needs to be taken by society across the board—by central and local government, by businesses and by arm's length bodies. We are not desperately searching for problems for our solutions. We will bring forward solutions only for those problems that we know exist.

Afzal Khan (Manchester, Gorton) (Lab): I thank the First Secretary of State for the information that he has given the House today about the audit, but it does not answer the probing questions that the data throw up. Why are ethnic minorities still disadvantaged in access to public services, what are the Government going to do about it now that the audit has revealed the extent of the problem, and why have they left out religious discrimination, such as that against Muslims, Jews, Christians, Sikhs and others?

Damian Green: The answer to the hon. Gentleman's last question is that it is a matter of what we record in our official information. When he looks at the audit, he will see that all the data sets contain a different level of detail. The question of religious discrimination simply cannot be included in an audit of this type, because we have never collected that kind of information. For example, we do not necessarily ask someone what their religion is when they go to the jobcentre, and I suspect that many people would find being asked for too much information intrusive, so we have to work with the material we have. With regard to disadvantage, he will have heard me announce the three Departments' policy responses today—there are others that I have not announced, from the Home Office and others. He can rest assured that where the audit identifies problems, central and local government will respond to them across the board.

Mr Shailesh Vara (North West Cambridgeshire) (Con): May I congratulate the Prime Minister and the Government on undertaking this broad-ranging audit, which is long overdue. We know what the problem is, and we know what needs to be done to address it. However, given the huge scope of the audit, will the First Secretary of State inform the House what is proposed to ensure that there is consistency and a high level of monitoring across the huge breadth of areas covered?

Damian Green: That is a very good point. There are clearly different problems in different areas, which is precisely why, in addition to individual actions by Departments, there is an inter-ministerial group, which will allow every Department to find out what the others are doing and ensure that it is responding as it should to the individual problems assessed in their area. Of course, the audit is not a one-off event, because the figures will be added to continually so that new policy responses can be made to new problems as they emerge. It will be a living document.

Jo Swinson (East Dunbartonshire) (LD): Let us give credit where it is due, because this data set is important. I welcome the Government's commitment to the transparency that will help to shine a light on the structural racism that still exists in UK society. May I offer the First Secretary of State some advice based on painful experience? The Conservative side of the coalition Government spent five years insisting that we try to get employers to do gender pay gap reporting on a voluntary basis, until my Lib Dem colleagues and I finally won the battle for mandatory reporting in March 2015. We must not now waste five years in the same way, so will he now commit to introducing mandatory race pay gap reporting?

Damian Green: As the hon. Lady will know from her time in government—it was a pleasure to serve with her—we are unlikely at this stage to leap to such long-term commitments on the basis of information that we have only just gathered. However, she makes a fair point. The underlying point is that this is an issue not only for central Government, but for the private sector. I know that many private sector organisations, some of which were represented at the roundtable event held at Downing Street this morning, are anxious to follow up a lot of the work on trying to reduce the gender pay gap and to address pay gaps among people from different ethnic backgrounds as well.

Rehman Chishti (Gillingham and Rainham) (Con): I applaud the Government's efforts, because this is the first such audit to be carried out. As chair of the all-party parliamentary groups on Pakistan and on communities engagement, I have consistently raised with the previous and current Prime Ministers the matter of the British Pakistani community falling behind on educational attainment, employment and wages. What will the Government's strategy be to address that? Will there be effective community engagement so that the answers come from the bottom up?

Damian Green: Absolutely. My hon. Friend has a long and honourable record of campaigning in this area. The employment response from the Department for Work and Pensions will be targeted at specific areas, and 20 hotspots where the most difference can be made

will be identified. I obviously cannot commit today to saying what those 20 will be, but I would be surprised if the impact was not deliberately designed to help the areas in which those communities tend to live, where the unemployment rate is not as good as it is on average.

Fiona Onasanya (Peterborough) (Lab): I am slightly confused, so will the Government confirm something for me? Lots of information has been provided, but some of the data collated were already in place and the Government have not specifically told us what they are going to do about that data. A couple of problems have been identified, but talking about mentoring schemes is not the sole answer to those problems.

Damian Green: We have identified 130 different data sets, and coming up with 130 different policy responses in one statement might be a bit much. More seriously, much of the information is new—20 of the data sets are completely new—and it seems sensible to consider the evidence, work out what the best policy response is and then do the policy, not the other way around, which is how the Labour party seems to want to do things.

Chris Bryant (Rhondda) (Lab): What a load of sententious, vacuous guff. Honestly, the Secretary of State should be ashamed. Has he just taken over the department for circumlocution and the office of how not to do anything while pretending to do something? The honest truth is that unless serious analytical work is done to check whether the statistics are a matter of correlation or causation, there is no value to this work whatsoever. Mrs Thatcher fell at the same time as Marathons were changed to Snickers, but I am not aware that there was any causal relationship between the two.

Damian Green: Behind the hon. Gentleman's characteristic bombast is a serious point. He says that correlation is not the same as causation, so would he like to have a word with his Front-Bench team, who are demanding that all the policy responses should come now before we have done the analysis that he sensibly asks for? We are doing things the sensible way. Not only do his Front-Bench team have no policies, they appear to want policies before they have looked at the evidence. That would be the worst way to go about things. I appreciate that, in all sincerity, he believes that his Front-Bench team are as bad as I believe they are.

Several hon. Members rose—

Mr Speaker: Order. The House is in a very excitable condition. I gently point out to the right hon. Member for Islington South and Finsbury (Emily Thornberry) that she would wish to be viewed across the country and around the globe as an aspiring stateswoman, and I think her demeanour ought to reflect her ambition.

Maria Caulfield (Lewes) (Con): I am sorry that the shadow Front-Bench team find this issue so amusing. As someone who grew up in a deprived working class area—more girls in my school went to prison than to university—I take this issue very seriously. While I welcome the audit, the fact that it focuses on race, not the common issues that all communities face of broken families, poverty and getting into work, means that it

[*Maria Caulfield*]

misses some things. I point the Secretary of State in the direction of “A Manifesto to Strengthen Families”, which has been produced by Conservative Members, led by my hon. Friend the Member for Congleton (Fiona Bruce), and addresses some of those issues in more detail.

Damian Green: I know the valuable document to which my hon. Friend refers. I recommend that she read the audit carefully, because she will find that it reveals the huge differences between areas that look similar demographically or in their ethnic makeup. Anyone who reads the findings carefully and sensibly will realise that some policy prescriptions may not be based on ethnicity and may need to be based on the other factors she mentioned. The sensible way for any Government to proceed—certainly the way that this Government will proceed—will be to look at the evidence and then devise the policy.

Preet Kaur Gill (Birmingham, Edgbaston) (Lab/Co-op): What other reports on race have been incorporated into the race audit data? Why have Sikhs, who are recognised as a separate ethnic group in legislation, been excluded from the audit? Will he put that right by ensuring that Sikhs are not further discriminated against and that the 2021 census will include a Sikh ethnic tick box?

Damian Green: I can only reply to the hon. Lady with what I said to the hon. Member for Manchester, Gorton (Afzal Khan). Religion is not routinely collected in many of the 130 data sets, so it would be impossible to include. It is not a question of excluding any particular group. Many of the data sets have existed for decades, and we as a society have to decide over time how much personal information we want to collect and publish on every individual in this country. It is sometimes helpful to collect such information, because it helps public policy making, but people sometimes regard it as intrusive. Our view on that may change over time, and we can always have discussions in this House about what level of personal information we want to give to Governments and then have Governments publish, so that might be a way to aid public policy making, and I am happy to discuss that with her.

Huw Merriman (Bexhill and Battle) (Con): Having attended a failing school in your constituency, Mr Speaker—albeit before your time—and then having spent five years in a formerly failing school in west London, I have a real passion for what can be achieved through education if we have these race disparity audits. Indeed, that is exactly what happened to transform a west London school's five A to C GCSE grade rate from 9% to 60%. In addition to sharing my distaste for the appalling behaviour of the Opposition, I ask Ministers to take the data and learn about the best practice in institutions so that it can be rolled out and applied nationally.

Damian Green: I am grateful to my hon. Friend for raising an important point. Action that is taken at a local level—perhaps in an individual school—can be transformative for the lives of thousands of people. The audit will enable us to identify the areas with problems in a more fine-grain way than ever before, so that we can deal with those problems, whether they relate to education, employment and training or policing, in the areas where

that action can have most effect. That will be how we can make the most beneficial difference to most people's lives.

Emma Little Pengelly (Belfast South) (DUP): I thank the First Secretary of State for his statement. For some considerable time, black and white British boys in receipt of free school meals have had some of the lowest levels of educational achievement across the United Kingdom, and that is also the case in Northern Ireland. I welcome this initiative, but the data will be of value only if the analysis is mainstreamed into policy making in Departments. What do the Government intend to do to ensure that that happens?

Damian Green: Much good work has been done in Northern Ireland in that field, and we will continue to spread best practice and learn from where we have had successes. Making that part of mainstream policy making is one of way of doing that. The hon. Lady mentioned educational attainment, and it will be interesting to see the evidence from free schools in the years ahead. I suspect that they will be shown to do particularly well by pupils with various forms of disadvantage, but we will develop the evidence over time and we will base our policy on evidence—[*Interruption.*] I can tell from the noise level that the Labour party has already come to a view about free schools without any evidence. That is typical of why their policy making is always so bad—[*Interruption.*]

Mr Speaker: Order. Calm. My advice in particular is tendered for the benefit of the hon. Member for Rhondda (Chris Bryant).

Chris Bryant: I am very quiet.

Mr Speaker: The hon. Gentleman witters from a sedentary position that he is very quiet. I think the answer to that is that it is all relative.

Rushanara Ali (Bethnal Green and Bow) (Lab): May I remind the First Secretary of State that it was the previous Labour Government who led an inquiry into the Stephen Lawrence murder and, following that, introduced the Race Relations (Amendment) Act 2000 and the Equalities Act 2010, which require monitoring, and that this Government have neglected much of that? I welcome this audit, but ask the Minister please, for the love of God, to focus on the structural inequalities—that is, child poverty, which will hit 4 million by 2020, and the cuts to further education and to education maintenance allowances. Those interventions and cuts to those provisions are making it worse for ethnic minorities and white working-class communities. If the Government are serious, we need to stop just doing research and evidence gathering. That is important, but it is not good enough if it is not followed by action.

Damian Green: The hon. Lady is right that one should get the evidence and then take action. I discover from those on her Front Bench that they prefer to take action blind without looking at the evidence first. One fact that we can jointly celebrate is that among the places where educational attainment has gone up significantly for all groups is her area. That shows that there can be improvements in areas that people once wrote off, which should never happen in any part of this country. I can tell the hon. Lady that this Government will not allow that to happen.

Sarah Champion (Rotherham) (Lab): This morning the Communities and Local Government Secretary highlighted that some Pakistani and Bangladeshi women do not have English. May I suggest that one reason for that is that the Government have cut English for speakers of other languages funding by 60%? Will the Minister commit to change that and reverse the cuts so that everybody can reach their potential?

Damian Green: My right hon. Friend the Secretary of State for Communities and Local Government was quite right to point out that one of the biggest things holding people back is their not being allowed to speak the language of the country. That is why we spent £100 million last year on teaching English to ensure that more people than ever before can have access to it and play a full role in mainstream society.

Marsha De Cordova (Battersea) (Lab): In light of the audit today, will the Government commit to implementing their statutory equality impact assessment on some of their policies and, more specifically, on some social security policies, such as universal credit and the personal independence payment?

Damian Green: I am happy to assure the hon. Lady that every policy has the equality impact assessment applied to it.

Tony Lloyd (Rochdale) (Lab): The First Secretary will recognise that disparity effectively begins at birth, and one thing we do know is that in Greater Manchester, for example, four in 10 children are not ready for school when they go there. In a town such as Rochdale, that rises to a considerably higher figure among the Pakistani, Kashmiri and Bangladeshi communities and in the poor white community. Will the report make any real financial difference to investment in that early years education?

Damian Green: I have not had a chance to welcome the hon. Gentleman back to the House; the last time I met him he was a police and crime commissioner, and PCCs have a key role to play in making this audit practical. I suggest he looks at it, because one fascinating thing I found when I looked at the audit before it was publicly available is the precise level of analysis that can be done of individual communities. He will be able to see that certain similar communities require different solutions. Different problems are at different levels in neighbouring towns that otherwise look very similar. I have looked at a lot of the towns in the north-west in and around Manchester and I can only suggest that he has a look at the evidence. He will find that there will be different policy prescriptions for what would otherwise be similar towns.

Layla Moran (Oxford West and Abingdon) (LD): I welcome the focus in the audit on educational attainment and many Members have already spoken about the subject. That shows how stubbornly the gap persists between pupil premium children and others. If the Government are serious about addressing this burning injustice, should they not allocate the money to schools to tackle the problem rather than forcing them to make damaging cuts, which the poorest families are least able to mitigate?

Damian Green: I say to the hon. Lady that the schools budget is of course protected and, secondly, that the simple prescription that more money means better public policy was exploded many years ago. She can see that through the different performances of schools in different areas and the differences between individual schools. There is certainly a problem in raising educational attainment and that is why I am very proud that over the past seven years we have had 1.8 million more children attending good or excellent schools than we had in 2010.

Lucy Powell (Manchester Central) (Lab/Co-op): Like others, I welcome this audit, but I am not sure that we needed an audit to tell us of the deep rooted injustices and discriminations in many of our institutions. I have a specific question about charges brought under joint enterprise. Is the Minister aware of research from Manchester Metropolitan University that found huge disparities in the number of people in prison under joint enterprise and how those prosecutions are brought?

More than three quarters of those in prison for joint enterprise found that gang narrative and neighbourhood narrative were used in their prosecution if they were from black and ethnic minority backgrounds, compared with less than 40% for those from white backgrounds. I had a recent case in Moss Side that found exactly that: the young black men who were facing these charges found that they relied heavily on a neighbourhood narrative about Moss Side. It is no wonder that people from places such as Moss Side feel that the criminal justice system works against them, not for them. What will the Minister do about it?

Damian Green: I was not aware of that report, but it is clearly centrally important to the sort of evidence that the audit will produce. The hon. Lady will be able to see from the audit at a local level whether the criminal justice system is working in a discriminatory way. I will speak to the Lord Chancellor and the Prisons Minister about the specific points that she raises.

Mr Clive Betts (Sheffield South East) (Lab): Let me turn to the issue of evidence collection as regards schools. Following the Macpherson report, there was a requirement that all schools had to report racially motivated incidents in school to their local authority. In 2010, that requirement was dropped, so there is now no information coming from academies or free schools, no local statistics and no national statistics on racist incidents in schools. Today, the Institute for Public Policy Research has shown that the figures on exclusions probably under-represent the true position—the figure could be five times as high—mainly because academies are dressing up exclusions under other names. Is it not about time that the Government revisited these issues and gave proper powers and oversight to local authorities so that we can get a true understanding of what is happening in both these areas.

Damian Green: The hon. Gentleman has great expertise in the area of local Government and I am happy to tell him that one policy change that has already come about as a result of the audit is an external review of exclusions to deal with precisely the sort of issue that he has just raised.

Kate Green (Stretford and Urmston) (Lab): Last year, at Cabinet Office questions on 2 November the then Cabinet Office Minister, Ben Gummer, told me that in preparing this audit the Government would apply the 2011 census classifications, which, for example, enable us to identify Gypsies and Travellers in the statistics. I note from the report that it is not yet the case that all Departments are adopting the 2011 census classifications. Will the First Secretary tell us today whether the intention is to require Departments as well as other Government agencies and bodies to apply those definitions?

Damian Green: We are certainly working towards that. Some of the problem is that the information in the audit is not all collected by central Government. The audit contains quite a lot of information concerning Travellers, and some of the educational attainment information revealed for Traveller children, in particular, is especially worrying. I take the hon. Lady's point and we are seeking, as I have said in answer to other questions, to be as transparent as possible with the information we can collect. We will continue to move down that road.

Andy Slaughter (Hammersmith) (Lab): There is quite a lot of evidence in the audit that Gypsies and Travellers are one of the most discriminated against disadvantaged groups. I sat through and took part in last night's debate, during which a succession of the First Secretary's colleagues simply wanted to talk about planning enforcement matters. If he actually wants this audit to have an effect, perhaps he could start by explaining things to his colleagues and changing their attitudes to some of these issues.

Damian Green: I am not sure there was a question in that, but I take what the hon. Gentleman said in the spirit in which I know he meant it. His remarks will have been heard.

Richard Burden (Birmingham, Northfield) (Lab): Will the First Secretary address in a bit more detail the serious issue, highlighted by the audit, of educational underachievement among white working-class children? In particular, will he address the fact that only 32% of white children on free school meals reach their expected level of attainment at key stage 2 and that white working-class children from poorer backgrounds are the least likely to go to university? Are we not dealing with a cycle of deprivation that spans the generations? The challenge is not, as he said it is, to "explain or change"—it is to explain and change. May I put it to him that tackling those cycles of deprivation is not helped—rather, it is the reverse—by cuts to Sure Start and early years provision?

Damian Green: In that case, I think many of us would agree on the "explanation". At the root of a lot of the educational reforms introduced in recent years is improving the attainment in schools containing the sorts of pupils the hon. Gentleman referred to, so that they get a fair chance in life. That is what the whole of this is about and we will continue that approach. I have already said that we have far more children going to good or excellent schools than was the case five years ago and we have more children from disadvantaged background going to university than ever before, but there is always more to be done in this area. This audit gives us some of the tools to enable us to do it in a more precise way. That will be the long-term benefit of this audit.

Bombardier

2.12 pm

The Secretary of State for Business, Energy and Industrial Strategy (Greg Clark): With permission, Mr Speaker, I would like to make a statement on Bombardier, updating the House on the trade dispute brought by Boeing against that company. The case has serious implications for the workers at Bombardier Aerostructures & Engineering Services—Short Brothers—in Belfast, where the wings for the C Series aircraft are manufactured.

Following a complaint by Boeing, the US Department of Commerce has made two provisional determinations in the case, calculating duties of 220% in relation to alleged subsidies for Bombardier and of nearly 80% in relation to alleged mis-selling by Bombardier into the US market. These initial determinations are bitterly disappointing, but they are only the first step in the process: a final ruling in the investigation is due in February and would be subject to further appeal, were this to be upheld. This Government have been working tirelessly to bring the case to a satisfactory resolution and we will continue to do so.

In filing the petition, Boeing asserted three claims: first, that without Canadian and UK Government subsidies Bombardier would have been unable to develop the C Series; secondly, that Bombardier is selling at or below production cost its C Series aircraft in the US; and thirdly, as a result, that this is causing the threat of imminent material injury to the US domestic aerospace industry. This action followed Bombardier securing an order from Delta Airlines for 75 aircraft.

The Boeing petition makes allegations about funding support from the Canadian federal Government and the Government of the Province of Quebec for the C Series. It also alleges that the UK's provision of £113 million of repayable launch investment funding, committed to Bombardier Short Brothers in 2009 to support the development of the composite wings, contravened trade rules. We strongly and robustly refute that allegation.

I want to make the Government's position very clear: we consider this action by Boeing to be totally unjustified and unwarranted and incompatible with the conduct we would expect of a company with a long-term business relationship with the United Kingdom. Boeing does not manufacture a competing aircraft, so although Boeing claims harm in respect of the Delta aircraft order, it actually has no product in the 100 to 125-seat sector. Furthermore, this system of launch investment for the development of new aircraft reflects that of all major commercial aircraft programmes in their early years, including the Boeing 787. We refute entirely any suggestion that our support contravenes international rules.

The Shorts factory in Belfast employs more than 4,200 excellent skilled workers, with almost a quarter of those working on the C Series. It also supports a supply chain of hundreds of companies and many more jobs across the UK, as well as supporting nearly 23,000 workers in the United States of America, where 53% of the content of the C Series is produced by US-based companies. We will continue to work tirelessly to safeguard jobs, innovation and livelihoods in Northern Ireland.

From the outset, as is obvious, this has been a dispute that joins Canada and the UK, and we have been assiduous in working closely with the Government of

Canada in our response. The Prime Minister has discussed the case with Prime Minister Trudeau, and I have been in regular contact with Canadian Foreign Minister, Chrystia Freeland, to co-ordinate our response and actions. We have had intensive engagement from across government at the highest levels. The Prime Minister has discussed the matter twice with President Trump, stressing the crucial importance of Bombardier's operations in Belfast and asking the US Government to do all they can to encourage Boeing to drop its complaint. My Cabinet colleagues, including the Foreign Secretary, the Defence Secretary, the Chancellor of the Exchequer, the Trade Secretary and the Northern Ireland Secretary, and I have reinforced our serious concerns with, among others, the US Secretary of Commerce, the US Secretary of State, the US Treasury Secretary, the US Trade Representative and other members of the Administration, as well as, on this side of the Atlantic, the EU Trade Commissioner. My colleague the Minister for Energy and Industry, my hon. Friend the Member for Watford (Richard Harrington), has met Boeing International's president, and I travelled to Chicago to meet Boeing's president and chief executive to make absolutely clear the impact of these actions on the future relationship with the United Kingdom.

I am grateful for the consistent and indefatigable efforts of the constituency Member, the hon. Member for Belfast East (Gavin Robinson), and indeed the whole community in Northern Ireland who are united in opposition to this action. We will continue vigorously and robustly to defend UK interests in support of Bombardier, its workforce in Belfast and those in its UK supply chain. We will continue to work jointly and collectively with the Canadian Government. We will work closely with Bombardier, its workforce and its trade unions, and we will do everything we can to bring about a credible, early resolution of this totally unjustified case. As I said, the initial determinations are the first step in the process, but we completely understand the worry and uncertainty facing the workforce, which means that the earlier this issue can be resolved, the better. To that end, I expect to have further discussions with Boeing, Bombardier, the Canadian Government and the US Government in the days ahead. The House should be aware that neither this Government nor our counterpart in Canada will rest until this groundless action is ended. I commend this statement to the House.

2.17 pm

Rebecca Long Bailey (Salford and Eccles) (Lab): I thank the Secretary of State for advance sight of his statement.

Following a complaint by Boeing, on 26 September the US Department of Commerce ruled that Bombardier had benefited from state subsidies and imposed a 219% tariff, and on 6 October it found engagement in below-cost selling and imposed an additional tariff of 80%. This decision has catastrophic ramifications for Bombardier, the 4,000 staff it employs directly in Northern Ireland and the 20,000 staff employed throughout the UK in supply chains. Not only does this jeopardise the livelihoods of thousands, but the Northern Irish economy also faces a serious threat, as Bombardier represents 8% of Northern Ireland's GDP and about 40% of manufacturing output, so the danger to jobs, the future of Bombardier and the Northern Irish economy because of these decisions in the US is very real.

Sadly, also very real has been the apparent inaction of the Government thus far. The Opposition have repeatedly sought information from them, but we have so far been disappointed by the response—so today I will try again. First, what was the specific content of, and what commitments were made during, the Prime Minister's and other Cabinet members' conversations with the US Administration and indeed Boeing?

Secondly, have the Government had any discussions at all with the European Commission, specifically with the Directorates-General for Trade and for Competition, about the support that it might be able to provide? Thirdly, does the Secretary of State have any plans to target all relevant US legislators to lobby the US Administration, including the Senate Committee on Finance, the House Ways and Means Committee, the Senate Committee on Foreign Relations, and those with constituency interests in Bombardier and its wider supply chain?

Given the devastating impact on the Northern Irish economy and on the already fragile Northern Irish peace settlement, what attempts has the Secretary of State made to urge the Irish Government to apply greater political pressure on the Irish caucus on the Hill to highlight the fact that this is not simply a US-Canada dispute, as the Secretary of State for International Trade has sadly already suggested? Fourthly, what attempts have the Government made thus far to provide evidence to the US independent Trade Commission that Boeing did not compete for the Delta contract and does not manufacture a comparable model to the C Series that would have matched the contract specification?

Finally, does the Secretary of State accept that this whole affair demonstrates the very real security risk of military reliance on one foreign supplier? Ministry of Defence contracts with Boeing total £4.5 billion, but is it correct, as reports suggest, that the Defence Secretary is reluctant to use that leverage because of our dependency on the company? Worse still, the Northern Ireland Secretary and the International Trade Secretary have been somewhat quiet on the issue. Are they afraid of being exposed in Northern Ireland for their failure to protect jobs, or are they so keen to score a sweetheart trade deal with the US that they simply want to wash their hands of this matter? Clearly, politics is being put ahead of the welfare of workers in Northern Ireland. I eagerly await the Secretary of State's response to my questions, but I fear that Bombardier and everyone who depends on the firm are considered by this Conservative Government to be a fair price to pay for a post-Brexit trade deal with President Trump.

Greg Clark: I am disappointed with the hon. Lady's response. If anyone is putting politics ahead of the welfare of workers, the evidence was there. She asked some reasonable questions, which have reasonable answers. I said in my statement that the European Commission had been engaged. Commissioner Malmström has been consulted, as have other member states across the European Union. As for the Irish Government, Simon Coveney, the Irish Foreign Minister, has been engaged as well. On the issue of submitting evidence to the Trade Commission in the United States, that has indeed been provided, and, in response to the initial determination, further information will be provided to make it clear that there are no grounds for demonstrating detriment to Boeing, as this aircraft does not compete with Boeing. That has been addressed in clear terms.

[Greg Clark]

Engagement across Government, the Province of Northern Ireland and the island of Ireland has been consistent and unrelenting right from the beginning. I will not detail all the meetings that have been held and the calls that have been made, but they will continue—no stone will be left unturned. We have had 24 calls or meetings with the US Administration, 12 with Boeing executives, and 20 with the Government of Canada. Every day during this process, we have been engaged in getting rid of this unjustified complaint. I would welcome the support of the whole House in this endeavour. I wish to put on record my gratitude to the trade unions, which have played a very constructive role. When it comes to making the case for this action being totally unjustified, I would like to think that this House is completely united not only in looking to the importance of the Bombardier presence in Belfast, but in underlining our total determination to throw out and see dismissed this unjustified action.

Theresa Villiers (Chipping Barnet) (Con): Does the Secretary of State agree that successive UK Governments have always been rigorous in compliance with their international legal obligations on state aid, and that, therefore, these punitive tariffs that are proposed are both irrational and unjustified and should be removed?

Greg Clark: I agree with my right hon. Friend. As she will remember, we do have a very rigorous system for scrutinising state aid, which is why we are totally confident that the system of launch aid that we have applied is compliant with all the international rules. The allegation does not have merit, and I expect to see it thrown out.

John Mc Nally (Falkirk) (SNP): I thank the Secretary of State for advance sight of the statement.

The Scottish National party regrets the preliminary ruling by the US Department of Commerce that could put these highly skilled jobs at risk in Northern Ireland, and we sincerely hope that the UK Government are doing all that they possibly can to engage with Bombardier and the trade unions to ensure that the future of all employees is as secure as possible.

These rulings clearly show that no one will be spared Trump's protectionist agenda of "America first", with jobs in the UK and Canada—some of the US's closest allies—being put at risk as a result of the punitive tariffs being imposed on Bombardier.

I am afraid that the Tory Government have been cosy up to Trump with the false illusion—or delusion—that this will help them sign a trade deal with the US after Brexit, without realising that Trump's Administration will not give in to any demands that may give a competitive edge to the UK over the US.

Leaving the EU means that we will lose leverage in trade negotiations as we will no longer be part of the world's largest single market of some 500 million people, and we will lose the expertise that the EU has built up over the past 40 years negotiating on our behalf.

Does the Secretary of State not agree that the best way to promote trade and to create jobs across the UK is by maintaining our membership of the single market and the customs union?

Greg Clark: I am pleased that the hon. Gentleman supports our opposition to the proposed sanctions. If he has studied the form in these matters, he will know that the initial determination was not entirely unexpected by any of the parties, which was attested to by the Government of Canada. We have an outstanding case that there is no detriment to Bombardier, which we expect to prove along with the fact that the launch aid has been compliant. On our relationship with the European Union, he will observe that this dispute has taken place while we are a member of that Union. That justifies our commitment not just with the European Union but globally to seek a rigorous system of free trade in which there is a fair assessment of complaints rather than these punitive and unjustified tariffs.

Mr Laurence Robertson (Tewkesbury) (Con): I thank the Secretary of State for his statement and congratulate him on the work that he is carrying out in this matter. It is of course extremely important to Northern Ireland that we get this right and protect the jobs and the industry in the Province. May I also ask him if he will—I am sure that he will—seek to strike a balance here? Boeing is a very important customer to many companies in this country, including some in my own constituency, which is very heavily dependent on aerospace.

Greg Clark: My hon. Friend makes an important point, which is why many of us in this House are so bitterly disappointed with the actions of Boeing. The company has been the beneficiary of important defence contracts. As many Members know, it is opening an important factory in Sheffield—its first in Europe. A long-term industrial relationship with this country, which it clearly seeks, entails obligations. Those obligations are to treat reasonably and fairly those important parts of our economy that are being attacked without justification.

Gavin Robinson (Belfast East) (DUP): In thanking the Secretary of State for his statement, may I just reflect on the fact that this Northern Ireland trade dispute is unprecedented in terms of the political engagement it has had from our Government? As the representative for east Belfast, I greatly appreciate not only the work thus far but the presence today of the Northern Ireland Secretary; the Business Secretary; the Under-Secretary of State for Business, Energy and Industrial Strategy, the hon. Member for Watford (Richard Harrington); the defence procurement Minister; the Minister of State, Department for Business, Energy and Industrial Strategy, the hon. Member for Devizes (Claire Perry); and, indeed, the Foreign Secretary, whose presence shows just how much support there is politically for us in Northern Ireland, and I greatly appreciate it.

I was, however, bitterly disappointed by the comments last week by the Commerce Secretary, Wilbur Ross. His comments were not only belligerent, but showed—while the process continues—the political support at this early stage for Boeing in its dispute. There is deep concern about the political overtures tied up with this ongoing issue. May I ask the Secretary of State, having engaged thus far, and seeing that what happened was the inevitable outcome of that engagement, how long it will be until we can assuage the concerns of those in Belfast and Canada that there are meaningful and genuine consequences in store should there not be an adequate and suitable resolution to this case?

Greg Clark: I repeat my thanks and admiration for the work of the hon. Gentleman, who is standing up for his constituents with vigour and strength. I would like to take the opportunity to pay tribute, too, to the leader of the DUP, and indeed to community leaders across Northern Ireland, for the united response that they have made. We are disappointed not only with the response, in terms of the proposed tariffs, but with some of the words that have been used around this. It seems to me that the case is overwhelming: we can demonstrate that any aid that has been given is not only completely in line with international norms, but consistent with the type of assistance that Boeing has had over time. We expect to be able to demonstrate that in a convincing way.

It also seems to me impossible to establish detriment to Boeing, given that it does not have a competitor aircraft. The process of the hearings is that, following the initial determination, there is a further call for evidence, and the evidence that we, completely hand in hand with the Canadians, will present will demonstrate that. We look to the US to make sure that this is a rigorous process and is not politically influenced.

We have been very clear. The Defence Secretary, on a visit to Northern Ireland, was very clear, as I have been, that this is not the behaviour we expect from a trusted partner, and could have implications for the future relationship between Boeing and the United Kingdom.

Anna Soubry (Broxtowe) (Con): I had the great pleasure of going to the wings factory in Belfast, and I pay handsome tribute not just to the 4,000 workers there but to Bombardier in general and to the C series—it is a beautiful and exceptionally fine aeroplane, and we wish it great success. I also thank the Secretary of State and all his colleagues in the Government for the fine work they are doing, but does he share my concern that this decision, which we all hope will be overturned, marks a shift towards a more protectionist policy by the United States Government? Does he agree that that does not bode well, especially as we leave the EU, if we do not get a proper deal with the European Union?

Greg Clark: In my view, it underlines the importance of securing free trade not just with the European Union but around the world. The essence of a free trade agreement is that we have proper protections and dispute resolution mechanisms on which we can rely, so this issue underlines the importance of continuing free trade. As I say, it is not unusual in the aerospace sector for complaints to be made in one forum or another. I think all parties were expecting the initial determination to be as it was, and said as much. In terms of our work—we will not give up on this—we will fight to secure the legitimate future of this very important part of our aerospace sector, and we will do whatever it takes to do that.

Rachel Reeves (Leeds West) (Lab): I join other hon. Members in saying that I hope this dispute is resolved as quickly as possible in the interests of everybody in Northern Ireland who works for Bombardier or in the supply chain. May I just pick up on a couple of points the Secretary of State made in his statement? First, he said that the Prime Minister had discussed the matter twice with President Trump to ask the US Government to do all they could to encourage Boeing to drop its complaint. While we welcome those sentiments, is the

dispute not, in the end, with the US Government rather than Boeing, because it is up to the US Government, not Boeing, to impose sanctions? I hope the Prime Minister is also making that clear, and I just wanted some clarification on that point.

Secondly, the Secretary of State said he had “travelled to Chicago to meet Boeing’s president and chief executive to make absolutely clear the impact”

on our future relationship with the company. Can he say a little more about what he has said to Boeing about that future relationship, which I am sure Boeing values, with our Government?

Greg Clark: I am grateful for the questions from the Chairman of the Select Committee. In terms of the process, only Boeing can withdraw the complaint. There is an administrative requirement on the part of the Department of Commerce to determine, initially, a complaint, hence the desire—and I think it is highly desirable—that Boeing withdraw this complaint. If it will not—and, so far, it has not—it must be determined in a completely fair and objective way. If it is, it will have no merit, and will be thrown out. Both are therefore important, but it would be in the interests of everyone in the workforce and in the country that the complaint be withdrawn so that this uncertainty can be taken away.

In terms of the points that I put to Dennis Muilenburg, who is the chief executive of Boeing, we were very clear that Boeing has a reputation in this country that was beginning to grow in a positive way through the investment in Sheffield and elsewhere, and to jeopardise that reputation and relationship by doing something that is completely unjustified is something that I do not regard as in the strategic interests of Boeing, and I said that very explicitly in terms.

Mims Davies (Eastleigh) (Con): I thank the Secretary of State for the statement and for his balanced comments this afternoon. Our airports and our aerospace sector really matter to many communities represented across this House in terms of local jobs and prosperity, and particularly to Southampton in my constituency, which is No. 1 in Europe and No. 2 in the world. What estimates has my right hon. Friend made of the potential for growth in this sector, despite this mighty challenges?

Greg Clark: I am glad my hon. Friend asked that question, because, as the whole House knows, the aerospace sector in this country is one of our proudest success stories. It is growing. It is a huge source of exports—over 90% of the product of our aerospace sector is exported. Productivity growth, which is much debated in the House at the moment, is six times the rate in the economy as a whole. A quarter of a million very highly paid jobs are in aerospace, and we are absolutely determined—those colleagues who are familiar with our industrial strategy will see this in advanced manufacturing and in aerospace in particular—to build on those strengths and advance them. That is why the Boeing investment in Sheffield was welcomed, but to see that relationship jeopardised by this complaint is a huge setback and a bitter disappointment.

Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): I welcome the Secretary of State’s condemnation. What has happened is condemned not just in Northern Ireland,

[Angus Brendan MacNeil]

but across these islands, including by the Irish Government, as the Secretary of State said. I hope Bombardier will accept my invitation, as Chair of the International Trade Committee, to help combat this. However, on the wider issue—the World Trade Organisation aspects—is it not concerning that disputes outside the EU, which might be a WTO issue, and where the efficient European Court of Justice will not, and cannot be, used in a post-Brexit situation, the UK may see itself picked off by friend and foe all the more frequently in the future? Surely it has to be a concern to the Secretary of State that interactions with more states will be at WTO level by definition if the UK has changed status.

Greg Clark: I am grateful for the support of the hon. Gentleman. The more we can be absolutely clear that the whole United Kingdom, all parties and both sides of the House share this view that the complaint should be withdrawn and the dispute settled, the better, and that has been emphatically the case here. Again, I make the point that it is clearly in all our interests to have free trade. In a sector where 90% of products are exported, that is obviously the case. But that trade needs to happen in a way that gives us confidence that disputes, which will happen from time to time, are resolved in a fair and objective way. We play by the rules—we always will—and all we want is a system that respects that. We are confident that we will gain from that scrutiny.

Maria Caulfield (Lewes) (Con): Will the Government consider stepping in to support the workers in Northern Ireland who are affected by Boeing's decision in the same way as they stepped in to support the workers during the Tata Steel dispute?

Greg Clark: We will of course always be behind the workers in every part of the country, but my determination is not only to save those jobs in Northern Ireland but to see the number of jobs increase and the company prosper and grow. As has been said, the C Series is gaining orders—it is an aircraft that fills an important position in the market. I would like to see the Belfast success story continue to grow in the years ahead.

Tom Brake (Carshalton and Wallington) (LD): This situation is a tragedy for Northern Ireland and for Bombardier, and particularly for Northern Ireland industry, which, as I know from when I visited last week, is clearly reeling from the impact of Brexit and the concerns about our leaving the customs union. I welcome the steps the Government are taking, but I wish to press the Secretary of State on the punitive tariffs. What does he think such tariffs imply for the prospects of a beneficial future UK-US trade deal? It is true that this is all happening while we are in the EU, but does he think we will be more or less vulnerable to this sort of bullying in future if we are in or out of the EU?

Greg Clark: The right hon. Gentleman describes this as a tragedy; I am absolutely determined that these jobs will be saved, and I never give up. I am determined that this will not be a tragedy; indeed, as I said to my hon. Friend the Member for Lewes (Maria Caulfield), I am determined that Bombardier will go from strength to strength. On future free trade agreements, I repeat my earlier point: we want free trade agreements that provide for a rigorous dispute resolution mechanism on which

we can rely. That is something we would hope to negotiate with the US. The credibility and rigour of that process is essential to our agreeing it.

Huw Merriman (Bexhill and Battle) (Con): Many of my constituents, like those of the Secretary of State, work in Gatwick, and I am sure they would send their solidarity to the hon. Member for Belfast East (Gavin Robinson) for the work he is doing to support workers in his constituency. The Secretary of State mentioned that aerospace industry turnover has grown to £30 billion; with respect to Boeing's position, can more be done to use financial leverage for the future?

Greg Clark: The aerospace sector is a good example of how taking a strategic approach, bringing together the industry firms with universities and research establishments, makes it attractive for small firms in the supply chain to establish themselves. That has been the basis of the aerospace sector's success, and it is the approach we take in the industrial strategy. As the Minister of State, Department for Business, Energy and Industrial Strategy, my hon. Friend the Member for Devizes (Claire Perry) said in response to the urgent question earlier, an aerospace sector deal will build on that existing reputation and further advance the industry's prospects.

Mr Kevan Jones (North Durham) (Lab): Bombardier is a UK success story; I congratulate the workforce and management in Belfast. I agree with the Secretary of State that the relationship with Boeing is important, not only from a commercial point of view but from a military view. Does he agree that if Boeing does not relent on this issue, it will put at risk its plans for both technology enhancements and commercial opportunities in the UK?

Greg Clark: Yes.

Mr Clive Betts (Sheffield South East) (Lab): As I understand it, the Secretary of State has said that the preferred solution would be a negotiated settlement with Boeing—an all-out war between the UK and Boeing is clearly in no one's interest. He rightly referred to the development of Boeing's first manufacturing output facility in Europe—it is in my constituency and work has started on it—but Boeing has been an essential and original player in the development of advanced manufacturing facilities in Sheffield and Rotherham for the past 10 years. It is crucial that we do everything we can to defend and protect the jobs at Bombardier, while doing nothing to compromise the possibility of further development and jobs from Boeing in Sheffield.

Greg Clark: The hon. Gentleman makes an important point, and I know from having attended the meetings in Sheffield just how important and welcome that investment has been. Nevertheless, we need to be absolutely clear that although advanced manufacturing institutions such as those in and around Sheffield are being established, we expect, just as the Canadian Government do, that if companies participate in institutions that promote the UK aerospace sector, they must not at the same time recklessly damage another important part of that sector.

Lady Hermon (North Down) (Ind): I am enormously grateful to the Secretary of State for his valiant efforts to save the Bombardier jobs in Northern Ireland. In his statement, he emphasised the fact that the British

Government are working jointly and collectively with the Canadian Government; nevertheless, I am really curious—as are, I am sure, people in Bombardier and in Northern Ireland—to know how effective he reckons the diplomatic efforts between the British and American Governments have been. This is our closest ally: how effective have the diplomatic efforts been?

Greg Clark: As I say, we are making a joint effort. It is important that we co-ordinate completely our approach with the Canadian Government, and we have done that. The intensity of our engagement and the actions that we have taken have been completely agreed with the Canadian Government. They obviously have an important relationship with the US, as we do, and we want to make use of that to communicate, as we have done, the importance of Bombardier in Belfast and the importance of applying fairness in this situation, and we will continue to do that. As I have said—my Canadian counterparts are on record as saying exactly the same—this is the first, initial determination. There is some way to go and we, and I personally, will not relent until these jobs are saved and Bombardier can continue its progress in Belfast.

Nigel Dodds (Belfast North) (DUP): I thank the Secretary of State and his Cabinet colleagues for all the work they are doing on this issue, and I pay tribute to the workforce, the trade unions and the management of Bombardier in Belfast for the way they have approached this crisis. Does he agree that, not only today but going forward, everybody in this House should be united behind the workforce and the management? They should not seek to use this issue to score petty political points or as a battering ram against the Government. Our focus should be on the workers: that is what they want to see and they want everybody to be united behind them.

Greg Clark: The right hon. Gentleman speaks eloquently and strongly, and I think that is the mood of the House. Whatever the resolution, which we are determined will secure and sustain Bombardier's future, the workforce is currently going through a torrid time, with people wondering about their livelihoods. That is why the earlier this situation can be brought to a conclusion by Boeing withdrawing its action, the better. It is important that we in this country show complete solidarity. Our debates about Brexit and the American Administration can continue, but every single Member of this House should recognise that this is an unjustified complaint against an important part of the economy. We should be united in standing up for the Bombardier workforce.

Douglas Chapman (Dunfermline and West Fife) (SNP): I express my sympathy with Members from Northern Ireland, who have spoken eloquently on the issues that face them directly and the workforce that they are trying to protect. The Secretary of State in his statement said that, earlier in the year, the Minister for Energy and Industry, the hon. Member for Watford (Richard Harrington) met Boeing about the future relationship with the company. The Secretary of State will be well aware that there are huge and strategic contracts for P-8 maritime patrol aircraft, based at Lossiemouth, which will be important for the UK's future strategic position and its position in NATO. What specific discussions has the Department had with Boeing about other contracts? How do we square

the circle when it comes to what is happening with Bombardier in Northern Ireland and other Boeing contracts that we might have to rely on in future?

Greg Clark: The hon. Gentleman allows me to re-emphasise the conversation that I had with Boeing, which is that if there is to be a continuing relationship, we need the confidence that Boeing will deal fairly with the United Kingdom. If this is to be a strategic partnership, it needs to be a partnership, and partners do not take the kind of action against important United Kingdom interests that Boeing is seeking to take.

Ian Paisley (North Antrim) (DUP): Does the Secretary of State agree that many workers at Bombardier and in the supply chain across County Antrim, and indeed all of Northern Ireland, will find it despicable that some people would come here—indeed, outside this Chamber—and use the peace process, the spectre of the border and the plight of workers as a critique of how the Government are dealing with this issue? We must stand together, united in our approach to this. Will he also give the House the assurance that when it comes to crunch time—and crunch time is coming—the British Government will not be found wanting in how they defend British workers in Northern Ireland?

Greg Clark: I can give that complete assurance to the hon. Gentleman. I think this does unite everyone in the House and across all parts of Northern Ireland, and indeed the island of Ireland. My right hon. Friend the Secretary of State for Northern Ireland has again been assiduous in ensuring that no stone is unturned in making the case, as have the leader of the hon. Gentleman's party and others in Northern Ireland.

A point on which I did not answer the hon. Member for North Down (Lady Hermon)—I apologise—was about our contacts with other people in the US system: congressmen, senators and governors. That has been carried out, again in complete co-ordination with the Canadian Government, and it has been significantly helped by the cordial relations that exist between the United States and many people in Ireland.

Christian Matheson (City of Chester) (Lab): These events put me in mind of those in the 1970s, when the American aerospace industry ran an aggressive campaign against sales of Concorde, spiking any sales of that plane at the time. Does the Secretary of State agree that the motivation for Boeing is not about a trade dispute, but about wiping out a competitor? This situation on its own would be serious enough as it is, but does he also agree that, taken with the statement earlier about the problems at BAE Systems, this is a defining moment for the British aerospace sector as a whole and that we need strong Government support across the sector?

Greg Clark: I think these are separate issues. This is a trade dispute—an unjustified complaint that Boeing has brought against Bombardier. It is important that it should be thrown out and the case dismissed. As for the motivation for it, that is for Boeing to describe. It has alleged that this is unfair competition. All I would observe is that it is difficult to point to competition when the product does not compete with an existing Boeing product, so Boeing's longer-term motivations will need to be justified to the International Trade Commission.

Jim Shannon (Strangford) (DUP): I thank the Secretary of State for his statement and commend my hon. Friend the Member for Belfast East (Gavin Robinson) for his hard work and his endeavours on behalf of the workers. I have a Bombardier factory in my constituency, as well as a number of companies that feed into the supply chain. It is clear not only that those at Bombardier will be affected, but that those in the supply chain will be as well. At the same time, Bombardier's aerospace business was worth \$2.4 billion in the US last year—800 companies and, as the Minister said himself, 23,000 workers. Is it not the case that Boeing needs to be careful about the hand that feeds it?

Greg Clark: I appreciate what the hon. Gentleman has to say, and he is right to point out that, as well as the hon. Member for Belfast East (Gavin Robinson), who has worked so indefatigably on this, constituency representatives across Northern Ireland—indeed, across the whole of the United Kingdom—are also affected. I agree with his injunction that we should continue to pursue this to a satisfactory resolution. He has my commitment that we will do that.

Perhaps I can end by reiterating a tribute to the workforce, not just at Bombardier but in the supply chain, who have continued to work completely uninterrupted at the high level and on a calibre of product for which they have an international renown. We want that international renown extended and able to prosper in the future, and I am absolutely determined that we will do that.

Legalisation of Cannabis (Medicinal Purposes)

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

2.54 pm

Paul Flynn (Newport West) (Lab): I beg to move,

That leave be given to bring in a Bill to allow the production, supply, possession and use of cannabis and cannabis resin for medicinal purposes; and for connected purposes.

This is the Elizabeth Brice Bill. Elizabeth Brice was a remarkable lady who campaigned for many years in this House to re-legalise medicinal cannabis. She was a brilliant person. She was a television producer. Among her many achievements, she translated the Noddy books into Latin. She came here because, as a highly intelligent woman, she was struck down at the age of 26 with multiple sclerosis, which virtually destroyed her life and affected her young family. After 10 years of using medicinal drugs, she found one that gave her peace and relief from her spasms. She came to this House and had a cup of cannabis tea on the Terrace.

Our law states that Elizabeth Brice could have been sent to prison for five years for doing that. There was a court case in which an elderly man in a wheelchair moved a jury to tears with his account of his use of medicinal cannabis. The jury said, "We don't want to find this man guilty; we disagree with this law." They asked the judge whether they could change it and find the man not guilty, but the judge said, "No. You don't make the law, I as a judge don't make the law; only Parliament can change this." So the ball is very much in our court today.

Who supports the Bill? The Multiple Sclerosis Society has given me a statement saying that it wants to see this Bill passed. It says:

"We believe the law on cannabis should be changed (like it's changing in Ireland, Canada and Germany), so that someone with MS can access cannabis for medicinal use".

I would also have had the support of Queen Victoria, although I had difficulty contacting her, as she used the substance every month of her life.

Cannabis was used as a medicine in this country until 1973. There is a host of people who are now Elizabeth Brices outside. One of them wrote me a very moving letter in which he said that two people in his family are using medicinal cannabis. A medical professional reported to the police that those people were using medicinal cannabis, albeit in a way that was not harming anyone—it was a completely victimless crime; they were growing it themselves. That man writes that he could easily get a criminal record and his family would be in all kinds of trouble as a result.

Are we really saying that this is a sensible law? The tide of world opinion is moving in the direction of legalising cannabis. Some 29 states in America—the majority—have already legalised medical cannabis without any problems arising. There are six or seven states in Europe where it is possible to use cannabis medicinally. We have forgotten that this is the oldest medicine in the world. It has been used for at least 5,000 years—archaeological evidence supports that—and we know that if there were problems with it, they would have been discovered years ago.

As with all drugs, people will object that there are malign side effects, but as someone who has been campaigning in this House against drug misuse for many years, I can say that the ones that we have trouble with now, such as valproate, are the opioid drugs and neuroleptic drugs used in residential homes for the elderly. There is massive misuse of these drugs, which have very serious side effects. Cannabis involves side effects, but no problems have arisen in all the states and countries that have taken this on.

If we legalise drugs, we reduce side effects by taking the market out of the hands of the criminals and the scammers, and putting those drugs in a legal market that can be run by doctors using medical priorities. These are the lessons from all the states in America that have taken this step.

A policewoman suffering from multiple sclerosis came to me because she found herself needing to get her cannabis from the criminals she once arrested. That is the situation that people are in now. I am touched that people have made the journey here today to ask this Parliament to decide not on the basis of prejudice, but on the basis of science.

It is time for us to lead public opinion rather than following it. It would be an act of compassion and courage for us to pass this Bill and make the very minor change it proposes: moving cannabis from schedule 1 to schedule 2. At the moment, the law says that cannabis has no beneficial effects, but we all know that it does, but if there are problems with it, the former chairman of the Advisory Council on the Misuse of Drugs has said that we would need to prevent 5,000 people from taking cannabis to stop one possible case of psychosis. I do not know whether anybody will be opposing this Bill today—no one has suggested to me that they will do so—but I would like to deal with that question. Yes, with any drug there are risks, and I certainly would not want to see anyone using cannabis mixed with that deadly, addictive drug, tobacco.

Today people are using the drug outside on the green as a food, a drink, a tincture and an ointment, as well as vaping it. I believe that the public and the police—two police and crime commissioners have written to me in support of the Bill—know that the law is unenforceable. It is time for us to take our courage in our hands and say, “Let us take this step.” Doing so would be a step on the road to intelligent campaigning. We place too much reliance on the prejudices and screeching of the press; it is time for us to take the lead. Doing so would be an act of kindness and compassion that would bring genuine relief to people who are suffering from serious ailments.

Question put and agreed to.

Ordered,

That Paul Flynn, Frank Field, Caroline Lucas, Mary Glendon, Jeff Smith, Kelvin Hopkins, Crispin Blunt, Michael Fabricant, Martyn Day, Ronnie Cowan, Layla Moran and Mr Alistair Carmichael present the Bill.

Paul Flynn accordingly presented the Bill.

Bill read the First time; to be read a Second time on Friday 23 February 2018, and to be printed (Bill 108).

Government Policy on the Proceedings of the House

Emergency debate (Standing Order No. 24)

3.3 pm

Mr Alistair Carmichael (Orkney and Shetland) (LD):
I beg to move,

That this House has considered the Government’s policy in relation to the proceedings of this House.

I thank you, Mr Speaker, for allowing today’s debate to take place, and I thank hon. and right hon. Members from other parties who were in the Chamber yesterday to demonstrate the will of the House in the manner required under Standing Order No. 24. I should also like to acknowledge the role of Government business managers in extending our sitting hours today to accommodate this debate alongside the other business of the day.

We have already had two statements, an urgent question and a ten-minute rule motion, and there remains important business to follow, so I want to come as quickly as possible to the substance of the matter. But it is worth briefly reminding the House why this matter is considered to be both urgent and important, as required by Standing Order No. 24.

As I explained to the House yesterday, the House had its first day for Opposition motions on Wednesday 13 September, on which the two topics for debate were public sector pay and student tuition fees. Ministers and Back Benchers spoke vigorously in opposition to both motions, but when the questions were put, no voices were raised in opposition and both motions passed unanimously. The next day, the political commentator Paul Waugh—we would say his name slightly differently in Scotland—described the situation thus in the *Huffington Post*:

“Crucially, that meant there was no vote recorded other than unanimous approval, and no way to say how individual MPs voted.”
He went on:

“And this was no one-off. In a significant shift in the way the Government treats the Commons, Tory sources told me they have decided not to oppose any future Opposition Day motions. In other words, MPs can say whatever they like but as long as there’s a non-binding motion, the PM will tell her troops to give a collective ‘meh’. Government whips will instead focus on turning out the numbers for ‘votes that matter’, ie on legislation such as Brexit bills.”

That position, he later says,

“reduces all Opposition Days to mere debating society events, with no consequence.”

Mr Waugh is quite right in his assessment of the policy—if it is, in fact, Government policy. It was for that reason that I sought to raise the matter with the Leader of the House at business questions on 14 September. Her answer, I confess, was slightly less than reassuring:

“The right hon. Gentleman should not believe everything he reads in the press.”

That is good advice, and it is a lesson that we probably all learned some time ago, but it is something less than, or short of, the full-throated denial that one might have hoped for in the circumstances. The Leader of the House went on to make some comments about the debates that were not really relevant to the question, but she finished by saying:

“There is no question but that this Government continue to fully engage in Opposition day debates.”—[*Official Report*, 14 September 2017; Vol. 628, c. 997.]

[Mr Alistair Carmichael]

The House needs to hear from the Leader of the House today what was meant by her words “fully engage”. Does she mean that the Government will do as their predecessors have done—engage in debate, agree where they agree, oppose where they do not and bring amendments where they wish to—or does she mean that the Government will, as Mr Waugh so memorably puts it, tell the troops to give this House “a collective ‘meh’”?

Lucy Frazer (South East Cambridgeshire) (Con): The right hon. Gentleman is making a significant point about the importance of engaging in debates. Can he tell the House how many Liberal Democrats took part in the debate on the very important Finance Bill on 12 September? Could he confirm that it was none?

Mr Carmichael: I can see how this is going to proceed, and it will not be as I might have hoped. I had hoped we might raise the debate a little bit higher than that. The hon. and learned Lady is well aware that there are 12 Liberal Democrat Members of Parliament sitting in this Parliament, and if she cares to consult the record she will find that we play a full and constructive part in the proceedings of this House.

Mr Mark Harper (Forest of Dean) (Con): To be fair, I can see that there is a decent turnout of Liberal Democrats today. However, in the important debate about the national health service to which the right hon. Gentleman specifically refers, the right hon. Member for North Norfolk (Norman Lamb), who is their health spokesman, confirmed—I am quoting here from *Hansard*—that he was the “sole Liberal Democrat present” in the debate and felt it his “duty to intervene”. So in a debate in which the Government were fully engaged, only one Liberal Democrat could be bothered to turn up in Parliament.

Mr Carmichael: I can almost read the Whips’ brief that has gone round about the Opposition day debates—“Don’t make this about the Government, because this is not strong territory for the Government. Make it all about the Liberal Democrats or the opposition parties.” With all due respect to the right hon. Gentleman, whom I like and regard as a friend in many senses of the word, if not the political one, I am not going to play his game. Today’s debate is the Government’s opportunity to tell the House clearly and unambiguously how they intend to approach their business for the duration of this Parliament.

There is a further context to the Government’s approach on 14 September that the House should bear in mind. On Monday 11 September, they brought forward the European Union (Withdrawal) Bill, including some quite remarkable Henry VIII powers, which many in this House and beyond see as a marginalisation of Parliament. On Tuesday 12 September, they brought to this House a motion to give themselves a majority on all Public Bill Committees, contrary to all previous practice in this House and the formula relied on for many years.

Mr Peter Bone (Wellingborough) (Con): I have a lot of sympathy with what the right hon. Gentleman is saying, but he must not say that that applies to all Bill Committees, because he well knows that that is not the case if there are equal numbers.

Mr Carmichael: Indeed, but the hon. Gentleman will be perfectly well aware that the House has for many years used a formula under which the Government would have been entitled at best to a balanced Committee, while in all other respects the majority would have been with the Opposition parties.

Vernon Coaker (Gedling) (Lab): Stitched up.

Mr Carmichael: Indeed—stitched up, as the hon. Gentleman says.

The Government did that on 12 September on the basis that the confidence and supply agreement that they had struck with the Democratic Unionist party gave them a working majority in the House. Unfortunately, that working majority was not in evidence when it came to the Opposition day debates the next day.

It is worth noting in passing that the Opposition day debates on 13 September were the first to be held since Parliament reassembled after the general election—some 27 sitting days, to be exact. In 2015 the same gap was 13 sitting days, in 2010 it was 16 and in 2005 it was 12. We would have to go back to the early days of the Labour Government in 1997 to find a comparable figure, although I suggest that it is worth considering the nature and volume of legislation that was dealt with in the early days of that Parliament compared with what we have had since 8 June.

Our system relies on a delicate combination of checks and balances. The best Governments—and if ever there was a time in our country’s history when we needed the best possible Government, this is surely it—are those that are tested by Parliament, by the Opposition parties and by their own Back Benchers. Time and again, our system fails when the Government and the Opposition agree and arguments remain untested. How different might the debates on the case for going to war in Iraq in 2002 and 2003 have been if the then Opposition had been prepared to take a more questioning approach to Tony Blair’s case? I am sad to say that this Government, however, do not welcome scrutiny by Parliament, but rather seek to avoid it.

The issues before the House on 13 September were questions of substantial significance. If they are issues on which the Government do not command a majority in this House, then the Government should not get their way. The Prime Minister went to the country in June seeking a larger majority than the one she had, but the people of Britain denied her such a majority. However difficult that may make life for her and her colleagues, the verdict of the people on 8 June ought to be respected in this House. It is the job of all of us in this House to ensure that it is, and Opposition day debates are one important way in which that should be done. Occasionally, it is possible for the Government and the Opposition to agree on a motion and for it to be passed without a Division. Until now, there have been very few examples of a motion being disputed in debate, but still passing without a Division.

Very rarely, the Government of the day are defeated in a Division. In my time in the House, that was most memorably accomplished in 2009, when the rights of Gurkha soldiers who had served the Crown to settle in the UK was at issue. Matters came to a head on 29 April 2009, when on a motion from the Conservative party in opposition the then Labour Government

were defeated. It is worth going back and reading the *Hansard* of that debate. It is apparent, even just reading the words on paper, that that debate meant something. That debate was more than just a debate; it was a vehicle for righting a wrong and a vehicle for change.

We have all heard it said over the years that Parliament has increasingly been marginalised by the Executive. A series of large majorities given to the Conservative and Labour parties has undoubtedly contributed to that process, but this Parliament should be different. Not because you or I say it should be different, Mr Speaker, but because the people of the United Kingdom at the ballot box on 8 June said that it should be different.

In one sense, the Government have done us a favour by bringing this issue to a head, because it forces us as a House to decide what our role in the future of this country is going to be. Is it to be an active participant, with a strong voice and a decisive say, or is it to be a supine bystander as the Government continue to do as they wish, regardless of their lack of a mandate and, as is increasingly obvious, their lack of authority.

I have been a member of many debating societies over the years. They have all been fine organisations that provided entertainment and mental stimulation in equal measure. I mean them therefore no disrespect when I say that I stood for Parliament believing I was doing something more significant than signing up for a debating society. The difference is that in Parliament—in this House—we can actually effect change. Whether we choose to do so is in our own hands.

3.16 pm

Mr Mark Harper (Forest of Dean) (Con): I am grateful to you for calling me early in the debate, Mr Speaker. I will reciprocate what the right hon. Member for Orkney and Shetland (Mr Carmichael) said about me—I have been friendly with him, except perhaps in a political sense—but I think he rather overstates his case. Let me run through his argument. First, he describes a particular decision about two particular Opposition day debates, and suggests that that will be the Government's practice going forward. The only evidence that he presents is a single tweet by a single political journalist, quoting unnamed sources about the Government's behaviour going forward. It seems to me that the practice has been—it certainly was when I was Government Chief Whip—to consider what we do about Opposition day motions on a case-by-case basis.

Mr Carmichael: The right hon. Gentleman is absolutely right. There have been only those two debates so far. It was for that reason that, at business questions on 14 September, I gave the Leader of the House the opportunity to refute what was in the *Huffington Post* article. Had she chosen to do so, we would not be here today.

Mr Harper: First, I do not think it is reasonable to expect my right hon. Friend the Leader of the House to comment on every single newspaper report or tweet that comments about—

Sir Edward Davey (Kingston and Surbiton) (LD): Answer the question.

Mr Harper: The right hon. Gentleman says it was about his right Friend's question. It was a question, but the point is it was about a tweet. Hon. Members would

not expect my right hon. Friend the Leader of the House to comment on every single press comment about the House and dignify them all with a response. To come back to the point I was making when I took the intervention, the Government cannot be expected to have a blanket policy for what they do about Opposition days. We look at the motion on the Order Paper.

I have got into trouble in the past. When I responded at the Dispatch Box to Opposition day debates, I was often criticised because I used to do that dreadful thing of actually looking at the words on the Order Paper that the House was being asked to agree or not. I would be told that they did not really matter—what mattered was the debate we were having, and the general principle, and that we did not worry about the words. Well actually, the words are important and the right stance for the Government, each time there is an Opposition day motion—indeed any motion—before the House is to look at the words on the Order Paper and then make a judgment about whether they wish to support or oppose them. I will come to the specific motions that were being considered in a moment.

Lady Hermon (North Down) (Ind): May I take it from what the right hon. Gentleman has said that from now on, when a DUP Member makes a comment in an Opposition day debate—as they did in our first Opposition day debate in this Parliament—that they are not minded to support the Government at the end of the day in a vote, the Government will not be persuaded by the DUP, will not be dictated to by the DUP, but will actually call a vote? Is that what the right hon. Gentleman is saying?

Mr Harper: No, it is not what I am saying. I am saying what I said in my own words. Let me go to the decision that I think the Government took on the motions; then the Leader of the House may comment in due course.

What the right hon. Member for Orkney and Shetland said, in his pitch to Mr Speaker yesterday and in his debate today, was that in both debates the Government argued against the motions that were on the Order Paper. Before today's debate I carefully read the debates to see whether that was right: I do not think it was. In the NHS debate, my right hon. Friend the Secretary of State for Health did not argue against the motion on the Order Paper. What he actually said was that it was bogus, because it did not address some of the fundamental issues. [*Interruption.*] This is exactly as I said, Mr Speaker. As soon as attention is drawn to the motions on the Order Paper, which the House was being asked to agree, people do not like it. That is the fundamental point here, and one I am sure my right hon. Friend considered before he made a decision about the way that Government Members should vote.

Mr Robert Syms (Poole) (Con): One of the most precious things in this House is a party deciding when it will or when it will not vote. That is up to a party, or indeed up to a Government. This is the first time I can remember an Opposition complaining that they are not being defeated by the Government.

Mr Harper: It is interesting, because when I read the debate it was of course the Opposition spokesman, the shadow Secretary of State for Health, who asked the Government not to divide the House on the NHS

[Mr Harper]

motion. The Government then proceeded not to divide the House on the motion, and now all we get is a load of complaints—which seems to me remarkably strange.

Simon Hoare (North Dorset) (Con): Does my right hon. Friend draw any comfort, as I did, from the fact that the party once of Campbell-Bannerman, Gladstone and Lloyd George has now decided to predicate the national debate on information that it ascribes to something called the *Huffington Post*?

Mr Harper: My hon. Friend makes a very good point, which requires no elaboration from me.

A couple of things struck me about the motion on the Order Paper about the NHS. First, it made very selective use of statistics. For example, it talked about the number of nurses and midwives joining the Nursing and Midwifery Council register, which is an important figure, but of course not directly applicable to the number of nurses working in the NHS, which the Secretary of State correctly pointed out had increased by 12,000. So it would not be right to oppose a motion that had some factually correct statistics in it, but they were not relevant to the argument about the number of nurses and midwives actually working in the NHS.

The final part of the motion talked about ending the public sector pay cap of 1%, and of course my right hon. Friend the Chief Secretary to the Treasury, who excellently wound up that debate, made the point that for the forthcoming financial year, the Government would allow the pay review bodies more flexibility anyway, so it seemed rather pointless to be engaging in that debate.

I have no complaint about the Labour party, but this is what parties do in opposition. It put in the words at the end that suggested that NHS workers should be given a fair pay rise, which I think would probably command support across the House, including from myself and my hon. Friends. The debate, of course, is about what constitutes a fair pay rise—what is affordable. But to think we were going to fall into the trap of voting against a motion that would just then enable lots of Labour MPs to put out leaflets saying that we were against a pay rise! They are playing a political game. We know what the game is. I am going to be very fair: it is what we would do if we were in their position. It is not our job, though, to fall into their trap and make their lives easier. Our job is to get on with governing and making the right decisions, which is exactly what we did.

Wera Hobhouse (Bath) (LD): I am a new MP and I am still getting to know my way around, but I did not expect my new role to be reduced to being a member of a talking shop. Does the right hon. Gentleman not agree that not allowing a vote on the Opposition debate reflects a deep disregard for parliamentary democracy?

Mr Harper: I would have more sympathy with the hon. Lady if she had actually bothered to turn up to listen to the debate in the first place, which, according to her own colleague, she did not—[*Interruption.*] Well, according to *Hansard*, the Liberal Democrat health spokesman, the right hon. Member for North Norfolk (Norman Lamb), said on the record that he was the

only Liberal Democrat present and that he felt he had to intervene. If that is inaccurate, perhaps the right hon. Gentleman should correct the parliamentary record. It is not my job to be responsible for the accuracy of the parliamentary record of the right hon. Gentleman. I note he is probably the only Liberal Democrat MP not here today.

Wera Hobhouse: I was in the debate: please check the record. I was there and I was very disappointed that we could not vote.

Mr Harper: I do not dispute the hon. Lady's thing. All I can say is that I was quoting from *Hansard*, when the Liberal Democrat health spokesman said:

"I feel that as the sole Liberal Democrat present it is my duty to intervene."—[*Official Report*, 13 September 2017; Vol. 628, c. 862.]

If that is inaccurate, that is a matter for the right hon. Gentleman and he should correct the record. That is not my responsibility.

On the motion on the national health service on the Order Paper, my right hon. Friend the Health Secretary laid out the facts about the importance of a strong economy in paying for the health service. He laid out a lot of important facts about our record on the health service, but actually he was not arguing that we should vote against the motion at all. He frequently said it was a bogus motion and that he did not want to engage with it, so I do not think that that can be said.

Mr Bone: I really have heard enough from the former Chief Whip. Parliament voted, Parliament made a decision. He cannot get away from that. Does my right hon. Friend not agree that if Parliament decides on something the Government should listen?

Mr Harper: Yes I do. I read the motion very carefully. It said that the Government should abandon the 1% pay cap; and my right hon. Friend the Chief Secretary to the Treasury, in her response to the debate, made it clear that the pay review bodies for the next financial year would have more flexibility—so, in effect, she confirmed that part of it.

The second part of the motion referred to NHS staff getting a fair pay rise. We all agree that NHS workers—indeed, public sector workers generally—should get a fair pay rise. The point of political debate is to ask what "fair" means. We have to balance affordability for the economy, what public sector workers need to get paid for recruitment, retention and morale purposes, and what those in the private sector, who pay taxes to pay for our public services, are being paid. If we read the motion, I think we find it was completely consistent with the Government's policy, which I suspect is exactly why the Secretary of State for Health did not feel it was sensible to urge Conservative colleagues to vote against it.

Lady Hermon: I am very grateful indeed to the right hon. Gentleman for taking a second intervention. He obviously was unable to hear my first intervention, so may I just repeat my question? If the 10 DUP MPs indicate during an Opposition day debate that they are not going to support the Government, will the Government vote on the motion?

Mr Harper: The answer to that is that I have no idea. I am a former Government Chief Whip, not the current one.

Chris Bryant (Rhondda) (Lab): There's a reason for that. [*Interruption.*]

Mr Harper: I am grateful for my colleagues' support. I suspect the Government will make their decisions on Opposition day motions on a case-by-case basis, when they have looked at the words on the Order Paper.

The second very important motion on the Order Paper that day was about the higher education regulations relating to tuition fees. My right hon. Friend the Secretary of State for Education set out the case powerfully on the substance of the proposition before the House on the need for tuition fees. She contrasted it with the position in Scotland, which does not have tuition fees. In Scotland, fewer children go to university, fewer poor children go to university and universities are not properly funded—not a position I want to see in England. She laid that out clearly.

It was also the case that the regulations were laid before the House on 15 December 2016 and came into force on 20 February this year, so voting against them would have had no effect whatever. There was an argument at the front of the debate when the shadow Secretary of State for Education tried to pretend that it was somehow the Government's fault that the measures had not been debated. She said that the Opposition had prayed against them but had not had time for a debate. Well, I looked at the record, and there were three Opposition days between the regulations being laid and coming into force on 20 February. Those days were Wednesday 11 January, Tuesday 17 January and Wednesday 25 January. On any of those occasions, the Opposition could have used their time to debate the regulations. If the House had voted against them on any of those occasions, they would not have come into force. The fact that the Opposition chose not to do so is their responsibility, not the Government's.

Chris Bryant: As Government Ministers constantly reiterated, the whole point of secondary legislation was that if the Leader of the Opposition called for a debate not in Opposition time, the Government would provide the time and the vote in Government time. That is precisely what they should have done. They are the people who broke their word—not us.

Mr Harper: That is not reasonable. The hon. Gentleman knows, as came out in the debate, that a date had been decided to debate those regulations, but then the general election intervened.

Hon. Members: We didn't call it!

Mr Speaker: Order. Large numbers of hon. Members are proclaiming from a sedentary position the self-evident truth that it was not their decision to call the election—a perfectly valid piece of information, but entirely useless for the purposes of this debate. The important point is that Members must be able to hear each other speak in it.

Mr Harper: Of course, it was technically the decision of this House to have the early election. The Prime Minister brought the motion before the House but—

thanks to the Fixed-term Parliaments Act 2011, which I had a little hand in—it was, of course, the decision of the House to have the election.

My point stands. There were three opportunities when the House could have voted down the regulations. The Opposition had the time and chose not to debate them. The point is that the regulations had already come into force when the House was faced with the debate on 13 September, so voting against them would have had no practical effect. It would have been a completely pointless exercise to have a vote that would have had no effect. It is not, as the right hon. Member for Orkney and Shetland said, the House being a talking shop. Procedures about when we have to vote on secondary legislation are set out in the statutory instruments legislation and the parent Acts; those time limits had expired. That is the Opposition's fault because they had three opportunities in January when they could have used their time to debate the matter, but they chose not to do so.

Mr Carmichael: If, as the right hon. Gentleman suggests, a vote is a nonsense, surely that is an argument for going ahead with it, not for avoiding it.

Mr Harper: No, no. I do not follow that at all. The point is that the vote would have had no practical effect because the regulations had already come into force and the time limit for revoking them had passed. That was the Opposition's responsibility, not the Government's.

Chris Bryant: No!

Mr Harper: It is an arguable point. I have made my argument and the hon. Gentleman has made his, as he will no doubt do again later.

There were two good reasons why the Government chose, looking at the words on the Order Paper on 13 September, not to divide the House. I do not think that sets a precedent for the future. The Government will make those decisions when they look at future Opposition day motions. The right hon. Member for Orkney and Shetland is making a mountain out of a molehill. I suggest that the House waits to see what happens on future Opposition days before it gets itself so worked up. We have had a good gambol around the subject but I do not really think that the right hon. Gentleman has made his case to the satisfaction of Members more generally.

Mr Speaker: The right hon. Gentleman has concluded his speech, for which we are grateful. I call Valerie Vaz.

3.34 pm

Valerie Vaz (Walsall South) (Lab): I start by thanking you, Mr Speaker, for granting this debate, following the application from the right hon. Member for Orkney and Shetland (Mr Carmichael) yesterday.

While the motion reads,

“That this House has considered the Government's policy in relation to the proceedings of this House”,

I would prefer to deal with two aspects of it separately: the constitutional convention that decisions of Parliament are enacted by the Government and the scheduling of Opposition days throughout the year as set out in Standing Orders. Speaking in support of the motion, I will start with the allocation of Opposition days.

[Valerie Vaz]

The Government have often to be brought to the House for bypassing and—I hope I do not put this too strongly—appearing to have contempt for the House. The two-year Session of Parliament was announced by press release on 17 June 2017. The right hon. Lady could have announced it during business questions on 22 June, her first outing as Leader of the House, but she did not.

A Session usually starts in November and runs until the following October. On average, there used to be four Sessions in a Parliament, but that was before the Fixed-term Parliaments Act 2011; there is now an assumption of five Sessions. Each Session carries an allocation of Opposition days, as set out on page 334 of “Erskine May”.

Alex Chalk (Cheltenham) (Con): The hon. Lady made a serious charge about the Government having contempt for the House. Does she not think it potentially contemptuous to put forward a motion that has no binding effect and which some might say is purely for political effect?

Valerie Vaz: I am sorry but I thought we were in politics. We are politicians, so that is what we would expect to do in here. In any event, it does not really matter; I will come on to whether a motion is binding. It is something we need to check. If the hon. Gentleman, who is very assiduous, checks “Erskine May”, he will see that on page 334 it says:

“Standing Order No 14 provides that on 20 days in each session proceedings on business chosen by the opposition parties shall have precedence over government business.”

These books on the Table are not window dressing: “Erskine May”, Standing Orders—they are there because they are the rules of the House, as interpreted by the very honourable Clerks. As you know, Mr Speaker, there have been numerous requests for the full allocation of Opposition days—you have heard me ask the Leader of the House for the dates at business questions—but they have not been forthcoming.

Jeremy Quin (Horsham) (Con): I would be most grateful if the hon. Lady could advise the House where in “Erskine May” it says that Government Members have to vote in a Division.

Valerie Vaz: They are the rules and privileges of the House. I will find the reference. The intervention was clearly done to disrupt the debate. If the hon. Gentleman wants me to stop, and if you will allow me the time, Mr Speaker, I will look it up, or, alternatively, we can eat into the time of Back Benchers. He can decide. I am happy to look through it.

Chris Bryant: Is not the much bigger point that if Members decide to let the vote go through, they are effectively assenting to the motion?

Valerie Vaz: That point, which I am coming to, needs to be clarified, and it is the Government’s job to do such a thing. Mr Speaker, you have heard me ask for clarification several times, and we have had numerous discussions through the usual channels, but we have had absolutely nothing. It is sad that Parliament is treated this way. I did not think that, in the first week back after the conference recess, I would be standing here arguing for the same thing I did before the recess.

We play a vital role in our democracy. The use of the term “Her Majesty’s Opposition” was first coined in 1826 by John Cam Hobhouse and was given statutory recognition in 1937. The official Opposition is defined as “the largest minority party which is prepared, in the event of the resignation of the Government, to assume office”.

That is an important constitutional role, and we should not be prevented from doing our job. We would like to fulfil that role but that is the effect of not giving us dates for our debates. The Government want to stifle debate and so deny all the Opposition parties a chance to challenge them and put forward their policies.

Secondly, having been given that Opposition day on 13 September, the shadow Secretaries of State for Health and for Education moved and spoke eloquently to their motions, and we then witnessed the bizarre spectacle of the Government making no comment whatsoever. They had tabled no amendment to the motion. There was no voting for and no voting against, so Parliament was left in limbo. What was the status of the motion? It was a proper, substantive motion, defined as a self-contained proposal submitted for the approval of the House and drafted in such a way as to be capable of expressing a decision of the House—and it did, in this case to NHS workers and students about to start university.

Simon Hoare: The hon. Lady is right to make the point that the Chamber is not just a hothouse of debate. It is about what people want to listen to, to find out what is important. There are parents in the country who are quite keen to hear the views of all the political parties about how to address the very sad problem of baby deaths. Is she embarrassed and ashamed that she and her colleagues are detaining the House by having a debate about debates, and not about the issues?

Valerie Vaz: I thank the hon. Gentleman for his intervention, but he is wrong. My family has suffered a baby loss. This is a very important date, because it is the anniversary of the death of my brother’s baby, my brother being my right hon. Friend the Member for Leicester East (Keith Vaz). I know how important the issue is, but this is not a debate about a debate. People throughout the country want to know what is going on and what we do in Parliament. They want to know that their Parliament is supreme. They want to know that we are debating and discussing.

The position that was outlined in the motions appeared in the manifesto of the Democratic Unionist party, and its members owe their electorate an explanation of why they did not vote in support. Because the DUP has a confidence and supply agreement with the Government, the Government knew that they could not command its support, and would have lost the vote. That is significant, because the confidence and supply agreement itself has to come before the House to be debated. Again, it takes the courts to tell the Government what parliamentary democracy means. Worse still, the Government then decided, during the conference recess, that the Opposition’s policies on those two subjects would be their policies. The right hon. Member for Forest of Dean (Mr Harper) will know that the Government made a statement on both policies.

The right hon. Member for Orkney and Shetland mentioned a journalist who is well known around the House, and who suggested that the Government were

not intending to vote against or amend our motions, but would sit on their hands for all our Opposition debates.

Mr Syms: The hon. Lady has been in the House for long enough to know that many things are debated here. Ten-minute rule Bills are let through because they raise an issue, and motions are sometimes passed by a few Members during Back-Bench business debates because, again, they raise an important issue. Is it not right that the Government make their own decisions about what they will oppose and what they will not oppose? At the end of the day, that is a choice for the Front Bench. If, politically, Members think that that is a bad thing to do, let them have their Standing Order No. 24 and make the point, but ultimately what we vote for is down to the Cabinet and the Whips Office, and that is our choice.

Valerie Vaz: This is a debating Chamber, and this is a revising Parliament. Members can table motions, and then people can see what policy comes out. Yesterday, my hon. Friend the Member for Bristol South (Karin Smyth), the deputy shadow Leader of the House, persuaded the Government to take on board the need for a new piece of legislation, and that is how we do things here. Ministers listen, they take on board what happens, and then we move forward. That is what I am trying to say.

Mr Bone: I agree with much of what the hon. Lady is saying. This debate is about Parliament v. the Executive, and it is right that it is urgent, because the issue needs to be discussed. Does she agree, however, that Parliament voted, and therefore the Government should take note of whatever Parliament decided on that day and respond to it? She will agree, I hope, that if the Opposition had wanted to engineer a vote on that day, it would have been quite possible. I do not think we should misrepresent Parliament and say that a decision was not made; a decision was made to support the Opposition motions.

Valerie Vaz: I am pleased to hear that, but I wish that it had been indicated to everyone at the time. It would have been fantastic if it had been 564-nil.

Toby Perkins (Chesterfield) (Lab): One point being made from the Government Benches is that it is a matter for the Government to decide whether they vote. However, with regard to the relevance of this place, many people watch debates that come up, on Opposition days and at other times, and they expect a vote, and if there is no vote then they believe that the view of Parliament has been heard and they expect things to change as a result. If the Government's approach is to allow motions through but then not carry them through in policy terms, then people will rightly think that we are just a talking shop.

Valerie Vaz: My hon. Friend is absolutely right. As I keep saying, the Government seem to be governing by press release and press announcement, rather than by coming to the House to explain exactly what is going on with regard to policy. That policy has now been agreed. Actually, when we think about it, is it committed expenditure? The Chancellor seems to be saying what he wants but it is not even committed expenditure.

Several hon. Members *rose*—

Valerie Vaz: I will not give way, because I am conscious that many Back Benchers wish to speak, and I will shut up in a minute.

There were many points of order about the tweet from the journalist—I need to protect my sources, but it was Paul Waugh—stating that this is what would happen, and the matter was also raised in business questions. The Leader of the House then said, “Don’t believe everything you hear on Twitter.” I can understand that for the President of the United States, but the Leader of the House also tweets. Are we to believe her or not?

The most important point is that the Leader of the House gave no clarification or explanation as to why Parliament is being treated in this way, or on finding a way forward. We are now in the spill-over and the House needs this to be explained. Will the Government continue to treat Opposition motions as decisions of the House, as though they were wearing an invisibility cloak? Will the Leader of the House resolve this with Mr Speaker and find a way forward on substantive motions of the House?

Mr Harper: Will the hon. Lady give way?

Valerie Vaz: No, because I am nearly finished, and the right hon. Gentleman has had plenty of time.

This makes a mockery of Parliament. Parliament is a forum for debate, discussion and amendments, as seen in the example given by the excellent Minister, Phil Woolas, who listened to the House, even though he was ambushed by a celebrity, and changed his policy—whether or not that was the right thing to do. Nevertheless, he said, “I have listened to the House.”

Finally, in the preface to “Erskine May”, the guide to the law, privileges, proceedings and usage of Parliament, there is a dedication to you, Mr Speaker. It entrusts you with the great responsibilities of guardianship of the parliamentary system. You have done that many times in this House, and in granting this debate. I ask you to convey to the Government that they must abide by that dedication.

Several hon. Members *rose*—

Mr Speaker: Mr Stephen Hammond.

Stephen Hammond (Wimbledon) (Con) *rose*—

Mr Speaker: I beg the hon. Gentleman's pardon, but I think the Leader of the House was intending to come in next. Am I right?

The Leader of the House of Commons (Andrea Leadsom): Mr Speaker, it is entirely a matter for the Chair.

Mr Speaker: It most certainly is a matter for the Chair. The right hon. Lady does not have to be difficult about it. What I was seeking to establish is whether she is an eager speaker; if she is, she can speak, and if she is not, she will not. It is pretty straightforward. Frankly—let me just say this—the Government Front Bench and the Opposition Front Bench should have sorted this out between them in advance of the debate. It was a degree of cack-handed incompetence that they did not do so.

Andrea Leadsom: Mr Speaker, I can absolutely assure you that, as in all things, my office was assiduous in coming to the Speaker's Office to request that we speak straight after the right hon. Member for Orkney and Shetland (Mr Carmichael)—

Mr Speaker: Order. The Leader of the House really ought to know by now that these matters are dealt with differently on different occasions and that there are precedents either way. What we know is that the right hon. Lady has the opportunity to speak, and quite a full opportunity, and therefore nothing of which to complain. The Leader of the House.

3.49 pm

Andrea Leadsom: Thank you, Mr Speaker.

Parliamentary procedure is of vital importance to our democracy, and it is taken very seriously on both sides of the House, so I congratulate the right hon. Member for Orkney and Shetland (Mr Carmichael) on securing this debate, which is of course the 14th hour we have spent debating parliamentary procedure in the 26 sitting days since the general election, and apparently all because of a tweet. Well, I am sure that the nation is glued to the Parliament channel.

In response to the right hon. Gentlemen's accusation that the Government are not listening, I want to set out some steps that we have recently taken to speed up scrutiny and to respond to requests from Members on both sides of the House. First, the Select Committees were established early—quicker than in both 2010 and 2015—and all parties worked quickly to hold elections so that Committees could begin their important work in the September sitting. I was also delighted to ensure that the Backbench Business Committee was established at the same time so that Members would have another channel for scrutiny, and I am pleased to announce that the first Back-Bench debates will be held next week.

Secondly, a sitting of the House was extended for the Second Reading of the European Union (Withdrawal) Bill to allow many Members to speak about that important legislation. Thirdly, we have allocated eight full days in the Chamber, each with eight protected hours of debate, for that Bill. Those 64 hours are in contrast to the rather more miserable 39 hours and 17 minutes that were spent ratifying the Lisbon treaty.

Fourthly, we have provided Government time for specific debates following requests from Members. The issue of illegal Traveller encampments has been raised by Members on both sides of the House at every business questions since I became Leader of the House, and this week is Baby Loss Awareness Week—a truly tragic issue that affects many people across the UK—so it is right that we have found time to debate both important subjects. I have extended today's sitting because it would be a great shame if Members were unable to take part in the baby loss debate. Let me also remind the House that the Conservative party set up the Backbench Business Committee, restoring a better balance between Government and Parliament.

Lady Hermon: I listened intently to what the right hon. Lady said about the importance of procedure in this House, so how does she feel about the complete absence of DUP Members from the Chamber? Will she also address another key issue? If any of the 10 DUP MPs indicate that they will vote against a motion on an

Opposition day, will the Government give an assurance that they will still decide for themselves whether to press for a vote?

Andrea Leadsom: I want to make it clear to all Members that the House expressed an opinion when it agreed to the relevant Opposition day motions. It does the same when a Back-Bench motion is passed. I think what the hon. Lady, the right hon. Member for Orkney and Shetland and the shadow Leader of the House are trying to argue is that we should be voting against motions. Let me again be clear that the House expressed an opinion in those Opposition day debates. If Members chose not to vote against those motions, it does not mean that the House did not express an opinion.

David Linden (Glasgow East) (SNP): Given that the DUP is not present in the Chamber to hold the Government to account, may I ask whether the Government Chief Whip approached DUP Members in advance of the Opposition day debates to try to get them to change their mind—yes or no?

Andrea Leadsom: I can only say again that how Members vote is a matter for individual Members, and their parties and policies. This House expressed an opinion and the Government listened carefully, as is the case with the many Back-Bench motions that are debated on the Floor of the House and passed without a Division. In every single case, the Government take part fully and listen carefully.

I also want to make the House aware of work away from the Chamber to address Members' real concerns about the increased volume of secondary legislation during this Session. The Government are aligning their approach to secondary legislation with their approach to primary legislation. The Cabinet Committee that I chair that oversees all primary legislation will now also oversee all secondary legislation. This will manage the flow and quality of statutory instruments more proactively, giving Parliament a much better service and enabling better scrutiny.

Let me address the specific points made by the right hon. Member for Orkney and Shetland about the subjects of the two Opposition day debates in September. The Government took full part in those debates. The Government matched the Opposition speaker for speaker. Notably, as was mentioned by my right hon. Friend the Member for Forest of Dean (Mr Harper), the Liberal Democrats failed to put up a single speaker in the tuition fees debate and put up only one in the NHS pay debate. Senior Ministers, on the other hand, were present on the Front Bench and made substantial contributions. My right hon. Friends the Secretaries of State for Health and for Education both opened their debates, and the Chief Secretary to the Treasury and the Minister for Universities, Science, Research and Innovation closed them.

On Second Reading of the Finance Bill the day before, however, there were only five Opposition contributions—three from Labour; none from the Liberal Democrats. In contrast, we heard 17 Back-Bench speeches from Conservative Members, including 12 in a row. In fact, such was the extent of our engagement on that important Bill that the hon. Member for North Durham (Mr Jones) even made a point of order suggesting that we might be filibustering our own Finance Bill.

The vital issues of NHS pay and tuition fees have been thoroughly debated in this House in recent weeks.

Maria Caulfield (Lewes) (Con): I spoke in the NHS debate in favour of the motion, so I was very pleased that the Government supported it. I can only assume that Opposition Members are so unhappy because they lost an opportunity to beat the Government with a political stick.

Andrea Leadsom: Of course my hon. Friend is exactly right. Opposition Members wanted us to oppose, not support, which was what happened on the day.

Lady Hermon *rose*—

Andrea Leadsom: I will not give way to the hon. Lady again.

In addition to the Opposition day debates, there has already been an emergency debate on tuition fees, as well as Government statements, urgent questions from the Opposition and Westminster Hall debates on those subjects.

The Government take their duties in this House very seriously, but I am afraid that those Opposition day motions were meant for party political point scoring. Labour has form in promising everything but not delivering. The party misled students before the general election when the Leader of the Opposition said he would deal with student debt—a £100 billion commitment—only for his shadow Education Secretary to have to admit following the election that that was just an aspiration. Aspirations are not good enough; it is deeds that matter. It is only this Government—a Conservative Government—who can be trusted to deliver strong public services while sorting out the disastrous public finances left to us by Labour.

Mr Carmichael: Will the Leader of the House give way?

Andrea Leadsom: I will not.

Do the Opposition even understand why the country has £1.7 trillion of debt?

Mr Carmichael: I am grateful to the Leader of the House for giving way at last. What the House needs to hear from her is whether the votes on 13 September were one-offs, or if we should expect routinely and frequently to hear from the Government that, when they are going to lose a vote, they will simply avoid that by avoiding a Division

Andrea Leadsom: The right hon. Gentleman will obviously want to check his Twitter account for the answer to that one, since he checked it for the initial answer. The Government take these issues extremely serious. I am trying to explain why we chose not to vote on those political point scoring Opposition day motions.

To this day, I hear Labour suggesting that austerity is a choice or that we have deliberately increased public sector debt, but the fact is that in Labour's last year in office, the Treasury spent £153 billion more than it received in taxes. The House will recall the note left by the right hon. Member for Birmingham, Hodge Hill (Liam Byrne) saying that there was no money left,

which was a painfully honest statement from a Labour politician. In the seven years since, we have managed to reduce that overspend from £153 billion a year to £45 billion last year, but it is that annual overspend that increases debt, which now stands at £65,000 per household in this country. The only way to start tackling the debt is by first getting rid of the overspend. If we do not tackle it, it will be our children and grandchildren who will pay, but we do not hear Labour telling young people these truths.

Toby Perkins: I have no idea how that last paragraph has anything to do with the debate that the right hon. Member for Orkney and Shetland (Mr Carmichael) has secured, so let me bring the Leader of the House back to the matter in hand. Having just had a general election in which the Prime Minister ran away from debates, but then at the end claimed there were no serious debates during the election, it is deeply significant that the things we debate in this Parliament and the votes we have here matter. Will the Government therefore simply make a commitment that they will not treat Opposition day debates in the same way as they have treated Back-Bench debates? That is all we want to hear today.

Andrea Leadsom: I am not surprised to hear the hon. Gentleman say he has no idea what that last paragraph represented because I was seeking to explain why this Government are not playing Labour's party political games. The Opposition do not face up to the reality of the mess they left this country in, and our children and grandchildren will end up paying for their mess unless we can get back to living within our means. That means that in their party political motions we chose to leave them to their games. Conservative Members will always balance the need for fairness to our superb public sector workers with the need for fairness to the next generation.

Mr Bone: There has been a lot of re-running of our previous debate, but I wish to go back to the principle of the thing. If this House expresses an opinion, be it in a Backbench Business Committee debate or an Opposition day debate, it is the Government's duty to respond to that. Will the Leader of the House therefore undertake that the Government will reflect on whatever decision the House makes and come to make a statement—say within the month—giving their view about or response to what the House has decided?

Andrea Leadsom: My hon. Friend makes a good point, but I am trying to explain that that is exactly what the Government are doing in those debates by matching up speaker for speaker to ensure that Back-Bench speakers get their views heard, with Secretaries of State opening the debates and senior Ministers closing them, and by taking account of and listening to Members' views. It cannot possibly be the case that the Opposition can require Government Members to vote against a motion in order to prove that they were listening—what a daft thesis that is.

Jo Swinson (East Dunbartonshire) (LD): I am listening to the Leader of the House with great interest, just as I did to what the right hon. Member for Forest of Dean (Mr Harper) said. He seemed to suggest that the Government chose not to vote on those motions—certainly the first one—because the Government were in agreement

[Jo Swinson]

and the debate was a political one about what “fair” meant, but she seems to be saying something different about whether or not there is political game playing. Will she confirm that when the Government disagree with the words of a motion, even if they disagree because of political purposes, they will vote against it? Will they vote against any motion whose words they disagree with?

Andrea Leadsom: The hon. Lady is trying to put words into my mouth and to make me disagree with my right hon. Friend the Member for Forest of Dean, with whom I absolutely agree. This House expressed a view; what she and other Opposition Members want to do is to force the Government to oppose. The reason why they want the Government to oppose is so that they can then put out a press release that the Government oppose fair pay for public sector workers. That is what this is all about. I am saying that the Government sent their best, most senior Ministers along to take part in the debate and our Back Benchers fully took part in it. We listened, we heard what was said on all sides of the debate, we took part fully, and then we chose to allow those motions to go through unchallenged. That is a completely different issue. This House expressed a view and the Government are listening, but we will not necessarily always choose to take part in party political games. That is what this was, and the Labour party needs to accept its responsibility for the financial mess that means that Conservative Members have to get us out of the economic disaster that they left us. There is just no denying the truth of Margaret Thatcher’s words when she said:

“Socialist governments traditionally do make a financial mess. They always run out of other people’s money.”

She said that in 1976—it was true then and it is still true today.

I am pleased to have had the opportunity to take part in the debate and to set out for the right hon. Member for Orkney and Shetland and the Opposition the Government’s strong record on encouraging scrutiny in this House and our deep respect for Parliament. Our Parliament is admired the world over for the way in which it gives the Opposition the opportunity to conduct fierce and effective scrutiny of Government—on Second Readings, in Committee, on Report, on Opposition and Backbench Business Committee days, in Adjournment debates, in Westminster Hall debates and on the Select Committee corridor.

The reason why scrutiny matters is precisely because the Government are listening. That is what this Government have been doing, and it is what they will continue to do. I look forward now to moving on to the more substantive business of the day and debating the issues that really matter to people.

4.5 pm

Pete Wishart (Perth and North Perthshire) (SNP): Here we go again: another return to Parliament and another attempt by the Government to play fast and loose with the democratic arrangements of the House. This is clearly becoming a pattern, and the nation is starting to get really concerned and anxious about their casual disregard of many parliamentary conventions and scrutiny.

First, we had the horror of the grotesque Henry VIII powers in the repeal Bill. Then we had the Government fixing the Standing Committees of the House so that they could have a majority in each and every single one of them. Now we have all this nonsense about Opposition day debates and what the Government will or will not do in response to them. I think that I have identified the problem with this particular Government: they cannot accept their status as a minority Government. That is the basis of what we have here. They seem to be doing everything possible to try to deny that new reality, but the harder that they do that, the worse it gets for our democratic proceedings and parliamentary structures.

The Government have 317 Members out of a total of 650 Members—48.7% of the membership of the House. They are clearly a minority Government. Instead of fighting that reality, why do they not simply embrace it and accept it, then we can all get on with our business normally, with a minority Government trying to govern in this country?

Douglas Ross (Moray) (Con): I thank the hon. Gentleman for giving way, particularly as he is speaking about minority Governments which his party now is in Scotland. When the Scottish National party had a majority Government in Scotland, it passed the Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012. More than a year ago, when it was in a minority Government, it was defeated by all the opposition parties in a vote and called on to repeal the Act. Can he tell me the status of that? Has his party repealed the Act, or is it failing to respect the Scottish Parliament vote?

Pete Wishart: I am really grateful to the hon. Gentleman for mentioning that point. I was going to come on to that, because it is really important to understand how minority Governments respond to defeats in Parliament. The right thing to do is what the Scottish Government do, which is to review, reflect and consult. Let me cite one issue as an example. We were defeated on fracking. What did we do? We did not attempt to ignore that vote. We consulted, reviewed and came back to Parliament with a ban on fracking. That is the responsible behaviour of a minority Government. I will take no lecture from the hon. Gentleman whose party’s commitment to democratic decisions extends to the hon. Member for Angus (Kirstene Hair) not even voting in the European Union referendum.

There are certain things that a party has to learn when it is in a minority situation in Parliament. The first lesson is that, sometimes, Governments get beat. They get beat here and they get beat in the Scottish Parliament. That is a feature of minority Government and it is alright—it happens. It happens normally in Parliaments right across Europe. This Government should not overly fret about it. They paid £1.25 billion to the Democratic Unionist party to ensure that they had a majority in the event of a threat to their existence. This House must also recognise how we can represent and reflect the democratic will of the people of this country. Sometimes I enjoy being lectured by Conservative Back Benchers about parliamentary sovereignty.

Lucy Frazer: The hon. Gentleman has twice mentioned sovereignty and respecting the will of the people. Does he respect the will of the people in the two referendums

that have recently taken place—one in Scotland, and one on the European Union?

Pete Wishart: I will tell the hon. and learned Lady what I think about the will of the people. I was elected just a couple of months ago—I won an election. The gentleman I beat in that election is now in the House of Lords as an unelected Scottish Office peer. That is how to reject democracy; that is how to play fast and loose with the will of people—rejected one minute and ennobled the next. So I will take no lectures from the hon. and learned Lady.

Sir Desmond Swayne (New Forest West) (Con): I am one of the people as well, and I will conduct my voting in this Chamber entirely on the basis of my own opinion and my own conscience. I decide when and how I vote, not the Government, and on the occasion in question, I chose to deploy my vote accordingly. I was in agreement with the first motion, because the lead I tend to take from my Front Bench was in agreement with it. Why would I therefore choose to oppose it? On the second motion, although I was against the sentiments being expressed, it was clear to me that, in accordance with the statute, however I expressed my opinion, it would make no difference. That is the matter in a nutshell.

Mr Speaker: Order. I exercised some latitude for the right hon. Member for New Forest West (Sir Desmond Swayne), not least in light of his starring performance this morning, when he asked the most succinct question, but that was a mini-speech rather than an intervention. I simply take this opportunity to remind the House that the debate can last until three minutes past 6. The hon. Member for Perth and North Perthshire (Pete Wishart) has not taken up a great deal of time so far, so this is not directed specifically at him, but I simply make the point that if Members want to speak, they should try to help each other, and that means refraining from, dare I say it, lengthy or self-indulgent interventions.

Pete Wishart: What would we have done without the contribution from the right hon. Gentleman? He does what he wants, as he always has done, and he should make sure he always does that in the future.

I got a bit sidetracked there with the very interesting intervention from the right hon. Gentleman, but I want to come back to this notion of parliamentary sovereignty, which is something my friends on the Conservative Back Benches hold dear. It is about expressing the will of the people in this House. Parliamentary sovereignty is the be-all and end-all—Conservative Members are even committing this great indulgence of economic, cultural and political self-harm by leaving the European Union so they can have more parliamentary sovereignty. They should start to demonstrate their commitment to it by recognising that this is a minority Parliament. We are here to serve all the people of the country, and we have to have arrangements to make sure we properly reflect that.

The Government seem to see not being defeated as some sort of virility symbol, as if being defeated shatters their delusion that they somehow have a majority. When it comes to these issues, the Government will have to stop behaving so arrogantly; they will have to accept their minority status and act with a bit of humility.

They went to the people a few short months ago to ask for a mandate and for an increase in their majority; that is what it was all about—they wanted to take advantage of what they saw as the situation in the Labour party. What happened? They came back as a minority—they lost their majority—so maybe responding with a little less arrogance and a little more humility would do them some good.

The second principle of minority Government is that you sometimes have to work harder to get your way. That, again, is what happens in other Parliaments, but we have seen no example of it from the Leader of the House today. There is no point the Government trying to bludgeon their will through in Parliament, as they are currently doing; it is much better to negotiate and make deals to ensure they get solutions. I thought that that was what we were going to get. I will not break the confidence of the Leader of the House by talking about my meetings with her, except to say that when I had my first conversation with her, I was encouraged by what she had to say about her approach to Parliament. She talked about a basis of consensus—trying to get agreement and progress legislation and motions through Parliament on the basis of agreement—but all that seems to have gone. I wish we had the earlier Leader of the House instead of the one who is standing here now.

Maria Caulfield: The hon. Gentleman talks about consensus and agreement, but that is exactly what we reached during that Opposition day debate, and Opposition Members are still not happy.

Pete Wishart: I will move on to Opposition day debates, because I know that is the intended topic of the debate. I do not really understand the Government's position. Opposition days are a real feature of Parliament. I have been in the House for 16 years and I have always enjoyed Opposition day debates. There is always a bit of tension and there are always good speeches, and they tackle subjects that Governments would not normally bring to the House because they might just get embarrassed—subjects with which they might be uncomfortable. They play an important function in the House, and it is really important that we do not lose sight of their role. The most important thing about Opposition day debates is that they have a conclusion: some sort of decision on the motion is taken by the House. The day that the Government play fast and loose with that arrangement is the day that we really devalue Opposition day debates. We have Backbench Business debates and Adjournment debates. We do not need glorified Adjournment debates; we need real debates that hold the Government to account, and on which we can make a decision and then move on, respecting that decision.

We accept that the votes in question are not binding on the Government. The Scottish National party are a minority Government in Scotland and we know exactly how these things happen: we will get beat, and this Government will get beat. The key thing is that nobody expects them to change their policy or direction on certain issues just because they get beat on a Labour party Opposition day motion—that is the last thing people expect. Nevertheless, the votes on such motions reflect the will of the House, so people expect the Government to respond in a particularly positive way. They should not try to avoid votes or dismiss debates; they should

[*Pete Wishart*]

respond and say something. They should go back and consult, review their position and come back to the House with a new set of recommendations. That is what I think the people we represent want from Parliament and from the Government.

Mr Harper: Will the hon. Gentleman give way?

Pete Wishart: I think we have heard enough from the right hon. Gentleman. He took up about 25 minutes of the available time so I shall move on, if he does not mind.

We on the SNP Benches have a little experience of minority government: we are in our second parliamentary session as a minority Government. We had a minority Government with just two Members more than the second party, and now we are just two short of a majority. In each case we have tended to try to function as a minority Government, respecting the view that we do not have a majority and trying to work in consensus and partnership with other parties. The exercise we are doing around the budget is an example of how things can be done in a minority Parliament.

I mentioned fracking: it is important that we come back to the Scottish Parliament on that with another view. On other issues on which we are defeated, we will consult further and try to address the concerns. That is how we govern as a minority Government. I am happy to talk things through with the Leader of the House to help her to understand better. If she wants to come to the SNP, we can give her some lessons about running a minority Government. If she is having difficulty with it, which it seems she is, she can come and have a chat with us. I will not break the confidence of our meeting, as she did to me at the most recent business questions. She can come and have a chat and perhaps we can talk through some of the issues.

Mike Wood (Dudley South) (Con): As we have heard, it has been 12 months since the Scottish Government were defeated, and they are still at the consultation stage, whereas in the four weeks since the House expressed a view on the two motions in question, the Government have announced a policy change on the level of next year's tuition fees, and they have announced different terms of reference for the public pay review bodies. The Government have done exactly what the hon. Gentleman is asking of them in terms of considering and reviewing, and I am sure that those matters will come back to the House.

Pete Wishart: I do not think the hon. Gentleman has been listening. I am not making any criticism of the Government—[HON. MEMBERS: "Oh!"] I am not! I am trying to give them some advice about how to do things and I am trying to get their minority status into their head. I am trying to help them to deal with that, so I do not know whether the hon. Gentleman listened to what I have said. It is good that they are reviewing things—that is what minority Governments do, and they should continue—but they also have to allow Opposition day debates to conclude and then vote on them and express an opinion. It is important that our constituents hear us in Parliament deciding on the important issues. It is

important that they know our views, and the only way they are going to find out how we think about a particular issue or subject is if we vote on it. That is the only way they can determine it.

I do not know whether the Government intend not to vote on any further Opposition day motions, but I am not particularly interested in what Paul Waugh has to say in the *Huffington Post* on a particular day. I would like to hear it from the Leader of the House. Perhaps we can tempt her to say definitively, yes or no, whether she intends the Government to vote on Opposition day motions at some point. I will give her the chance to say whether it will be an option for the Government. [*Interruption.*] She is shaking her head, or—

Andrea Leadsom indicated dissent.

Pete Wishart: She is not. That is good, and that is what we expected. All we needed to hear in this whole debate was the Leader of the House say to us, "Well, you know, we did that the first day because we thought we were playing a political game, but we'll come back and we'll vote on Opposition day motions." We will get Opposition days; I would like to think that the Government would come along and vote on them.

We really have to start to get on top of all this. This has been a particularly bad start to the Parliament. I listened to the Leader of the House talking about all the things she did to put in place Select Committees earlier than usual. What utter, utter bunkum. Now that we are back for this long period in Parliament, with sittings right up to Christmas, let us start to show that we respect the political arrangements in the House—the structures and the way we have done things traditionally—and that we can still approach these issues collegially and consensually, if we can.

The Government also have to get it into their head that they are a minority Government. We have seen no evidence of that yet. As we go through this Session, a little more of a demonstration of where the Government are just now would be useful and good. I hope that we do not have to have any more of these debates. I have been taking part in such debates almost every week for the past few months, and this is something we need to get over. We need to see the Government respecting their position and respecting the traditions of this House.

Several hon. Members rose—

Mr Speaker: It might be helpful to the House to know that, in an attempt to accommodate everybody who wishes to take part, I am minded at this stage to put a seven-minute limit on each Back-Bench contribution. That inevitably is subject to change, but I hope that will not be necessary.

4.21 pm

Stephen Hammond (Wimbledon) (Con): I am grateful to you, Mr Speaker, for the opportunity to make a short contribution to this debate. Like perhaps a number of Members, I was somewhat surprised to find us debating this issue today, when there are so many other things we should be debating, but you are absolutely right, Sir. As the shadow Leader of the House said, you are entrusted with grave responsibilities, and it is only right, when a Member of this House makes what is effectively a substantive complaint against the Government—essentially,

that they disrespect this House—that you should call them to this House. I am grateful for that, because it allows those of us on the Government Benches to set out arguments that, as you will see, more or less demolish the proposition that has been put.

My right hon. Friend the Member for Forest of Dean (Mr Harper) quite rightly said that we need to look at the words of the motion, which says:

“That this House has considered the Government’s policy in relation to the proceedings of this House.”

There seem to me to be two ways one can tackle the motion. The first is to look, as he did, forensically at the debates in question, which the right hon. Member for Orkney and Shetland (Mr Carmichael) referred to yesterday. Anyone listening to my right hon. Friend’s speech would conclude that the Government clearly did not disrespect this House in any way.

There is another way of looking at this, which is to say, “What would be the basis for the charge?” There seem to me to be four things that the right hon. Member for Orkney and Shetland could complain about. The first is, “Are the Government allocating enough days to Opposition debates?” Is he saying that the Government are not taking part? Is his charge that failure to vote is in some way a slight or a breach of convention? Or is he just saying that the Government are ignoring the Opposition motions?

The shadow Leader of the House complained in her speech about the number of times she has to ask for days. The reality is that the number of days allocated to Opposition day debates has not changed since their introduction in 1998. Governments of all hues—Labour, coalition and Conservative—have observed the number of allocated days. Indeed, in the period 2010 to 2017, when the Opposition were entitled to 140 days, they were actually given 141 days. They were also given 24 more days in unallocated business that there was space for, so they cannot really claim that Opposition business is not being allocated the right number of days.

If the charge is about participation, then a number of colleagues from across the House have pointed out that they are participating, particularly on this side of the House. As my right hon. Friend the Leader of the House said, on the day in question the Government fielded some of their most senior members. There were 11 speeches from the Opposition Benches and 10 from the Government’s, and in the second debate I think the figures were eight and 17. In both cases we had almost exactly the same number of speeches, so the charge of non-participation, which seems to be the thrust behind some of the contributions today, does not stack up. If this was the only time made available to debate such matters, that would be serious. It is not, of course. Tuition fees have been debated during ministerial statements and urgent questions, and in Westminster Hall. The subjects have been thoroughly debated by this House, and the charge of non-participation seems to me to be very difficult to prove.

The Government, as the Leader of the House said, take their responsibilities very seriously. If the Opposition really believe there is a need for more scrutiny, there is a way to secure more scrutiny and force the Government to defend their case, and that is by debating and voting on programme motions. The Opposition have chosen to debate only 15% of programme motions in the last

seven years. If they really want more time, the Opposition could force the Government to come through the Lobby more often on programme motions, but they have chosen not to do so.

The third charge is that, somehow, by not voting the Government snubbed the House. On the two days that we are talking about, my right hon. Friend the Member for Forest of Dean and others have made the point that snubbing the Opposition was certainly not the reason for the Government’s not voting. It is absolutely true that no Government have ever been bound by convention or the rules of the House to vote on any motion, especially Opposition motions. As my right hon. Friend has said, it is clear that Government—the Leader of the House is, I believe, following this tradition—should consider each motion and debate as it comes. There is no reason why the Government should be committed to voting on any motion, and my right hon. Friend the Leader of the House was right to resist the temptations offered by the Scottish National party to commit herself to that.

Lady Hermon: I am not suggesting that the Government snubbed this House, but the fact that they did not vote on lifting the pay cap left uncertainty for thousands and thousands of nurses and doctors throughout the United Kingdom. *[Interruption.]* If I may, I will continue. At the end of that debate when the Government did not vote, after the DUP had indicated that it would not be supporting them, there was no point of order to clarify the situation. I have scores of constituents in Northern Ireland, where we have no devolved Assembly. We need a lead from this House, and we did not get one. The problem is not the snub but the ambiguity, because this is not an academic point of argument; it affects people’s lives.

Stephen Hammond: The charge of ambiguity is a serious one, but it does not hold up. The Government Front-Bench team answered that question when they responded to the motion, so I do not think that that charge can really be levelled against the Government.

In the short time that I have left, let me make the point that as a Government Back Bencher, I have experienced the frustration of sitting here with my colleagues until all hours of the night, only to find that no vote takes place. On the question of votes, it is for individual Members to make their minds up, as my right hon. Friend the Member for New Forest West (Sir Desmond Swayne) said. We are elected here as individuals, and we can follow our wits, if we choose to do so. We are often urged to do so, and many people choose to do so, but it is for us to make that decision. Equally, it is for the Government to choose, motion by motion, when they should vote.

Finally, Opposition days can be used to raise matters of national importance, but all too often—not necessarily in this case—they are used for narrow party political posturing rather than a discussion of real quality. If a motion is about a matter of national importance, it is often phrased in a way that the Government find provocative or difficult to support. Many Governments have taken the view that they need to note what an Opposition day motion says, but ever since 1978, when the Conservative Opposition twice defeated the then Labour Government, it has become an established custom of this House that Opposition days are nothing

[Stephen Hammond]

more than advisory, and that they are not actionable. Although the Government should take note of the motions and continue to debate the issues raised in them—I have no doubt that that will happen under my right hon. Friend the Leader of the House—they are advisory and the Government are not bound by them in any way.

This has been an interesting debate, but what today has shown—my right hon. Friend the Member for Forest of Dean pointed this out—is that, in the case of the two debates mentioned by the right hon. Member for Orkney and Shetland, the charge does not stand. If we look behind the four possible arguments for saying that the Government are not listening on Opposition days, it is very difficult to contend that his proposition stands, so I hope Members will vote to defeat it this evening.

4.30 pm

Chris Bryant (Rhondda) (Lab): The hon. Member for Wimbledon (Stephen Hammond) shows how little he understands the matter when he suggests that we will be voting on this, because we cannot vote on it.

We do not have a written constitution in this country, and that is why we need to be very careful about the way in which we operate our conventions. For instance, nowhere, even in statute law, does it say that the Prime Minister has to be a Member of Parliament—a Member of the House of Commons, or indeed a Member of either House of Parliament. That is not written down, but it is an accepted part of the way our constitutional settlement works.

That is why I say to Government Members, despite all the huff and puff today, that they need to be very careful about how they play around with the conventions at the heart of our political constitution. We have a system under which the winner takes all. Even if a party gets only 35% or 42% of the vote and does not have a majority of seats, if it manages to form the Government it gets to decide when Parliament sits, when the Queen's Speech is, what is in the Queen's Speech, what gets debated and how long it is debated for. The hon. Gentleman is wrong to say that we could add extra hours by debating programme motions. We cannot table a programme motion, and if we force a debate on one—

Stephen Hammond *rose*—

Chris Bryant: I am not going to give way to the hon. Gentleman. I have not even finished the point I was making.

Stephen Hammond *rose*—

Chris Bryant: Perhaps the hon. Gentleman could just wait a moment. We do not get any extra time. If we use up time debating a programme motion, we are only taking time out of the main debate, so I will not give way to him on that point.

Stephen Hammond: Will the hon. Gentleman give way on a different point?

Chris Bryant: I am not going to give way to the hon. Gentleman. He should understand that I am not going to give way to him on that point.

Only the Government can introduce legislation and be certain to get it debated. Once a private Member's Bill has been given a Second Reading, it can proceed further only if the Government table the relevant motions, even if it was assented to by the whole House or by a significant majority, as happened during the last Parliament. Only the Government can amend a tax or a duty, and only the Government can table motions in relation to expenditure. It is a case of winner takes all, and that places a very special responsibility on every single member of the governing party.

I worry that this is all part of a trend. Of itself, this is not the biggest issue in the universe—of course it is not—but it is part of a trend in this Parliament since, I would say, 2010. The golden thread that runs through our parliamentary system is government by consent. It is not about the Government deciding everything because they have managed to take it all by winning, but about government by consent and the sovereignty of Parliament. Whatever the right hon. Member for Forest of Dean says—he and I have had many debates over many years—the truth of the matter is that the Government knew they were going to lose the vote and that is why they decided not to vote. That was absolutely clear, and it was what all the Whips were saying throughout the day.

The latest trick that the Government are playing in this winner-takes-it-all system—[*Interruption.*] The hon. Member for Beverley and Holderness (Graham Stuart) really should not lead with his chin on that issue. Their latest trick is to increase the payroll vote in Parliament. In this country, we have more Government Ministers than France, Germany and Italy put together—or, for that matter, than India, Pakistan and Australia put together. We have a vast number of Ministers. In addition, the Government now have 46 Parliamentary Private Secretaries, as well as 15 Government MPs who are trade envoys. All this is an exercise of patronage to make sure they hold on to power. If we look at the percentage of the governing party that that has represented since 1992, the interesting fact is that this is now the highest percentage ever, with more than 50% of Government MPs being part of the payroll vote. That is a despicable process for the Government to have adopted.

The right hon. Member for Forest of Dean said that the Opposition should have tabled a motion early in the year, so as to prevent the student fees regulations from coming into force. But the convention of this House, which he knows perfectly well, has always been that if the Leader of the Opposition prays against a statutory instrument—secondary legislation—the Government will provide time, in Government time, on the Floor of the House for a debate and vote within the timescale, so that the legislation can be prevented from coming into force if that is the will of the House. The Government's Chief Whip refused to do that. When I asked, and when the shadow Leader of the House asked repeatedly, when we were going to get that debate, we were met with a consistent refusal.

This is a big breach of our constitutional rights in this House. In the last 12 instances when the Leader of the Opposition has prayed against, only five have led to the granting of debates and votes, and three of those were debates in Committee, where even if every single member of the Committee, including the Government Whip, voted no, the legislation would still go through because all the Committee is allowed to consider, under our rules, is whether or not the matter has been debated.

In other words, it is the height of cheek—the most brass neck imaginable—to try to blame the Opposition for not providing time to debate statutory instruments laid down by the Government. That is why I say that hon. Members on the Government Benches should think very carefully about this business of whether the Government simply decide, when they think they are going to lose on a motion—a Back-Bench motion, an Opposition motion or any other kind of motion—to up sticks and say, “Oh well, it doesn’t really matter. It’s the kind of motion that doesn’t matter.”

There have been two other Back-Bench motions that I could cite in the last Parliament. One was on Magnitsky, tabled by the hon. Member for Esher and Walton (Dominic Raab); the other, tabled by the hon. Member for The Wrekin (Mark Pritchard), was on circus animals. The Government knew they would lose in both cases. They decided not to vote. So there was a unanimous vote in favour, and the Government have done absolutely nothing.

You should just beware. If you think we are Marxist Bolivarians, what will we do when we have these powers?

4.37 pm

Lucy Frazer (South East Cambridgeshire) (Con): This debate purports to be about an important issue. It accuses the Government of the day of flouting the rules of Parliament and it is true that if that were the case, it would be fundamentally objectionable, because we live in a parliamentary democracy, where Parliament makes the laws that regulate our society, and the rule of law provides that no one is above the law, including parliamentarians. It is not the Conservative party that threatens the rule of law; it is the Labour party, because Labour members have, time and time again, stated that they would condone the flouting of our laws, passed in this Chamber. They would condone illegal strikes supported by the trade unions. It is the shadow Chancellor, not Members on the Government Benches, who has threatened the rule of law and our democracy.

This is a debate about procedure, but it is not just a debate about procedure; it is also a debate where the premise is flawed. There is an objection that the Government do not vote on Opposition days, but as the right hon. Member for Orkney and Shetland (Mr Carmichael), who applied for the debate, knows—having been part of the coalition Government that brought in Backbench Business debates—there is great value in debating important matters that affect the lives of our constituents without a binding vote or a commitment to take immediate action. Indeed, he is using a procedure in this debate, in this House today, which will have no substantive result other than the airing in public of this issue.

Mr Carmichael: The objection is not to the fact that the Government did not call the Division; it is that, not having called the Division, they do not then follow the will of the House; and indeed, that now it is apparently to be the Government policy to do so routinely. Does the hon. and learned Lady really not think that obnoxious?

Lucy Frazer: It is interesting that the right hon. Gentleman says the Government did not follow the will of the House. In the debate on public sector pay, the Government said very clearly that they would be flexible on that. Since that debate, the Prison Service and the

police have had a pay increase, so it is completely inaccurate to say that the Government are not listening to the will of the House.

This is the third debate on procedure in which I have taken part in in two years and I have learned that other parties seem to value form over substance. They seem to value debating procedure rather than the issues at stake. In the previous Parliament, I had the honour of sitting on the Investigatory Powers Public Bill Committee. In that Committee, we spent much time at the outset listening to arguments from Opposition Members that there was insufficient time to debate the issues. However, looking at the record of those proceedings I can see that on Second Reading, 53 Conservatives contributed as against 13 for Labour, and that on Report, there were 43 Conservative contributions, as against 13 from Labour.

When I knock on doors, not one voter suggests to me that we should spend more time in this House on procedural matters about past debates. The right hon. Member for Orkney and Shetland has brought a three-hour debate before this House at a time when there are many more important issues facing our country, such as Brexit—[HON. MEMBERS: “He applied for it.”] He applied for it and Mr Speaker agreed to it. But the issues facing our country are Brexit, the economy, the NHS and education, issues that affect the daily lives of our constituents. It is those issues our constituents want us to discuss and not the procedure of this House.

4.41 pm

Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op): This House is rather archaic. Many of these things I can live with: the pomp and circumstance, the wearing of funny clothes—I am one of those who wears their own style—and the walking around with a giant mace. What I cannot abide, however, is when rules and procedure are used, in what seems like an underhand way, to reduce the ability of constituents to hold us to account. Constituents can agree or disagree with their local Member of Parliament, but it is important that they know how their local Member of Parliament views an issue and how they vote on that issue when it comes before them. Voting in that sense is a cathartic process: it allows us to support the process of democracy even if we do not support our particular representative. The problem with not bringing an issue to vote is that it undermines the very process of you, Mr Speaker, hearing the ayes and noes. That will lead to the Opposition forcing votes. It will lead to us wasting time unless it is clear that the silence on the Government Benches is a silence of approval, rather than a silence because they are afraid.

We have heard today that the Government agreed with the two motions, which is fantastic. [*Interruption.*] On the example we heard about earlier, the House agreed and the Government agreed. I applaud the Government on their turnaround. We heard earlier that in 2009 the Labour Government were defeated on the issue of the Gurkhas—the defeat was quite right in my view. On that very day, the Labour Government came to this House and made a statement on how they would change their course as a result of the vote of the House.

Mr Jim Cunningham (Coventry South) (Lab): There is another example: the Conservative Government after the coalition were defeated on the vote over whether we

[Mr Jim Cunningham]

should bomb Syria. The then Prime Minister made a statement from the Dispatch Box to clarify the situation. His words were, “I get the message.” This Government have not got the message yet.

Lloyd Russell-Moyle: Exactly. It seems that the Government have not got the message that they should be accountable to this House. It is of course welcome that they have announced some minor changes—at the Conservative party conference and to the press lobby—on tuition fees and the public sector pay cap. But the problem with decree through press release is that it reduces the ability of this House to ensure that the detail of the volte-face is actually as the House wished.

Matt Warman (Boston and Skegness) (Con): On a simple point of fact, the announcement on the public sector pay cap was a written ministerial statement. It is important that we do not pretend otherwise and that a Government who use legitimate procedures are not misrepresented.

Lloyd Russell-Moyle: Yes, but the suggested tuition fees amendment was not.

The subject of how we challenge statutory instruments is important in the light of our discussions on the European Union (Withdrawal) Bill. I sat through a lot of those discussions and Government Ministers tried to reassure me time and again—not that they were very reassuring—that we should not worry about processes through the negative procedure. They said that we should not worry about statutory instruments because if the will of the House was clear, the House would have the opportunity to review and rescind, and to ensure that statutory instruments that overstepped the mark would not be allowed on the statute book. However, what we see here is parliamentary jiggery-pokery.

Jeremy Quin: Will the hon. Gentleman give way?

Lloyd Russell-Moyle: No. This parliamentary jiggery-pokery was used not only to ensure that the debate did not come in time to be able to withdraw the statutory instruments, but to prevent a vote in the House. Therefore, the will of the House seems less strong to members of the public. That is the reality of what happened.

If the Government had stood at the Dispatch Box that day and said, “We won’t be calling a vote because we agree on the two issues”, there would be no problem. The problem was that Government Members spent the whole day arguing against the content of the motions, but then did not vote on them. That is the concern. It is fine—in fact, I am more than happy—for the Government to change their mind after listening to our compelling arguments. I applaud them for that, but let us have a statement about how their mind has changed and, therefore, how policy has changed.

It is no good that members of the public are unclear about the position of this House and that people are left in limbo. They need to be able to hold their politicians to account. They need to be able to hold their Government to account, and the Opposition parties and Back Benchers need to be able to do that too. Therefore, I call upon Members of the Treasury Bench to stand up and make

a statement about how and when they reflected on the motion passing unanimously, when they will bring forward the changes called for in both motions and the details of how they will do it.

4.49 pm

Jeremy Quin (Horsham) (Con): It is a pleasure to follow the hon. Member for Brighton, Kemptown (Lloyd Russell-Moyle), although I must put it to him, given his comment about our constituents needing to know where we stand, that when my constituents contact me they always know where I stand. He also put it that the public are unclear about the view of the House. In respect of the two resolutions we are discussing, the House approved the motions, so it is very clear where the House stood. It expressed its view.

It is a pleasure also to follow the hon. Member for Rhondda (Chris Bryant). I respect his—I see he is busy.

Chris Bryant: I can do two things at the same time.

Jeremy Quin: He has the better of me. I was genuinely being respectful to the hon. Gentleman, whom I know thinks and speaks passionately about the conventions of this place. I am a relatively new Member, but I regard its role in our national life as very important.

I would not have sought to catch your eye, Mr Speaker, had I not looked carefully into the underlying principles of the application made by the right hon. Member for Orkney and Shetland (Mr Carmichael). First and critically, as he made clear in his application and as was reiterated by the hon. Member for Perth and North Perthshire (Pete Wishart), Opposition day motions, if carried, are not and never have been binding *de jure* on the Government. The precedents are clear. Between 1918 and 2015, there were 120 defeats of Governments, most of them on substantive legislative matters on which the Chamber was exercising its core constitutional role of creating and amending the law of the land.

On those occasions, however, when the Government lost a vote on a Supply day, the constitutional position was equally clear. I greatly enjoyed reading one such occasion—the debate on the devaluation of the green pound held on 23 January 1978. I was especially delighted to hear the two contributions, made from a sedentary position, by the hon. Member for Bolsover (Mr Skinner), who I am sorry is not in his place. One was:

“Leave the Common Market. That is the answer.”

The other one was:

“Get out of the Common Market. That is the answer.”—[*Official Report*, 23 January 1978; Vol. 942, c. 1071-73.]

He is nothing if not a beacon of consistency. The Labour Government having lost the vote, there was no suggestion in the closing remarks of either the Opposition spokesman or the Minister that the decision would be binding on the Government.

This to me is core to the issue. Clearly, the House can amend primary legislation, including, critically, money Bills, and pray against secondary legislation, debating such matters either in Government time or on Opposition days. What we are discussing here, however, is not an attempt by the Opposition to amend legislation, but the manner outside legislation whereby the Opposition examine

and challenge Government policy. This, too, appears well established. The 1981 Select Committee on Procedure quoted, approvingly, an earlier Select Committee of 1966:

“The real nature of Supply Days was the opportunity provided to the Opposition to examine Government activities of their own choice”.

Antoinette Sandbach (Eddisbury) (Con): Does my hon. Friend agree that there are Backbench Business debates in the House that change policy, such as the baby loss debate, the subject of which we are in theory due to debate later today—but which we might not debate because of this debate? Is it not right that policy can be changed without a vote? There is no requirement for a vote to change policy.

Jeremy Quin: I am grateful to my hon. Friend for her intervention. I will be brief so that we can get to that very important debate, which I know matters to many of our constituents. She is absolutely right that examining and challenging Government policy can lead, rightly, to a change in that policy. That is mirrored by the people who turn up to these debates. On the two Opposition days that particularly irked the right hon. Member for Orkney and Shetland, two Secretaries of State, the Chief Secretary to the Treasury and a Minister of State came to the Dispatch Box, and the speakers were matched one for one on either side. I attended part of both debates and can confirm that the Opposition were certainly doing their best to challenge and examine Government policy, as is their right.

There are good reasons why those debates ended as they did, as was illustrated by my two right hon. Friends for forests, my right hon. Friends the Members for New Forest West (Sir Desmond Swayne) and for Forest of Dean (Mr Harper), in their interventions. To imply that the whole process was fruitless because there was no physical Division at the end—a vote that we know would have been non-binding—belittles not only that debate but potentially the Backbench Business Committee debates, those in Westminster Hall and, to a lesser extent, the work done in Select Committees, where good contributions are made to the workings of the House and policy examined without Divisions being required.

Chris Bryant *rose*—

Jeremy Quin: I am glad that I now have the hon. Gentleman's attention.

Chris Bryant: The hon. Gentleman has always had my attention. It has been not far off the unanimous view of the House for some time now that we would like legislation on circus animals. Several hon. Members have tried to advance it, including the hon. Member for The Wrekin (Mark Pritchard) and, in the last Parliament, the hon. Member for Colchester (Will Quince), but on every occasion the Government systematically let the Backbench Business debate proceed and then had a vote on it, as if to suggest that something would then happen. When the House expresses a view, even if that is because the Government have refused to vote, I think that the Government should listen. Surely the hon. Gentleman must too.

Jeremy Quin: The hon. Gentleman was very fortunate in his placing in the ballot for private Members' Bills, so the solution to that problem may be in his own hands, although I understand that he believes that he will present more important business to the House, which I look forward to debating in due course. There are other means by which business can be debated, of which private Members' Bills are but one.

In his application, the right hon. Member for Orkney and Shetland referred to the motion on Gurkha settlement. I appreciate that he did so in all sincerity, and the subject was also raised by the shadow Leader of the House. The fact that the debate took place eight years ago may be indicative of developments in Opposition day debates over that period. The Labour Government did amend their position following that debate, but my recollection, like that of the shadow Leader of the House, is that there was a great deal more to that issue than what was said during the debate. I recall, as, I am sure, will other Members, the single-handed pincer movement—if such a thing is possible—that was inflicted on the Minister, Phil Woolas, by Joanna Lumley, and the phenomenal way in which she prosecuted the issue.

Sir Greg Knight (East Yorkshire) (Con): Is not my hon. Friend's case, in essence, that as long as the Government have the confidence of the House, when the House gives advice, it is for Ministers to decide how much of that advice to accept?

Jeremy Quin: It is undoubtedly the case that the Government should listen to the House and take the advice of the House, and must then decide themselves how to prosecute the business concerned, because they are accountable to the electorate and have that mandate.

The report of the Gurkha debate is intriguing. It was, I think, a unique case that arose eight years ago. The motion only got through this place because of—in the words of my right hon. Friend the Member for Ashford (Damian Green)—

“brave members of the Labour Party”.—[*Official Report*, 29 April 2009; Vol. 491, c. 989.]

The brave members of the Labour party who supported the motion and defeated the Labour Government inevitably included the right hon. Member for Islington North (Jeremy Corbyn) and, obviously, the right hon. Member for Hayes and Harlington (John McDonnell). Leading the Ayes was the right hon. Member for Hackney North and Stoke Newington (Ms Abbott). Clearly Phil Woolas was a forgiving soul, as he subsequently nominated the right hon. Lady for the leadership of his party despite being a campaign manager for David Miliband, on the ground that “David wants to be inclusive”. I hope that moderate members of the Labour party will not get into the habit of nominating colleagues for the leadership of their party for the wrong reasons; who knows who they would end up with?

My view is that the Gurkha settlement debate was in a noble cause, far removed from the simple binary party-political debates in which the Opposition propose declamatory resolutions to spend taxpayers' money without having the responsibility of funding those decisions. The Government must, of course, present Ministers to the House to defend and explain their policies, but on specific—and I mean specific—party-political issues, the Government believe that not trooping everyone through

[Jeremy Quin]

the division Lobbies is the right decision in the case of a non-binding, non-legislative resolution, and the Government must retain that right.

4.58 pm

Tom Brake (Carshalton and Wallington) (LD): I rise to make what Members will be pleased to hear will be a mercifully short contribution. I am afraid that I must use some of my few minutes to correct something that was said by the shadow Leader of the House; I am sure that she would like that to be done at the earliest opportunity. She said that it was the Conservatives who introduced the Backbench Business Committee, but of course it was not. It was the coalition Government, consisting of Liberal Democrats and Conservatives. That followed the work that a Labour Member of Parliament, Tony Wright, had completed, but it is unfinished business. Let me pre-empt a possible intervention from the hon. Member for Wellingborough (Mr Bone), who, I know, is pressing for the establishment of a Committee to resolve the way in which business is presented in this place. I hope that the shadow Leader of the House did not mind my correcting her on that point.

I thought that the right hon. Member for Forest of Dean (Mr Harper) was rather generous to the Leader of the House in saying that she could not possibly answer questions about business during business questions. That is her role, and I am sure that her predecessors Andrew Lansley and William Hague, with whom I worked, would have been very happy to answer a question on the subject of the business of the House.

The Government are clearly developing an addiction to closing down debate and scrutiny, or simply disregarding the outcome of any debates. We have heard a lot about Opposition day debates, so I will not touch on those. We have heard about the Government packing Committees to their advantage. We have heard a lot about the European Union (Withdrawal) Bill, and rightly so, because of course there are Members of this place—they do not appear to be here today, with perhaps one honourable exception—who have preached at great length about the importance of parliamentary sovereignty, often repeating the same speech, but when it comes to that Bill their enthusiasm for parliamentary sovereignty appears suddenly to have evaporated and it is no longer the critical matter it used to be. We see that in the Henry VIII powers and in how much policy the Government intend to push through in secondary legislation.

I want to focus briefly on the 50 sectoral reports that the Government have commissioned on the impact of Brexit. Whether one is a remain supporter like me, or a leave supporter like the hon. Member for Wellingborough (Mr Bone), I think that we all agree that it is important that the Government go public on what the impact of Brexit will be. I feel that it will be very negative, and I am sure that he thinks that it will be very positive, but at the moment we do not know because we are not allowed to see those 50 reports, which the taxpayer has paid for.

I am afraid that situation is often reflected in answers to parliamentary questions on the subject. I would have thought that by now every Department would know how many pieces of EU legislation they were going to have to transpose into domestic law through the European Union (Withdrawal) Bill process. However, if Members

ask that in a parliamentary question, what answer do they get? Some Departments are willing to hazard a figure of between 800 and 1,000, as the Department for Exiting the European Union has done, but others have no idea and do not give an answer at all. I think that the Government are very scared about allowing Parliament to scrutinise the Brexit arrangements in full possession of the facts.

In conclusion, the Leader of the House has had many opportunities in this debate to clarify the Government's position on Opposition days, but she has chosen not to do so. We are left with the rather nasty suspicion that this is a Government who care little about parliamentary conventions, less about parliamentary scrutiny and nothing at all about parliamentary sovereignty.

5.2 pm

Douglas Ross (Moray) (Con): I contribute to this debate from quite a privileged position, as someone who has served both my Parliaments: as a Member of the Scottish Parliament in Holyrood in Edinburgh; and as a Member of our Parliament here in Westminster in London. Of course, in both Parliaments, I have served under minority Governments, so I am well placed to speak about how Oppositions deal with debates in both Chambers.

We hear a lot from our Scottish National party colleagues about minority government here at Westminster, but very little about the fact that their party is in minority government in Holyrood—we heard a couple of sentences about it today from the hon. Member for Perth and North Perthshire (Pete Wishart), but not much before that. It is therefore worth repeating that Nicola Sturgeon went into the last Scottish parliamentary elections with a majority and came out with a minority, largely because the number of Scottish Conservative MSPs more than doubled—from 15 to 31.

The hon. Member for Perth and North Perthshire said many interesting things. After 13 minutes of criticising and attacking the Government and Conservative Back Benchers, he told us that he was being helpful and consensual. That was the only helpful thing he told us, because up until that point it did not seem that he was being particularly helpful or consensual. He also said—I wrote this down because I was very interested—that nobody expects the Government to change policy after being defeated in an Opposition day debate. That was quickly followed by an intervention from the right hon. Member for Orkney and Shetland (Mr Carmichael), who disagreed entirely. That just shows the confused position among the Opposition parties in today's debate. It is perhaps because the party of the hon. Member for Perth and North Perthshire has a minority Government in Scotland that he does not believe that Governments should change policy due to a defeat in a Chamber.

Lloyd Russell-Moyle: It is nice to hear about the Scottish example, but I am interested to know whether the hon. Gentleman thinks that the Government should change course when they are defeated in a Chamber, instead of just hearing him attack the SNP, which I do not have much truck with either.

Douglas Ross: I am a Scottish Conservative Member representing a Scottish constituency, so if the hon. Gentleman bears with me, I will speak about Scottish

issues in the House of Commons. I will also speak about Governments being defeated when this Government are defeated. They have not been defeated in this House, but the party of the hon. Member for Perth and North Perthshire has been defeated. I want to come on to the point that I tried to make when I intervened on his speech. *Hansard* will show that I asked clearly about the Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012, but that the hon. Gentleman never once mentioned that piece of legislation in response.

Pete Wishart: Will the hon. Gentleman give way?

Douglas Ross: Yes, if the hon. Gentleman is now going to tell me what has happened to that piece of legislation that needed to be repealed.

Pete Wishart: It is interesting that all that Theresa's Scottish Tories ever do is to get on their feet and talk about the Scottish Parliament. In case it has evaded the hon. Gentleman's attention, he was elected to serve in this House. As for the 2012 Act, a review is under way to examine hate crime legislation in response to the vote in the Scottish Parliament. That is how a minority Government should respond to a defeat in a Parliament.

Douglas Ross: I am sorry, but as the hon. Gentleman has totally misunderstood what is happening in Scotland with this piece of legislation, it is important that I provide a potted history of what happened. It was introduced by a majority SNP Government in 2011 with no support from the Opposition parties. Legal experts told them that it was wrong, a senior judge went on to say that the legislation was "mince", and then a Labour MSP's consultation on repealing the legislation attracted 3,000 responses, 70% of which said that the Act should be repealed. What is happening now? I will tell you. In November last year—

Mr Speaker: Order. The hon. Gentleman held out the prospect for the House that he would provide a potted history of what had happened in relation to the relevant piece of Scottish legislation. I think that he has somewhat stretched the definition and meaning of the word "potted", and what I am politely indicating to the hon. Gentleman is that he should gravitate towards the thrust of the debate, rather than occupy the tramlines.

Douglas Ross: Thank you, Mr Speaker. You unfortunately stopped me mid-thrust because I was about to come to that point. The final element came in November last year, when I led a debate on the matter in the Scottish Parliament, which then voted to repeal the 2012 Act. The Opposition parties voted for the repeal, but nothing has happened in the past year. The point that I am trying to get across is that people cannot state that what the Opposition parties say here must be respected when they do not respect what such parties say in another Parliament, so I will take no lectures from the hon. Member for Perth and North Perthshire about that.

Parliament gave a view on the two motions that prompted today's debate. There was a full discussion, with Government Members matching Opposition Members speaker for speaker, and the House did not dissent from the motions. The House expressed an opinion. Our constituents would rather that we focused on the crucial issues that are coming up later this evening instead of spending hours discussing procedural matters.

Our constituents would be better served by our getting on to those debates, which I look forward to listening to in the near future.

5.9 pm

Christine Jardine (Edinburgh West) (LD): I thank the hon. Member for Moray (Douglas Ross) for his contribution, but I promise to confine my remarks to affairs of this House. I apologise to colleagues who, like me, perhaps thought that they had nodded off and woken up somewhere else. It is almost exactly four months since we were all elected to this place—many of us for the first time—on a pledge to serve our constituents and the country, but I find myself increasingly dismayed by the attitude and flagrant disrespect for the values of the democratic process that are displayed by those on the Government Benches. First we were presented with the Henry VIII power grab in the European Union (Withdrawal) Bill, and now it seems that the Government intend simply to allow Opposition days to happen and then ignore them, paying no respect to the views of the House, elected Members or, by extension, the electorate who sent us here to oppose and scrutinise. It is not good enough, Mr Speaker, and if we continue along those lines, we will not be serving democracy.

At the moment, politicians spend a lot of time debating and lamenting public apathy, searching for ways to engage the younger generation, and asking why they find so little in the work we do to spark their enthusiasm for public service. Perhaps we had our answer, or at least part of it, during the Opposition day on 13 September, with its debates on NHS pay and tuition fees—hardly unimportant issues. If any young person was visiting the House on that day or watching the TV coverage, what did they witness? Petty political game playing—not dissimilar, I have to say, from what we have seen from those on the Government Benches today.

Alex Chalk: In my experience in this House, Opposition day motions are all too often used as an opportunity to lay party political traps that end up misleading my constituents. Does the hon. Lady agree that, in those circumstances, the Government should take the discretion not to indulge in parliamentary game playing?

Christine Jardine: I would agree with the hon. Gentleman were it not for the fact that what he was doing was party political game playing rather than listening to the Opposition. Surely the point of an Opposition day debate is that the Government listen to a view other than their own. That is the view of the electorate—they think that we are here to serve them, rather than to play games. If they had tuned in on the 13th, they would have seen a Government simply paying lip service to the question with no intention of taking anything on board or of allowing any credence to be given to the debate, lest it should challenge their established view.

Mr Carmichael: On that point, when the Government agree at least partially with an Opposition motion, it is open to them to table an amendment. They chose not to do so last month.

Christine Jardine: Indeed. Why should such behaviour encourage any kind of faith in the political process—"Yes, we'll let you have your say, yes you can have a vote, but we won't take any notice of what you say"?

[Christine Jardine]

Where is the democracy, where is the scrutiny and where is the respect for those who elected us? They surely deserve better.

5.12 pm

Wendy Morton (Aldridge-Brownhills) (Con): It is a pleasure to contribute to the debate and to follow the new hon. Member for Edinburgh West (Christine Jardine). She helpfully reminded us that it is almost four months since the general election, but the point about the general election of which I want to remind the House is that on 8 June the people of this country—my constituents and everyone else's constituents—had a vote, and the result was that the Conservative party got 56 more seats than the official Opposition. We have a working majority. The Queen's Speech has already been approved, setting out—[*Interruption.*] Whether the Opposition like it or not, that sets out the legitimacy of this Government's programme of work.

The Government also have a record of empowering Parliament, as we have heard throughout the debate, and that means Back Benchers, too. As we have heard, in 2010 it was the Conservative-led coalition Government who established the Backbench Business Committee, which is really important for Back Benchers on both sides of the House. When I sat on that Committee, I saw the range of topics proposed by Members of all parties for discussion. In the couple of years in which I have been a Back Bencher, we have had interesting and useful Back-Bench debates in the Chamber.

Chris Bryant: My only point there is that it is a bit of a pain if we cannot make the debates mean anything because the Government decide to abstain from any vote and not to follow through on a decision of the House. There is an important difference here. Although the Government did not fully implement this from the Wright proposals in 2010, despite promising to do so by 2013, we could have, as the Scottish Parliament has, a parliamentary bureau to decide all the business of this House. Would the hon. Lady support that?

Wendy Morton: I just go back to my point about Backbench Business Committee debates, because they have an important place in this Chamber and can make a difference, as can general debates. We had a very meaningful and useful debate yesterday evening on Gypsies and Travellers, a topic that Members on both sides of the House had been raising—

Wera Hobhouse *rose*—

Wendy Morton: I am going to make some more progress.

Members on both sides of the House had been raising the issue throughout the summer. Given the Minister's statement at the end of that debate, I sincerely believe that the Government were listening and are pointing to some ways forward. As a Back Bencher, the issue concerns me in my constituency, so I will continue to press it, as I hope other Back Benchers will.

As we have heard, following this debate and another piece of business, we will have a debate on baby loss, which touches many people, again on both sides of the

House. The issue has received a lot of awareness in the Chamber, starting from an Adjournment debate that was held a couple of years ago. We have had an Adjournment debate and Back-Bench debates. There is an all-party group on the subject and a ten-minute rule Bill on it was introduced. We have not had a vote as a result of any of those things, yet a private Member's Bill is to be introduced on the subject. Let us hope that that legislation goes through this place and that we will be able to remember that it started from the Back Benches. That is not one of my private Member's Bills. I have had two successes, but I would still like to think I could get a hat-trick.

All I am trying to do is to highlight the importance of debate in this place so that we have a chance to express our views. On the day in September that today's debate is very much focusing on, I had that chance to make my views and thoughts on student tuition fees heard, and that was what I did. That does not have to mean that there will be a vote every time; I had my chance to have my say. What concerns me most is that we have now spent 14 hours talking about procedure. I am not blaming you, Mr Speaker—far be it from me to do that; I would never be called to speak again! The fact remains that 14 hours have been granted for speaking about procedure, but what really matters is what my constituents want to hear. They voted in June for this Government and for me to get on with the job of representing them in this place and raising the issues that matter to them, not to talk about procedure.

5.18 pm

Hugh Gaffney (Coatbridge, Chryston and Bellshill) (Lab): I wish to be brief, Mr Speaker. Let me thank you for accepting the debate proposed by the right hon. Member for Orkney and Shetland (Mr Carmichael).

I am particularly interested by this debate because I am a newbie in the House and still have a lot to learn. I arrived in Westminster very much of the view of Parliament being sovereign and this House of Commons reigning supreme. This Government's blatant disregard for Parliament and for the fact that we are here to vote on issues that will impact the lives of the people who sent us here is a disgrace. If we think back to those two debates in September, it was clear that the Government knew they were heading for a big defeat—not for defeat's sake, but because they are on the wrong side of history. Their weasel words on public sector pay show very little understanding of what is happening outside this place. The motion was very clear that any potential increase in tuition fees in England and Wales should be scrapped. It was clear, sensible and pragmatic. The failure to vote on the two Opposition day motions shows that the Tories are running scared. That is clear for everyone to see, including those outside this House.

The hon. Member for North Down (Lady Hermon) was right to note the deal between the Government and the Democratic Unionist party. If the 10 DUP members continue to support Opposition day motions—I sincerely hope that they do—what does that mean for agreement between the two parties?

I know that the Leader of the House is not a close friend of the Prime Minister, but a nice and easy answer to this would be to the benefit of the House. How stable is this Government and how can we have any faith in them when the £1 billion deal hangs by a thread?

Between January 1978 and September 2017, there was only one Government defeat on an Opposition motion in this House. I might have been a mere boy then, but I remember that the Government changed their policy the next day, rightly reflecting the expressed will of the House. When the Leader of the House winds up the debate, I hope that she will address that point.

I also think that the hon. Member for Wellingborough (Mr Bone) was on to something when he intervened on the former Government Chief Whip, the right hon. Member for Forest of Dean (Mr Harper). I agree that when Parliament speaks, the Government should listen. I know that, deep down, Government Back Benchers agree with that statement, but they are running scared of the Whips and, more importantly, of facing the people in our constituencies and community centres, and across all four nations that make up our United Kingdom.

The way that the Government have approached Parliament since the election has been a disgrace. As the shadow Leader of the House noted in her important contribution, this two-year parliamentary Session was announced in a press release on 22 June. The Leader of the House should have come to this House, and she knows it. The failure to increase the number of Opposition day debates was a further disregard of Members.

Wera Hobhouse: Does the hon. Gentleman agree that we would not be spending 14 hours discussing democracy if it were not for Government Members disregarding democracy?

Hugh Gaffney: Yes, I agree with that.

In many ways, this debate is silly. I say that because there are so many important issues facing my constituents in Coatbridge, Chryston and Bellshill and others across Scotland and the rest of the country. We should be doing more. We could be talking about the pressures faced by our hospitals and vital public services, the fact that the jobcentre closures by the Department for Work and Pensions have the potential to destroy livelihoods and the vitality of town centres around the country, the botched roll-out of universal credit that even John Major wants halted, and, of course, Brexit, which will affect everyone.

The Government should be ashamed of themselves. They should learn that, ultimately, this House is sovereign—

Mr Jim Cunningham: I was very interested in the justification from the Leader of the House for the Government's actions on those two votes. We noticed that she sloganised for Conservative Central Office by blaming the last Labour Government for running the country into debt when she knows that it was her friends, the bankers in America, who caused the problem.

Hugh Gaffney: All I know is that I am skint and that I agree with my hon. Friend.

As I said, the Government should be ashamed of themselves. They should learn that, ultimately, this House is sovereign. Rather than engaging in this playground approach of sticking their fingers in their ears and ignoring the strong and loud voices of Members from all parties, they should show a bit of respect—that is all we ask for.

Several hon. Members rose—

Mr Speaker: Order. There are three remaining would-be contributors. The way that things have worked out means that we have slightly more time—*[Interruption.]* Yes, I know that the hon. Member for Rhondda (Chris Bryant) will be sad that it did not happen for him, but we have heard him many times before, and we will hear him many times again. The limit will now be eight minutes per Back-Bench speech. If the hon. Gentleman wishes to intervene all over the place because he enjoys the mellifluous sound of his own voice, we will wait in eager anticipation of that prospect.

5.24 pm

Mr Peter Bone (Wellingborough) (Con): I would say to the new hon. Member for Coatbridge, Chryston and Bellshill (Hugh Gaffney) that if he thinks this Government are bad in relation to Parliament, he should have seen the Blair Government. However, I have a hint that we may be friends, because I think he said something nasty about Whips, which is always a good sign for a new relationship.

I am grateful to you, Mr Speaker, for granting this Standing Order No. 24 debate, which is about Parliament versus Government. It is impossible for us as Back Benchers to get this issue debated, so I am grateful to the right hon. Member for Orkney and Shetland (Mr Carmichael) for introducing it. Although there was a little party politics on the Opposition Benches, there were also some very good speeches about parliamentary sovereignty, and the hon. Member for Rhondda (Chris Bryant) said everything I would have said—which is worrying me and probably worrying him.

There were some arguments today that were just plain wrong. The argument that this time is taking up time we could be using to debate something else is nonsense. We can extend the parliamentary day, and we have extended it. We could have extended the parliamentary day by three hours today. The Government chose to introduce two statements today, which took up parliamentary time. So the argument is completely false.

There is nothing more important than discussing the sovereignty of Parliament and the rights of Parliament in relation to the Executive. The Executive control virtually everything, and legislation can, effectively, be brought forward only by the Government. We talk about private Members' Bills, but if we pass a private Member's Bill on Second Reading and the Government do not provide a money motion, it is completely stuffed. So everything is completely in the control of the Government.

The fact that the Backbench Business Committee was introduced—it came out of the Wright reforms, although its debates were supposed to be in prime time, not stuck on a Thursday—is a credit. However, I remember sitting next to the former Prime Minister, David Cameron, in the Tea Room and saying, "Isn't it wonderful, Prime Minister, that we have a Backbench Business Committee and substantive motions the House can vote on?" He was having a cup of tea, and he spluttered it all over the place—he had not quite realised that point. However, there is no point having a substantive motion and having the will of the House expressed on a particular issue if the Government then choose not to take action. In my view, the Backbench Business Committee is the thing that has been ignored the most.

[Mr Peter Bone]

We have to come to a situation where, if the House expresses a view, a Minister must respond to that view in a statement. On the two debates that are being discussed, it does seem that the Government have changed policy subsequently, which is good, but would it not have been better if a Minister had come to the House and said, “As a result of that debate, we have thought about the issue, and this is what we propose to do”? I would like to suggest to the Leader of the House that it becomes a formula that if the House expresses a view, the Government should respond to it. That does not mean that they have to accept everything, but they should come to the Dispatch Box and say what they are doing on the issue.

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): I thought the day would never come when a newbie Lib Dem would agree with the hon. Member for Wellingborough (Mr Bone), but I like the cut of his jib. I think there is something more dangerous here, and I will probably incur the wrath of the House by turning to the territory of the hon. Member for Moray (Douglas Ross), but in the place where I once served for 12 years, we had private Members’ debates of an evening, to which a Minister would reply and after which, to be honest—I have to be careful about parliamentary language—damn all happened. That was dangerous for democracy in Scotland because the general public started to lose faith in the purpose of that kind of debate, and when we lose that, we are in danger of losing something incredibly important.

Mr Bone: I am grateful for that intervention, but may I give the new Liberal Democrat Member some advice? He should never agree with me if he wants to progress in his party.

Let me go back to another false argument that was used today. There was criticism of the Liberal Democrats for not being here for certain votes, and I have on occasion pointed that fact out in this Chamber. However, if we extend that to say that only people in this Chamber who know what the debate is about can go and vote, we would have quite a lot of different results in this House. It is not a bad idea.

A business of the House committee would solve a lot of these problems. That was proposed by Wright. It was supported; it was Government policy. Unfortunately, it was not Whips’ policy, and that is both lots of Whips. Many of the problems we have would be solved by having such a committee.

I am not sure whether anyone from the Government will be winding up the debate, but it would be useful to have a commitment from them on this matter. On an Opposition or a Backbench business day, if the House votes on something—we did vote; it is just that no one opposed the motion, so there was no recorded Division—that is the will of this House of Parliament and we should have a Government response.

Mr Harper: Will my hon. Friend give way?

Mr Bone: Give way to a former Chief Whip? Alright.

Mr Harper: Presumably, my hon. Friend is asking the Government to say something only if the House votes for something that is counter to the Government’s

existing policy. My argument was that the motion on the NHS was completely consistent with the Government’s policy, which is of course why the Government did not oppose it.

Mr Bone: I am grateful to the former Chief Whip for his intervention. As usual, he will not expect me to say anything other than that I completely disagree with what he said. I am saying that, if the House expresses a view, a Minister should come to the Chamber. The Minister can stand up and say, “I absolutely agree with the motion”, if that is what it is, but that should happen if, on an Opposition day, on a substantive motion, the motion is carried.

The issue of circus animals is the best example we have had in the House. There is no doubt that the overwhelming majority in the House wanted something done about circus animals.

Wera Hobhouse: Will the hon. Gentleman give way?

Mr Bone: I am sorry, I do not think I have time to take another intervention.

We really do need this to be done: the Government must take notice of what the House decides. It is a fact that, when the Backbench Business Committee came into being, the Government used to take it seriously. They used to vote on the motion. Then a former Leader of the House decided that it would be a good wheeze just to ignore votes and carry on. The reason we did not vote against the motion on circus animals—we can deny it as much as we like—is that we would have been defeated. It would be good in this parliamentary democracy if the Government on occasion were defeated. It would not be the end of the world and the Government would take note of it. That lot on the Opposition Benches would cry about it, but so what? Let us get used to it. This is Parliament. The people sitting here are not members of the Government—they are MPs sitting on the Government side. No one tells me how to vote.

Mr Harper: That is true.

Mr Bone: The former Chief Whip knows that. If I had wanted to, I could have been the only one to oppose the motion on that particular day. However, I did not feel like that.

This is not a wasted debate. It is a chance for parliamentarians to say that Parliament should come first and the Government should listen to what the House says when it votes.

5.33 pm

Mr Carmichael: With the leave of the House, I shall say a few words. I would not often expect to say this, but it is a pleasure to follow the hon. Member for Wellingborough (Mr Bone). There was much in his speech with which I had little difficulty agreeing with. On the question of a business bureau for the House, again, that was in the Wright report. I say gently to the hon. Gentleman, however, that to proceed with that without looking at other areas of House procedure that require reform would not be sensible. There is a strong case for revisiting the remaining work to be done in respect of the Wright report.

Chris Bryant: Something suddenly springs to my mind. Was not the right hon. Gentleman the Lib Dem Chief Whip who prevented the parliamentary bureau from coming into force?

Mr Carmichael: Indeed, I was part of the Government then—I was the deputy Chief Whip at the time. That was a decision taken by Government as a whole. Of course I was part of that, as were other Ministers.

Others have said that this debate was unnecessary. On one view, I am not without sympathy for that opinion. The debate could have been avoided if the Leader of the House had given us a clear steer on Government policy when I raised this matter with her on 14 September at business questions. She could have denied that it was Government policy to avoid Divisions that they would lose and then to ignore the decision of the House on non-binding motions. She chose on 14 September not to do so. She was given the opportunity again today to deny that this was the Government's policy. She chose again not to do so. If she wishes to intervene on me now to be clear, I will take her intervention.

Andrea Leadsom: I think I have been clear. The Government look case by case, and voting is a matter for the House. What the right hon. Gentleman is looking for is an assurance that those on the Government Benches will always oppose Opposition—

Mr Carmichael *indicated dissent.*

Andrea Leadsom: That is exactly what he is after, so that he can write his press releases. We will look, case by case, at Opposition motions and make decisions accordingly.

Mr Carmichael: I can assure the House that it has been some years since I wrote my own press releases. What I want is an assurance that where the House reaches a decision—this is the point that the hon. Member for

Wellingborough made—that decision will be acted on and respected by the Government. We have had no assurance on that point for the third time today. The House will draw its own conclusion from that failure to deny.

From any Minister of the Crown, that would be regrettable. It pains me to say that, from the Leader of the House, who is supposed to be the House's representative in Government, it is a dereliction of her duties. Those on the Treasury Bench can continue to avoid this issue if they wish, but if they do, it will keep coming back. Inevitably, because this is a democracy, the day will come when they are sitting on the Opposition Benches and somebody else is sitting where they are now. I fear that it is only then that they will understand the damage that they are doing to our House and our constitution now.

Question put and agreed to.

Resolved,

That this House has considered the Government's policy in relation to the proceedings of this House.

Mr Speaker: We shall shortly be proceeding to the next business, and I am keenly anticipating that, in a matter only of moments, the Clerk will proceed to read the Orders of the Day. However, in order for us properly to proceed with that business, there is a requirement for the presence of relevant Ministers and shadow Ministers, and—for I am not casting aspersions—there is also a requirement for an occupant of the Chair, as the House will be sitting in Committee and the Speaker does not chair the proceedings in Committee, as Members will know. *[Interruption.]* The hon. Member for Banbury (Victoria Prentis) is gesticulating in a very gentle way from a sedentary position that the Minister is present on the Treasury Bench, and I am happy to acknowledge that. *[Interruption.]* The occupant of the Chair is here and I think others are also here. The Clerk will now proceed to read the Orders of the Day.

European Union (Approvals) Bill

Considered in Committee.

[MRS ELEANOR LAING *in the Chair*]

Clause 1

APPROVAL OF DRAFT DECISIONS UNDER ARTICLE 352 OF
TFEU

5.39 pm

Question proposed, That the clause stand part of the Bill.

The First Deputy Chairman of Ways and Means (Mrs Eleanor Laing): With this it will be convenient to discuss clause 2.

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Margot James): This is a short Bill. As I explained on Second Reading, the purpose of the Bill is to approve four draft decisions of the Council of the European Union. All four draft decisions rely on article 352 of the treaty on the functioning of the European Union, and therefore require the approval of Parliament. Section 8 of the European Union Act 2011 provides for exemptions in order to avoid the requirement for an Act of Parliament, but the decisions with which we are dealing do not fall within any of the exempt purposes.

The first two decisions will enable two countries, the Republic of Albania and the Republic of Serbia, to be granted observer status in the European Union's Fundamental Rights Agency. The third and fourth decisions are necessary to implement a co-operation agreement between the EU and Canada on competition enforcement. Clause 1 provides for approval by Parliament of those four draft EU legislative decisions. Clause 2 concerns the territorial extent of the Bill, its commencement date and short title. Subsection (1) provides that the Bill extends to the whole United Kingdom, subsection (2) provides that the Bill will come into force on the day it receives Royal Assent and subsection (3) provides for the Bill's short title.

We are content that all four decisions are reasonable and proportionate, and that they will not result in any additional financial burdens on the UK. I urge hon. Members to agree to clauses 1 and 2 standing part of the Bill.

Bill Esterson (Sefton Central) (Lab): The European Union (Approvals) Bill is a two-clause Bill, as the Minister has said. It will approve four draft decisions of the Council of the European Union in relation to the participation of the Republics of Albania and Serbia as observers in the work of the Agency for Fundamental Rights, and the signing and conclusion of a new agreement between the EU and Canada regarding competition law, including the exchange of information between the EU and the Canadian Competition Bureau. Approval of those decisions by means of an Act of Parliament is necessary under the European Union Act 2011 in order for a Minister to vote in favour in the Council.

The Fundamental Rights Agency replaced the European Monitoring Centre on Racism and Xenophobia in 2007. As the Europa website states, the agency advises EU institutions and national Governments on fundamental rights, particularly in the areas of discrimination, access to justice, racism and xenophobia, data protection,

victims' rights and children's rights. The agency's areas of work have been determined through a five-year framework, and the main priority areas include the fight against racism, xenophobia and related intolerance. EU candidate countries can participate in the FRA as observers. The Bill approves two draft decisions on the participation of the Republic of Albania and the Republic of Serbia as observers in the FRA's work. We support the draft decisions concerning the participation of Albania and Serbia in the FRA.

Competition is vital to our economy, the success of our businesses and the prosperity of the people of our country, and the encouragement of healthy competition is vital. National Governments have a vital role in ensuring that a fair market exists, and not just a free market. The way in which Governments work together is also crucial in determining whether markets are free, fair or otherwise. The decision of the Trump regime to impose punitive tariffs on Bombardier will have a disastrous effect on the workers and communities of Northern Ireland, and on the economy. Such tariffs, if they are allowed to stand, exemplify the use by companies such as Boeing of market dominance to destroy competition.

Mr Bob Seely (Isle of Wight) (Con): I am not sure that I like Donald Trump any more than anyone else does, but does the hon. Gentleman understand the difference between a regime and an Administration? He calls the Trump regime a regime, but in fact the Trump Administration is an Administration. It is a democratically elected Administration, not some sort of hard left Venezuelan or Cuban-style regime.

Bill Esterson: I do not think there is any danger of confusing Donald Trump's Administration or regime with anything of the hard left.

That Boeing can act as it has done—initiating trade disputes in a segment in which it does not compete—with the full support of a protectionist US Administration demonstrates the need to ensure that every effort is made to deliver healthy and fair competition. The reliance of some Ministers on the US for trade and for our own economic success has been brought into sharp focus by the actions of the Department of Commerce. Notably, this applies to the International Trade Secretary, who seems to think that our relationship with the US is the answer to all our prayers, but it clearly is not.

5.45 pm

On Second Reading, the Minister told the House:

"The absence of the possibility of exchanging information with the Canadian Competition Bureau is regarded as a major impediment to effective co-operation. The proposed changes in the existing agreement will allow the European Commission and the Competition Bureau to exchange evidence that both sides have obtained in their investigations. That will be particularly useful in all cases in which the alleged anti-competitive behaviour affects transatlantic or world markets. Many worldwide or transatlantic cartels include Canada and, via Canada, the Commission will gain a good opportunity to have access to additional information concerning those cartels."

I note that she also told us:

"The existing competition agreement with Canada does not allow the sharing of confidential information, but the new one does."—[*Official Report*, 4 July 2017; Vol. 626, c. 1048.]

Many people regard the actions of Boeing in pushing the US Department of Commerce towards levying 300% tariffs on Bombardier, a competitor with a technically

superior product, as a pretty strong example of the type of anti-competitive behaviour that the Minister spoke about on 4 July. Indeed, given Boeing's battle with Airbus, it very much appears to be an attempt to destroy further competition in a market in which it has long been the dominant player.

The Canadian Government and the EU have both been working hard to address the actions taken to reverse the protectionist, anti-competitive actions of Boeing and the US Government. I trust the Minister will agree that any action to help all those connected with Bombardier in the UK, who are now fearing the worst, would be widely welcomed. The European Commission has noted that the absence of a power to exchange information with the Canadian competition authority is now an impediment as co-operation between the two parties has increased. Co-operation between the Canadian Government, the UK Government and the EU has never been more important, and what is happening at Bombardier is a reminder that such increased co-operation can only help.

Fair competition means avoiding anti-competitive practices, whether at home or abroad, including through the creation of cartels, or through mergers and acquisitions that distort the market. The undercutting and exploitation of workers in smaller businesses, the use of zero-hours contracts, the creation of false self-employment about which workers have little choice, the unfair treatment of smaller businesses by banks that will fund only those with liquid assets and delays in the payment of invoices by larger firms are all examples of anti-competitive and exploitative practices. In relation to such practices, Governments should find ways of intervening, nationally and internationally, to create a level playing field. Governments should be the partner of business and of the workforce, and they should encourage those wishing to start and to grow a business.

Preventing competition from being undermined matters, so co-operation between competition authorities and the sharing of information between jurisdictions is a key part of preventing anti-competitive practices. There is an existing agreement between the EU and Canada on competition law. It provides for the reciprocal notification of cases under investigation by either party where such cases may affect the important interests of the other party. It provides for co-ordination of enforcement activities and the provision of assistance where both parties have an interest. It provides the ability of one party to request the other to take enforcement action if there is reason to believe that anti-competitive activities carried out on its territory are adversely affecting the other party's important interests. It also provides for the exchange of information subject to confidentiality provisions and conditions of use, including on current enforcement activities and priorities, economic sectors of common interest, policy changes that either party is considering and other matters of mutual interest relating to the application of competition law.

Labour will seek for us to remain a member of common European agencies that benefit the UK, such as Europol, Eurojust and the Erasmus scheme. To those, we can now add having access to the information shared between the competition authorities in the EU and in Canada and, for that matter, between those in the EU and in other countries.

The emphasis from the Labour Benches is on jobs, the economy and retaining the benefits of the single market and the customs union. Being able to share information about competition, to prevent anti-competitive practices and support fair competition is consistent with maintaining the best possible relationship with the EU and access to our biggest customer as a country—the customer being the EU, which accounts for 44% of our trade.

On Second Reading on 4 July, the Minister told the House, in answer to my question whether the UK could remain part of the Fundamental Rights Agency after Brexit:

“The Government are looking at the UK's relationship with all EU bodies, including the FRA, as part of the exit negotiations.”

Further to that answer, may I ask her, three months later, whether the Government have a view yet on whether we will remain in these EU bodies and, indeed, which ones we will remain in during transition, and secondly, whether the UK wishes to remain in these bodies after transition?

In answer to my questions about the competition arrangements, the minister told me on 4 July:

“The UK Government will be free to enter into their own arrangements to share information with Canada directly, and the UK and Canada will need to negotiate any such agreement.”

I also asked about international agreements after the UK leaves the EU, and whether this agreement provides a model. She told me:

“The UK will be free to enter into international agreements on competition”

and she told me that the Government

“believe that this agreement is a good model.”—[*Official Report*, 4 July 2017; Vol. 626, c. 1074-75.]

Can she tell me what happens after we leave until new arrangements have been agreed? What transitional arrangements do the Government have in mind for sharing information about competition with Canada and other countries? Perhaps, following my comments about Bombardier, she might want to say whether, in her opinion, the sharing of information with the Canadian Competition Bureau might be of help in addressing the problems caused by Boeing's actions and by the imposition of punitive tariffs and the return to protectionism that we have seen from the United States Government.

Andrew Bowie (West Aberdeenshire and Kincardine) (Con): It has been said by some that this Bill lacks substance, that this is a perfunctory debate and that it has little significance. I think that could not be further from the truth. For our actions here in the House this evening demonstrate beyond any discernible doubt that up to and until the point that we leave the European Union, we will continue to use our rights and obligations as full members of that institution, demonstrating that in the United Kingdom the European Union will retain the closest of friends, the strongest of allies and the most dependable of partners.

In that spirit, with our desire to do the right thing by our neighbours and echoing the Prime Minister's comments yesterday when she reaffirmed our commitment to a peaceful, secure and prosperous future for Europe, it is right that we approve the decisions of the European Union Council. Few other single acts could better signal our desire for a peaceful and prosperous Europe than the granting to Serbia and Albania of observer status in the European Union's Fundamental Rights Agency.

[*Andrew Bowie*]

We cannot forget that it was less than 20 years ago that British and other NATO troops were deployed in the Balkans in the midst of an horrific conflict that we hoped we would never see the likes of in Europe again. While I am sure that all in this House would agree that more should and could be done, with the Council of Europe among others, regarding the pursuit of war crimes in Serbia, and on judicial reform, anti-discrimination policies, illegal migration, organised crime and protections of fundamental freedoms, it is surely a mark of the huge progress made in all these areas by the respective countries that the Council of the EU has seen fit to recommend that they be granted observer status as part of their EU candidate status.

Using our rights and obligations to the full until we leave, as we should, it is right that the UK supports Albania in its accession efforts and Serbia in its reform projects. Our giving consent to these—

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): The hon. Gentleman makes an important point about encouraging the enlargement of the EU across the Balkan countries. On that count, does he also support the application of countries such as Montenegro, Macedonia, Kosovo and Bosnia?

Andrew Bowie: Each application has to be looked at in its own individual context. It is obviously not for me or this House to decide where each state is in terms of its candidate status, but for the Council of the European Union. I know that that is going through at this very moment.

The third and fourth decisions of the EU Council are necessary to implement a co-operation agreement between the European Union and Canada on competition enforcement. Canada is one of the United Kingdom's oldest and closest partners: we have been allies in conflicts for over a century and we have a shared past, strong family links and shared values. As if to underline that closeness, Canadian and British troops, as well as European and other NATO service personnel, are working closely, side by side, as part of Exercise Joint Warrior along the north coast of Scotland. It is because of this closeness, and our shared history and values, that many in this House and beyond find it so frustrating that it has taken over eight years for the Comprehensive Economic and Trade Agreement to be agreed between the European Union and Canada. Even then, it almost came unstuck due to the complex internal machinations of Wallonian politics—I was going to make a comment about unchecked devolution, but I have thought better of it. I just wonder whether a UK-Canada free trade deal might take a slightly shorter time.

Peter Grant (Glenrothes) (SNP): I am grateful to the hon. Member for giving way and for reminding us that as well as the co-operation with Canada, subject to this proposed Act, a much more significant and detailed co-operation agreement was finalised not so long ago. He will be aware that while the Bill has been offered a potential six hours debating time on the Floor of the House, the CETA deal was agreed without a single minute's debate on the Floor of the House. Does he believe that that allowed the House to properly influence such an important trade deal?

Andrew Bowie: As the hon. Gentleman knows, that was well before my time in this House so I would not feel entirely comfortable commenting on that. This debate is not about CETA.

The decisions taken in the EU Council being approved by us today for agreement by the European Parliament will replace the 1999 competition and co-operation agreement. As the Minister said, the agreement replicates and builds on the provisions in the earlier agreement by allowing the European Commission and the Canadian Competition Bureau to exchange evidence obtained during investigations, including confidential information and personal data. These decisions will further help British businesses thrive internationally, as both Canadian and European business benefit from strong international competition law. On anti-competitive business practices, we must continue to work with Europe and Canada after we leave the European Union. We on the Conservative Benches know that the only way to reliably increase long-term living standards is through trade. Fair competitive trade is, as we know, the catalyst for reducing poverty, spreading prosperity and fostering innovation.

An outward-looking global Britain, as we will be, must continue to fight fair for business practices across the globe to ensure that free trade works for everyone. I hope the European Union recognises that the approval of its agreements is done in good faith, because it benefits citizens and businesses across the United Kingdom, Europe and Canada. In approving these decisions, we not only signal our commitment to the future of a peaceful and prosperous Europe, reaffirming our position as its closest and most dependable friend, but signal our continued desire to promote fair competition, free trade and an ambitious future for ourselves and our partners across the world.

Peter Grant: I am happy to speak in support of the Bill. As I mentioned in my intervention, it seems ironic that something that appears to attract little opposition and not even a great deal of concern across the House could, if necessary, be granted a total of six hours of debate—tonight's allocation and what we had on Second Reading—on the Floor of the House, yet massively important and much more contentious EU legislation, such as the CETA deal, is guaranteed no time whatever on the Floor of the House. The Government were eventually dragged kicking and screaming into an upstairs Committee room for an hour and a half after the CETA deal had been signed off but before it was finally ratified. That was after months, if not years, of determined efforts by the European Scrutiny Committee, whose scrutiny process was ignored and overridden by the Government on that and on so many other matters. I will come back in a moment to explain why that is so vital, but it seems ironic that something relatively non-contentious requires an Act of Parliament before the Minister can sign it when Ministers from all parties have quite happily signed much more contentious EU documents in the past without any appropriate reference back to this House.

I want first to speak about the applications from Albania and Serbia. We should enthusiastically welcome the movements in those two countries. I am one of a fairly small number in here who can remember the days when Albania was like the North Korea of Europe. Even before the fall of the iron curtain, even when the

Stasi were in charge in East Germany and even when the Ceausescu regime was in charge in Romania, Albania was seen to be the most isolationist place of all. We should welcome the fact that it now wants to move closer to the more modern family of European nations. And look at where Serbia has come from in the past 20 or 25 years; we should enthusiastically welcome the fact that it is now asking to be allowed to co-operate much more closely in the protection of human rights and the eradication of racism and xenophobia. We should encourage the Serbian people and Government to continue on that journey.

6 pm

The co-operation with Canada makes sense. We are two major trading economies, both of which accept that anti-competitive behaviour on a global scale damages everybody except the handful of billionaires who own the anti-competitive companies. It makes sense for Governments, nation states and groups of nation states to work together. A single country on its own these days is often not big enough to take on the big global economic superpowers that are today's multinationals. We have to work together to make ourselves big enough to be able to stand up to the big bullies of multinational business. We should certainly look for this kind of co-operation with Canada and, similarly, with other major economies in the future.

There are consequences to the way in which this Government and previous Governments have failed to respect Parliament's role in scrutinising everything Ministers did on our behalf at the European Union. I say it like that deliberately because the job of the European Scrutiny Committee has never been to scrutinise what Europe is doing. It has always been to scrutinise what Ministers are doing in Europe on behalf of the House. From the couple of years in which I was a member of that Committee, it was perfectly clear that Governments in the past have done everything they could to avoid that scrutiny. I am sorry to say that the House often appears to have been supine in its failure to hold Governments to account for that. That, more than anything, has allowed the wildest of all myths to gain currency: the myth that European civil servants are allowed to make laws without any input from this Parliament. It is simply not true.

When this Parliament has been denied the opportunity to comment on European laws, it has not been the European Union that has denied us that opportunity; it has been British Governments, past and present. Had they not done that—had they held themselves properly to account for their actions in Europe and come back to this House saying, “We don't agree with what the Europeans want to do. What do you, as Parliament, think?”—the public would not have been made to believe that Europe was acting over the top of this Parliament. They would not have been led down the path that we are heading down. We could have avoided that comical—if it was not so tragic—irony.

Serbia and Albania were each in danger of being seen as international pariahs at different times and for different reasons. These two countries are now taking the sometimes difficult, but momentous, steps towards fully rejoining the worldwide family of democratic nations. At some point along that journey, they will meet the United Kingdom heading in the opposite direction. That is a tragedy that should have been avoided had this Parliament and previous Governments done their job properly.

Andrew Percy (Brigg and Goole) (Con): I have spoken during a previous stage of this legislation and am happy to do so again. Before I begin on the Bill, I have to take issue with the shadow Minister's use of the phrase “Trump regime”. This really is the sort of childish politics that we have come to expect from the Opposition. Never mind various shadow Ministers popping along on certain strong leaders' particular TV channels without seemingly any notice at all—no criticism of that. But describing the democratically elected Government of our biggest ally and friend as a regime is silly, childish politics. The shadow Minister could do better, but he showed why the Labour party is unfit to hold any sort of ministerial office at any time soon.

I take issue with a couple of things that the hon. Member for Glenrothes (Peter Grant) said. It is not true that Parliament has not discussed, debated and questioned Ministers on CETA. I declare an interest as a previous vice-chair of the all-party parliamentary group on TTIP, now the all-party parliamentary group on transatlantic trade. We have had Backbench Business debates in which TTIP has been debated and the CETA deal has been smeared by certain Members as a Trojan horse for American interests, which is a deep insult to our Canadian friends and allies. Ministers have responded to those debates, and of course the issues have been raised time and again in questions. I partly understand his point, but it is not the case that we have not examined and discussed the CETA provisions in depth in this place, both in the Chamber and elsewhere. It is a consequence of its nature that the trade treaty with Canada passes in this form. There is nothing unusual about it. It is part of our constitutional system.

I also take issue with one other thing the hon. Gentleman said, which in my mind was the biggest nonsense I have heard for some time: that the reason the British people voted to leave the EU was that the British Parliament, even in cases of the direct applicability of EU law and an activist European Court of Justice, has not got in the way of things forced on Britain, even sometimes against the wishes of the British Government. It was a bizarre argument. I suppose it is just another example of people failing to accept the democratic will of the people. Seven out of 10 of my constituents voted to leave the EU. They have pretty much been smeared since the referendum campaign for daring to vote a different way from certain establishment types in this place.

Peter Grant: I will not rise to some of the nonsense the hon. Gentleman is speaking. Will he confirm whether he is familiar with the resolution of the House requiring Ministers to get either clearance or an agreement to waive scrutiny from the European Scrutiny Committee, and will he confirm that when the International Trade Secretary—I think it was him, but I cannot be sure—signed CETA, he did so knowing he did not have the Committee's approval? The resolution does not say it has to be discussed at a Backbench Business debate or by an APPG; it quite clearly says it has to be cleared by the Committee, but it was not at that time—

The First Deputy Chairman of Ways and Means (Mrs Eleanor Laing): Order. We are a little more lax because this is Committee stage, but I kind of forgot the hon. Gentleman was intervening rather than making a speech. I should not have let him go on for quite so long, but I am sure he has made his point now.

Andrew Percy: I wish to forget that the hon. Gentleman was speaking, given, again, the nonsense he was trotting out that in some way this is Parliament's failure. He clearly does not understand how European decision making has evolved through the various European treaties over the years and how the role of this House in that legislative process has been diminished. He is a member of a party that wants to retain decision making in Brussels, rather than repatriate it to the UK, so it is a little difficult to swallow being lectured about parliamentary democracy by a representative of a party that wishes decision making to remain in Brussels.

I am delighted, as I was at previous stages, to support the Bill. It is important, as we exit the EU, that we continue to be good partners in Europe, and if it is the will of Serbia and Albania to join the EU in the future, it is not for us to get in their way. Regardless of whether we are in favour of leaving or remaining in the EU, we will all wish them well as they embrace the values that we in this country and our allies in Europe hold so dear. It is important for their own stability that they be allowed to progress unimpeded down the path they have chosen. Also, by actively supporting the Bill, we show what we wish to be after we have left the EU: good partners with Europe. As a proud Brexiteer, therefore, I am more than happy to support a Bill that might well pave the way for the expansion of the EU.

On the provisions as they relate to Canada, the Minister was unable, quite reasonably, to say whether we would wish to participate in these arrangements in the future. That will of course be a matter for our final arrangements with the EU. The hon. Member for Sefton Central (Bill Esterson) set out a position, and the Opposition have set out any number of different positions on Brexit, all of which they appear to be capable of maintaining at the same time. That is an interesting approach to such an important issue.

Mr Seely: How many positions do we think the main Opposition party have taken? I have lost count. Is it five, 10, 15? Where have we got to?

Andrew Percy: I only got a C in GCSE maths, so I am afraid I cannot do such advanced sums involving so many numbers at any one time, but it is certainly a lot, and it is certainly the case that the position taken depends on which shadow Ministers—be they impressive or unimpressive—pop up on the television screen.

Let me now deal with the broader relationship with Canada. This whole process—not only through the agreement that we are discussing, but through CETA—has been an important indicator of how we may wish to do business with Canada in the future.

Justin Tomlinson (North Swindon) (Con): My hon. Friend is making a typically powerful speech. This agreement is a good start, but, as an advocate for opportunities for future trading arrangements with Canada, does he agree that there is potential to be even more ambitious?

Andrew Percy: I absolutely agree. I am delighted to have been asked once again to be the Prime Minister's trade envoy to Canada, as I was previously until I had the unfortunate experience of being a Minister for a year. I was passionate about the deal that was negotiated. As hon. Members will remember from our work on the

Transatlantic Trade and Investment Partnership, I have been a strong advocate in the House for improved trade relations between this country and north America. I should add, despite being a strong advocate for CETA, that CETA is a classic example of the European Union way of negotiating a trade deal that does not necessarily reflect the peculiarities and the particular circumstances of our economy.

I think—and the Canadians have been very positive about this—that although it would be sensible for us to continue to apply CETA during the immediate period after we have left the European Union and to use it as a starting position, we can be far more ambitious. After all, 40% of our merchandise comes into the EU from Canada. We are the biggest recipient of Canadian foreign direct investment in the EU, and we are the biggest foreign direct investor in Canada among EU countries. It is certainly the case that we can be more ambitious, and aim for more than what has been achieved so far through CETA, although it is a good start and a good base. I welcomed the Prime Minister's recent visit to Ottawa, where she established a bilateral trade working group with Prime Minister Trudeau and his Government. That was a good step forward, especially in the eking out by officials of where a deal could lie in the future.

I want to make a case to the Minister that I have made at earlier stages. I hope he will take it on board, because it is the crux of my speech, as it was at those earlier stages. While it is important that we maintain our relationships with the federal Government, I think that the one thing we have learnt from the CETA process, on both sides of the Atlantic, is how important—particularly in a Canadian context—engagement at a sub-federal, sub-national level really is. I urge the Minister to ensure that we learn the lessons of how we engage with provincial Governments, who are so important to the success of any future trade deal with Canada. We need to ensure that, as well as continuing our bilateral relationship through the working group that we have established through the federal Government in Canada, we are actively working with those provincial Governments, a number of whom have representatives and trade offices in the United Kingdom, and we need to ensure that we learn the lessons of any failure to do that through CETA.

I have little else to say, other than, again, to wish the Bill every success.

6.15 pm

Vernon Coaker (Gedling) (Lab): This is a Bill that I think we can all support. It is small and we have consensus but, as other Members have said, it is still a significant measure. I refer, in particular, to the decision to grant Serbia and Albania observer status at the European Union Agency for Fundamental Rights.

One of the EU's great successes, which I think the House should celebrate, notwithstanding the decision to leave, is its support to progressive movements in many former Soviet bloc countries in eastern Europe. Many of those countries are now full members of the EU, but many others, although now parliamentary democracies, are still seeking to move forward in a range of areas, as the Minister reminded us, such as in combating sexism, racism, homophobia and conservative nationalism in the worst sense of the term. It is important that we reflect on that in this debate.

Only 20 years ago, as the hon. Member for West Aberdeenshire and Kincardine (Andrew Bowie) mentioned, this country supported Kosovans. We saw ethnic cleansing in that part of Europe, just a few hours away from Heathrow. We thought that ethnic cleansing had been banished, and that it was impossible for that to occur again in Europe after the horrors of the second world war. The instability of the situation threatened the wider region. It has taken Serbia and Albania 20 years to reach the position in which they can be granted EU observer status.

There are still significant challenges. I recently met representatives from Albania at a conference in Rome on slavery and human trafficking, and we were reflecting on the challenges that the country still faces—I am not as familiar with Serbia, but I know that other Members are. All that I wanted to do was stand up in this House and say that the British Parliament thinks about and understands the people who are seeking to bring about progressive change in their counties, sometimes in very difficult circumstances.

There is a question for us, if and when we leave the EU—without getting into the divisiveness of whether or not we should—of how we can continue to support progressive movements that are seeking to tackle some of the problems in Serbia and Albania, and indeed in counties such as Montenegro. The Government will need to consider how to approach that. That sort of consideration can easily be lost in our debates on the EU, but it is of fundamental importance.

Serbia and Albania have made massive advances, but there is still a long way to go. The granting of observer status is another significant step forward. The people in those countries who are seeking to advance the causes of sexual equality, anti-racism and a nationalism that does not remind us of the horrors we have seen before need our support, and they need to know that we are interested, that we care, and that we will support them in their endeavours. The Bill is small, but it is crucial to us all.

Mr Seely: I am delighted to follow the hon. Member for Gedling (Vernon Coaker) and I will hopefully pick up on a couple of his points. I will speak briefly in support of the Bill, and specifically Serbia and Albania's admission to observer status in the European Union Agency for Fundamental Rights. That is important for us, but it is extremely important for those two countries, particularly Serbia.

Whether we like it or not—we clearly do not, because we thought that it had ended about 20 years ago—we are in something of a cold war with the Russian Federation, or at least with its leadership. The aggressive cooling of relations was advertised in President Putin's Munich speech back in 2007, and it could be said that there was a gestation period of some 10 to 15 years before that during which the forces of proto-communism and socialism, hard-line nationalism, and even an aggressive, virulent fascism coalesced around an illiberal hostility to the western world. Whether we like it or not, there is a battle for Serbia's future and, broadly speaking, there are two models for where the country is going. One is pro-EU and involves democracy, individual rights and hostility to minority oppression. It is not a perfect system—it could be said that a little more adversarial politics would be no bad thing—but those things are critical to a civilised society.

As the hon. Member for Gedling was saying, the other model that the Serbians face is the one that the Russians want: hard-line nationalism; hostility to individual rights; perhaps a celebration of a sort of pan-Slavism; and aggressive propaganda against NATO, the EU and “gay Europa”, as the Russian official media would have it. The hon. Gentleman mentioned conservative nationalism, but it goes beyond that—it is a virulent form of illiberalism in almost all forms. It is almost proto-fascist, although it gains support from both sides, with avowed fascists and avowed communists having a similar social agenda involving antagonism towards homosexuality and what they perceive as deviance, and a slavish hierarchical acceptance of an order that we would consider stifling and deeply unpleasant.

Examples of the active destabilisation that has sadly been engaged in in the Balkans include the recent attempted coup in Montenegro, which was allegedly carried out by the GRU—Russia's Main Intelligence Directorate—and the handing out of Russian passports to Serbians in the Balkans. The aim of that is to give the Russians the ability to interfere in politics in that part of the world and, in the worst-case scenario, to create the destabilising, small-scale conflicts that have marked Russia's behaviour in the former Soviet states. There is also economic and political pressure in mainstream Serbia to try to get the country, and powerful individuals within it, to turn away from a broadly pro-western, pro-EU model.

What can we do about that? From my experiences in former Soviet states, the easiest things are probably free trade and free movement—all those things with the word “free” in—as well as support in every conceivable way for civil society, which the EU's fundamental rights will help to grow. That is the fundamental basis on which democracy will be strengthened on the basis of our alternative—a broadly pro-western, liberal alternative—with a rejection of more aggressive, destabilising nationalism. For those reasons, the Bill is somewhat important to us, but it is extremely important to the Serbians.

Paul Scully (Sutton and Cheam) (Con): We are still a member of the EU, so it is right that we proceed with the Bill as quickly as possible. We are not talking about leaving the EU on bad terms, so it is right that we spend time considering such cases as good members of the EU. Two of the four procedures that we are considering under the Bill involve giving Serbia and Albania observer status in the European Union Agency for Fundamental Rights. The agency replaced the European Monitoring Centre on Racism and Xenophobia. It collects data about fundamental rights and seeks to engage the public and civil society on tackling such issues. That sounds to me very much like the work of the Council of Europe. I have returned this morning from Strasbourg, where the plenary session of the Parliamentary Assembly of the Council of Europe is still going on. That body needs a lot of reorganisation and work to bring it up to scratch. However, there was mention earlier of what we might do post-Brexit to engage with such agencies, and it occurs to me that there would be an opportunity, if we were so minded, for us to consider how we might bolster an organisation such as the Council of Europe and wrap things up, rather than duplicating effort.

I think that the last time I was in Strasbourg was during the April session, and I opened up my locker yesterday to find my speaking notes from that trip. The Council of

[Paul Scully]

Europe building, which sits next to the Strasbourg European Parliament building, is essentially mothballed. There is a lot of waste and a lot of duplication, and we could work with our European colleagues and partners to ensure that we streamline things and focus on the frontline of protecting people's fundamental rights. This debate will affect many millions of people.

Albania and Britain have some quite odd but big links. C. B. Fry was offered the monarchy of Albania, which he turned down, giving rise to the reign of the wonderfully named King Zog I. Norman Wisdom is also fêted in Albania; I think he has a statue in Tirana. The reason why I know these two bits of pub quiz trivia and little else about Albania was mentioned by the hon. Member for Glenrothes (Peter Grant): Albania has been a very closed country for a long time. It is important that we work however we can to open up that country and keep it progressing, joining the international community in the fullest possible way and protecting people's rights.

I welcome the accession of Serbia and Albania to the agency, but I also want to say a word about the Canadian aspect of the Bill, as we consider competition law ahead of the ratification of the CETA deal. I have been lucky enough to travel around the world over the past few years to places such as Bangladesh, Burma, Saudi Arabia, the Emirates and Taiwan, and they have all been looking at how they can work with the UK through free trade deals. I am excited about the prospect of having free trade with as many countries as we can. I do not care if the EU is involved in this free trade—we need to widen it out so that we can break down barriers wherever they exist. Working on CETA and against anti-competition procedures can only be a good thing for our European partners. Although we might not be around in the EU to benefit from the CETA deal, it is only good for European and global trade that we should push this Bill through.

Question put and agreed to.

Clause 1 accordingly ordered to stand part of the Bill.

Clause 2 ordered to stand part of the Bill.

The Deputy Speaker resumed the Chair.

Bill reported, without amendment.

Third Reading

6.29 pm

Margot James: I beg to move, That the Bill now be read the Third time.

The brief explanation that accompanied the clause stand part debate in Committee covered all the points that need to be made about this short Bill. I thank all hon. Members who have contributed so fully, and I am

grateful for their support for the measures. I wish the Bill an equally swift passage through the other place and on to Royal Assent.

Question put and agreed to.

Bill accordingly read the Third time and passed.

Grahame Morris (Easington) (Lab): On a point of order, Madam Deputy Speaker. With your permission, I would like to pay tribute to a loyal servant of this House, Trevor Ford, who has been a Doorkeeper for more than 20 years and is retiring today. He is from my region; he was actually born in Gateshead, but is a proud red and white Sunderland supporter all the same. He served with great distinction in the Royal Air Force from 1969 to 1992 and completed tours in both Northern Ireland, during the 1970s, and West Germany. In 1996, he became a Doorkeeper here in the House of Commons. Many of us will know that Trevor has worked at almost every post in and around the Chamber; he has worked in the Members' Lobby, at the back of the Speaker's Chair, in the Strangers Gallery and, more recently, in the Special Gallery. He has been the Bar Doorkeeper and has led the Speaker's Procession on many occasions. He is a thoroughly well liked, thoroughly decent individual, and he has served this House with great distinction for 21 years. On behalf of the whole House, I would like to thank him for his loyal service and wish him well on his retirement.

Madam Deputy Speaker (Mrs Eleanor Laing): On a technical matter, I thank the hon. Member for Easington (Grahame Morris) for raising that point of order. It was, of course, not a point of order for the Chair, but I am delighted that he took the opportunity to draw to the attention of the House the fact that this is Trevor Ford's last day in his current office. On behalf of everyone in the whole House, I would like to add our very grateful thanks to Trevor Ford, who has carried out his duties with great dignity over many, many years. All of us who are elected to this House know very well, every minute of every day, that we could not do our duties if we did not have the support and absolute loyalty of the other servants of the House, who carry out their duties so well. We appreciate that what Trevor Ford has done over many years often goes without notice, but we notice all the hard work and all the dedication. I am absolutely delighted that the House has this momentary opportunity to pay tribute to Trevor's many, many years of service. I should just say for the record that while I have been saying this he has managed to stand to attention the whole time—[HON. MEMBERS: "Hear, hear."] It is unusual that we can manage to pay a tribute such as this, but let me give our very sincere thanks from the whole House. We wish Trevor all the very best for the future.

Baby Loss Awareness Week

6.33 pm

The Minister of State, Department of Health (Mr Philip Dunne): Before I start the debate, Madam Deputy Speaker, let me say that I am delighted that you were able to pay tribute to all of our Doorkeepers and, in particular, to Trevor, on his last day here.

I beg to move,

That this House has considered Baby Loss Awareness Week.

I am personally very pleased that this debate is being held in Government time, having participated in last year's debate on baby loss. It was one of the most moving experiences I have had in this Chamber, as Members from both sides of the House gave expression to their own experiences. That helps to send a signal outside this place of the significance that we accord this, not just within the Department of Health and the NHS; Members of this House sympathise with the many members of the public who go through such experiences. It does this House a good service when Members who feel able to do so place on the record their own experiences. It is right and important that we continue to raise awareness of the devastating impact of baby loss.

I wish to restate at the outset this Government's commitment to providing high-quality bereavement care and to reduce the numbers of babies who are lost too soon through miscarriage, stillbirth or other causes such as sudden infant death syndrome. I pay tribute to all those who are sharing their personal experiences this week. In particular, I thank my hon. Friends the Members for Eddisbury (Antoinette Sandbach) and for Colchester (Will Quince), who are in the Chamber today, and all members of the all-party parliamentary group on baby loss, which they co-chair, for achieving so much in raising awareness during this past year.

I wish to update the House on some of the initiatives that the Government and the NHS have put in place since last year's debate to improve safety, reduce stillbirths and other adverse maternity outcomes and improve bereavement care. I believe that all hon. Members support the ambition of the Secretary of State to halve the rates of stillbirth, neonatal and maternal deaths and brain injuries that occur during or soon after birth by 2030, and to achieve a 20% reduction in rates by 2020.

Shortly after the debate last October, the Secretary of State launched the safer maternity care action plan, which set out additional support for the maternity and neonatal services working to achieve that ambition. The plan set out a range of initiatives on five themes. First, there is a focus on leadership, with the establishment of local, regional and national maternity safety champions to promote professional cultures, teamwork and continuous improvement. Every trust with maternity services has pledged to appoint a maternity safety champion, and 88 out of the 134 trusts that provide maternity services now have named leads.

Secondly, there is a focus on learning and best practice. This includes the Saving Babies' Lives care bundle to reduce stillbirths, which was launched by NHS England in March 2016. Saving Babies' Lives brings together four elements of care that are recognised as evidence-based and/or best practice: reducing smoking in pregnancy; risk assessment and surveillance for foetal growth restriction; raising awareness of reduced foetal movement; and effective

foetal monitoring during labour. The Department has also funded Sands and Best Beginnings to develop and promote the "Our Chance" campaign to give parents knowledge and confidence to maximise their chances of healthy outcomes.

Thirdly, there has been a focus on multi-disciplinary teams with an £8.1 million maternity safety training fund, which is designed to ensure that staff have the skills and confidence they need to deliver world-leading safe care. All 134 trusts with maternity units have now received funding and are implementing training packages. Many of those are being delivered by the charity Baby Lifeline, which I met this morning to learn some of the benefits that this training is bringing to improving safety, reducing error, and helping patient outcomes.

I visited Leeds teaching hospital a couple of weeks ago and heard from midwives about their multi-disciplinary training programme "Deliver me safely" in which they and doctors undergo training together in the recognition that human factors can contribute to harm in maternity systems. These simulations focus on situational awareness and team interactions, challenging some cultural hierarchical attitudes, which I am afraid can be prevalent in parts of the NHS, and encouraging everybody to speak up if they have safety concerns.

Lastly, there has been a focus on innovation, with the launch of a maternity safety innovation fund of £250,000, which has supported 25 local maternity services to create and pilot new ideas, and of the national maternal and neonatal health safety collaborative to build local capability in quality improvement and to provide structured support for local teams. One example of this is the safer films project at the University Hospitals Coventry and Warwickshire NHS Trust, which is developing staff training films, using headcam devices to show interactions with clinicians from the mother's perspective. The patient's view of the drills undertaken around her allows clinicians to look back at the impact that their activity, including how they communicate with women and their partners, has on the patient.

Just last month, the Secretary of State hosted a roundtable with 25 key partners across the health system to discuss evidence and current NHS clinical practice on supporting women to have safe births. There has been an enthusiastic response to the Secretary of State's ambition, with a range of initiatives developed by national and local NHS organisations, royal colleges and charities. We will continue to work with our partners to align these initiatives with the work of the maternity safety action plan. I am happy to report that we are on track to achieve our 2020 ambition. The stillbirth rate in England has fallen from 5.1 per 1,000 births in 2010 to 4.4 in 2015. The neonatal mortality rate was 2.6 deaths per 1,000 births in 2015, down 10% from 2.9 in 2010.

I would like to touch briefly on the importance of learning from when things go wrong in clinical care. Many parents I have spoken to have made it clear they want maternity and neonatal services to learn from the deaths of their babies so that other families do not have to go through the experience of losing a much-loved and wanted child if that can be prevented. Recent publications from the Royal College of Obstetricians and Gynaecologists and MBRACE-UK—Mothers and Babies: Reducing Risk through Audits and Confidential Enquiries across the UK—found that some local reviews of stillbirths and neonatal deaths were of poor quality.

[Mr Philip Dunne]

Input from parents or independent experts is not routinely sought, and there is insufficient information to understand the quality of care provided.

To improve the quality of those reviews and to learn from them, the Department of Health, together with the Health Departments in Scotland and Wales, has funded the development of a national standardised perinatal mortality review tool to support systematic, multidisciplinary reviews of the circumstances and care leading up to every stillbirth and neonatal death. The tool, which will be available at the end of this year, will also support clinicians to talk with parents about the care review and how they can contribute to the process.

Last month, I laid the draft health service safety investigations Bill in Parliament. This Bill will take forward the work of the current independent healthcare safety investigation branch, which came into operation last April. Under the proposals, HSIB will have far-reaching access so that it can investigate serious safety incidents or risks to patient safety; help to develop national standards on investigations; and provide guidance and training to improve investigative practice across the health service.

Earlier this year, we also consulted on proposals to introduce a system of consistent and independent investigations for all instances of severe avoidable birth injury, along with access to ongoing support and compensation for eligible babies through an administrative scheme. The public consultation into a rapid resolution and redress scheme for severe avoidable birth injury concluded at the end of May, receiving more than 200 responses. We are currently in the process of listening to people's views, and we aim to publish a formal response soon.

Turning to bereavement care, a clear message that we heard last year, particularly from my hon. Friends the Members for Eddisbury and for Colchester and the hon. Member for Kingston upon Hull North (Diana Johnson), who I am pleased to see with us this evening, was about the need for a bereavement care pathway to ensure that all families experiencing baby loss receive the highest quality of care, no matter where they live.

Since last year's debate, the Department has funded Sands to deliver a national bereavement care pathway. I am delighted that 11 wave 1 pilot sites were announced yesterday. I know from the experience of my friends and colleagues that care in bereavement is best described as patchy. In some cases, I could use a less flattering adjective. There is no doubt that we need to do more to raise the training of staff and the facilities available to look after families who go through a bereavement in a hospital setting, and indeed to provide care and support to those who suffer loss outside a hospital setting. That is an important initiative.

Earlier this year, Sands, NHS England and the London maternity clinical network published a new maternity bereavement experience measure. That tool aims sensitively to enable parents whose baby has died to feed back about the care they received. It also aims to support services to learn from the experiences of bereaved parents and identify where local improvements may be needed.

Sands is also working on a project for NHS England on the role of the bereavement midwife. The project will make recommendations for the remit of the role of the bereavement midwife and give guidance on the support structures required around the role.

Since 2010, the Government have invested £35 million in the NHS to improve birthing environments, including better bereavement rooms and quiet spaces at nearly 40 hospitals to support bereaved families. Whenever I visit maternity units, I ask to see the bereavement suite. I am always impressed by the quality of the suites, by the feedback from families and staff alike and by how the commitment of many families who have gone through such terrible loss has often led to them raising funds to help to create better bereavement facilities in hospitals.

Anna Soubry (Broxtowe) (Con): I commend the Minister for his excellent speech. I am sure that he will join me in congratulating Forever Stars, which is exactly the sort of charity that he has described. It was started by two of my constituents, who sadly lost their baby, Emily, who was stillborn. They have raised about £200,000 for two suites. A third is on the way, and they are now fundraising for counselling services for the siblings of babies who have not survived.

Mr Dunne: I congratulate my right hon. Friend and thank her for drawing that to the House's attention. That is one of the most significant examples of fundraising for such suites that I have come across. I pay tribute to the family involved and to the efforts to raise funds for the counselling of siblings, who go through a traumatic experience as well.

I conclude by reiterating that the Government are fully committed to reducing the number of babies who die during pregnancy or in the neonatal period, and to providing support for bereaved families.

6.47 pm

Patricia Gibson (North Ayrshire and Arran) (SNP): I am delighted to participate in what is now the annual debate on Baby Loss Awareness Week, although, sadly, the only reason why such a debate and such a week of remembrance are necessary is to mark the 3,500 babies stillborn each year across the UK, with one in three of those stillbirths occurring at full-term. That of course does not take into account the babies who die within a year of birth.

All the experts, including Professor Jim Thornton, Professor of Obstetrics and Gynaecology at the University of Nottingham, agree that

"For an otherwise healthy baby to die undelivered near term is, with hindsight, an easily avoidable event. Research to make it avoidable in practice is a priority."

That is why debates such as this, and any and all measures to highlight stillbirth, are vital.

Although the UK's stillbirth rate has fallen slightly in recent years, it remains unacceptably and stubbornly high. For too long, this taboo was left in the shadows, too difficult, too upsetting to talk about. As politicians, we all know, what is not discussed, what is not acknowledged, is not addressed and, if not addressed, it cannot be improved. We in this House have been and will continue to work to break that deafening silence. That is our duty on behalf of all those trapped in the isolating silence of grief. Some of us in the Chamber today have experienced that silence first hand.

I think back to 9 June 2016, when I had a Westminster Hall debate on stillbirth, which was hugely emotional, not just because of my own experience but because of the realisation that so many of our babies have been lost over generations, with parents isolated in grief, as this was something that was never talked about in our society, except in whispers. However, since 2016 we have come quite a way. The all-party group on baby loss has done so much to ensure that the issue stays firmly on the agenda. Gradually, as a society, we are becoming more willing to acknowledge this awful event, which affects 3,500-plus babies every year in the United Kingdom, with all the devastation, grief and fallout that it inevitably brings.

Since 2016, I have been in contact with a number of stillbirth organisations such as Sands and Safer Births UK—in fact, too many to mention. Early on, I became convinced that if we accept the analysis of the experts, such as Professor Jim Thornton and others, that for an otherwise healthy baby to die undelivered near-term is, with hindsight, an easily avoidable event—why would we not accept what the experts tell us?—then surely it makes sense to have full investigations when otherwise healthy babies do die undelivered near-term. One third of babies across the UK who are stillborn die at the end of the pregnancy. One in three—this is something that requires serious attention.

That is why last year I asked both the Secretary of State for Health in the United Kingdom Government and the Cabinet Secretary for Health in Scotland, Shona Robison MSP, to instigate coroner inquests in England and fatal accident inquiries in Scotland when stillbirths at full term occurred in an otherwise healthy baby. I appreciate that such processes are expensive, complicated and difficult, but if we consider the lessons that could be learned—what has been missed, what was overlooked and what could have prevented the loss of a baby so close to birth—that can inform good practice and improve the care for future babies. Logically, the need for inquests or fatal accident inquiries would surely diminish gradually over time, as fewer babies would be lost. Of course, we would not just be preventing the loss of babies late in pregnancy either; the lessons learned would inform practice and improve it across the whole maternity service at any and every stage of pregnancy.

When I lobbied for that, I was told by some that it was simply not doable—that I should spend my efforts improving practice in other areas of maternity care: surely it would be best to focus on, for example, ensuring minimum and consistent standards of care across the board. Well, yes and no. The minimum and consistent standards of care that everybody in this Parliament seeks should be embedded in improvement and research, and the use of coroner inquiries and fatal accident inquiries could be a hugely important part of that. It is not an either/or question.

I am hugely heartened by the fact that, after an initial refusal, the Cabinet Secretary for Health in Scotland, Shona Robison MSP, has agreed that the Crown Office in Scotland should investigate whether there could be fatal accident inquiries for babies lost late in pregnancy. Such a move is not about bringing prosecutions but about learning lessons, informing practice and making sure that when our children are about to be born but something goes wrong, we find out why and use that knowledge to make other babies safer.

Make no mistake: this is a monumentally significant step forward, which has largely been ignored by the mainstream media. I do not know why, but it means that so many who would be comforted by it may not even know that it has happened. However, the significance of this development cannot be overstated. If, after consideration, the Crown Office in Scotland decides for whatever reason that this measure cannot be implemented, at least we will know where we are. We will know what obstacles we are dealing with and can set about removing them. I am also convinced that this measure will mean that fewer of our babies die. When that is shown to be the case, I am hugely optimistic that a similar measure will be adopted in England. That, I feel, has been a huge step forward in the 16 months since my first debate on stillbirth. Credit must also go to the campaigners who have worked hard to achieve this.

This coming Sunday, 15 October, is Pregnancy and Infant Loss Remembrance Day and also would have been my wee boy's eighth birthday. It is very important that his death, and the deaths of all the babies who have been lost, should not have been in vain. The campaign goes on, so that other babies do not have their lives ended before they even begin.

Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP): My hon. Friend is giving an excellent and emotive speech, and she is conveying an important message about inquiries. Does she agree that it is also extremely important that early miscarriage is well researched? I know from my own experience of early miscarriage that when it happens, people say, "It's just natural, and there is nothing that can be done." But the more we look into it and research the causes, the more we can prevent that grief.

Patricia Gibson: I absolutely agree with my hon. Friend. If we start our research at the end of pregnancy and work back the way, I think we will be able to spot things much earlier in pregnancy as we learn the lessons that were missed at the end.

No parent should have to bury their child without knowing or understanding why they did not live. That is what drives me on, and I know it drives on many of us who are taking part in this debate. The tragedy of the loss of so many of our babies is that it does not have to be this way. To change that must be, in the words of Professor Jim Thornton, our "priority".

6.56 pm

Will Quince (Colchester) (Con): It is a pleasure to follow the hon. Member for North Ayrshire and Arran (Patricia Gibson). I thank you, Mr Deputy Speaker, and the Leader of the House for going above and beyond to secure this important debate this week, as part of Baby Loss Awareness Week. It is particularly important that the debate should be held this week.

I did not come into politics to be a baby loss campaigner. Like several of my all-party group colleagues, tragic circumstances led me to campaign to bring about change on this issue. Those circumstances occurred three years ago this Thursday, which makes this week all the more poignant. We, as politicians, have the best job in the world, and I would challenge anyone who says that Back Benchers cannot get things done. Politicians do not always have the best reputations—some of that is deserved, and some less so—but I would refer any sceptics to the work of the all-party group on baby loss.

[Will Quince]

This place is amazing, and if we use it correctly on a cross-party basis we can achieve great things. We can get things done. We can bring about positive change that will make a difference and affect people's lives. The all-party group was established, and exists, to reduce miscarriage, stillbirth and neonatal death, and to ensure that we have world-class bereavement care and support for those who suffer the tragedy of losing a child.

Jim Shannon (Strangford) (DUP): I commend the hon. Gentleman, the hon. Member for North Ayrshire and Arran (Patricia Gibson) and those who will follow for their contributions in the Chamber. The hon. Gentleman is, like me, a person of faith. We are talking about losing small children or miscarrying; my mother miscarried a number of times, my sister miscarried and the young girl who works in my office miscarried on two occasions, and what sustained all of them was their faith. Does he agree that at such times, when people are in difficult circumstances, it is important that they have someone from a faith or religious background to call on? Does he also agree that it is important that hospitals have rooms where bereaved parents can spend time together, reflect and call on someone greater than us?

Will Quince: The hon. Gentleman makes some very good points, and he is absolutely right that bereavement suites play a very important role, as do hospital chaplains. I say that as a man of faith, but I know lots of people who have been through this tragic experience and who are not of faith. Nevertheless, the hospital chaplain came to talk to them—not about God, and not about religion—and sat there, listened, and allowed them to come to terms with the tragic event that had just happened. The chaplain gave them the time that they needed, and which medical professionals do not always have. It is a really important role, and chaplains are a credit to the NHS.

We now have some ambitious targets when it comes to tackling stillbirth and neonatal death. I applaud the Government for their commitment to bringing about a reduction in stillbirth and neonatal death of 20% by 2020—I recognise the Minister's efforts to make us aware of the steps that will be taken to achieve that—and 50% by 2030. Those targets are very much to be welcomed. Even if we are to achieve those targets—let us be clear: it would be absolutely fantastic if we could achieve a 50% reduction in stillbirth and neonatal death by 2030—that statistic would still mean thousands of babies dying every year. Tens of thousands of parents—

7 pm

The debate stood adjourned (Standing Order No. 9(3)).

Motion made, and Question put forthwith (Standing Order No. 15),

That, at this day's sitting, proceedings on the motion in the name of the Prime Minister relating to Baby Loss Awareness Week may be proceeded with, though opposed, until 9.00pm.—
(*Andrew Stephenson.*)

Question agreed to.

Debate resumed.

Main Question again proposed.

Will Quince: The fact that we have some really ambitious targets is to be applauded, and I welcome the Minister's update on the Government's position on those targets. Even if we achieve a target of about 50%, however, that would mean that between 2,500 and 3,000 babies will still die every year. We must ensure that the parents, grandparents and wider family members have a support network. That is why the all-party group was established very much on the basis of bereavement care, and our focus very much remains on bereavement care.

Ms Nusrat Ghani (Wealden) (Con): My hon. Friend mentioned support networks, and I want to draw attention to the Crowborough birthing unit in my constituency of Wealden. It does fantastic work with mums and dads, and siblings, to make sure everyone can go through the process either of having a healthy baby or, if they have such a tragedy, of losing a child.

Will Quince: My hon. Friend gives a great constituency example. Maternity units up and down this country have the most incredible provision and offer the most incredible compassion and care. In fact, we have some of the best provision in the world. Tragically, however, that is not replicated all across the country, and there is regional variation. I will come on to what we need to do to address that a little later.

To return to bereavement, the very first debate, which I led in this House back in November 2015, was about bereavement care. It specifically looked at bereavement suites in maternity units, and that was very much the focus. I am pleased to say that the theme of this Baby Loss Awareness Week is bereavement.

This week, we have seen something incredible, something truly groundbreaking—the result of over a year of work—which is the establishment of the national bereavement care pathway. The pathway has been developed by a number of charities and professional organisations, with the support of the Department of Health and the all-party group on baby loss. It has primarily been developed to improve the quality of bereavement care experienced by parents and families at all stages of pregnancy and, indeed, baby loss up to 12 months. The objective of the pathway is to ensure that all bereaved parents are offered equal, high-quality, individualised care that is safe and sensitive.

The national bereavement care pathway was launched yesterday in 11 pilot sites, and the plan is to roll it out nationwide over the next year. This has been an incredible exercise in collaborative working. I want to pay tribute to Sands, all the baby loss charities and organisations that have made an input, NHS trusts, the Department of Health and all the parents who have fed in their experiences. It is not easy for them to talk about their loss, and the evidence of all the parents who have talked about their tragic experience will improve care for very many others up and down the country. I also pay tribute to a former colleague, Ben Gummer, who, when he was the Minister with responsibility for care quality, pushed so hard for this and worked so hard to make it happen.

Yes, it is important that we push the Government to address the UK's high stillbirth and neonatal death rate, but the support that we give bereaved parents is just as important, if not more so. We need to make sure that they have the support that enables them to have the time and the space in which to grieve. We know that going

through this most traumatic of experiences can often lead to mental health issues—such as depression and post-traumatic stress disorder, about which there is growing evidence—whether they appear weeks, months or sometimes even years later. The number of couples that separate after losing a child is still very high, and that comes with huge social costs. Putting in place the right level of high-quality, consistent bereavement care is not just the right thing to do for parents; it should be part of our push to improve mental health care nationwide.

Robert Jenrick (Newark) (Con): On the pathway for bereaved parents, may I raise a particular type of bereavement that is unusual but does, unfortunately, happen? On 4 August, my constituent Craig Renton went into hospital with his wife Heidi for her to have a caesarean. Sadly, she died during the caesarean, and although their baby was born, she also died 15 hours later. Within the space of 15 hours, the happy couple expecting the birth of their daughter were no more, and my constituent Craig, who came to see me, had lost both his wife and his first and only child. In such a situation, the bereavement care needs to be designed particularly carefully if it is to deal with two bereavements in one day.

Will Quince: My hon. Friend raises a most tragic case, and I know I speak for everybody in the House when we send our condolences to Craig in what must have been a hugely emotional and traumatic experience. My hon. Friend is absolutely right when he says that the point of the national bereavement care pathway is to ensure that care, although consistent, is individualised and patient-centred. That means that when there are unique sets of circumstances—I would say that was a unique set of circumstances—the care package and the bereavement support are unique to match them.

I could never, ever truly express my thanks to the nurses at the Rosemary suite, a specialist bereavement suite at Colchester General Hospital, for the care and support that my wife and I received just three years ago, but I want to ensure that every grieving parent receives the excellent, high-level support that we did. I truly believe that the new national bereavement care pathway is an important step to making that a reality. I am really proud to co-chair the all-party parliamentary group on baby loss and I know that the work that we are doing on a cross-party basis is really important and is changing lives up and down the country.

Finally, I want to send a message to bereaved parents up and down the country that together we will break the silence on baby loss.

Mr Deputy Speaker (Mr Lindsay Hoyle): I want to make sure we all get equal time on this. Can I suggest that Members speak for up to eight minutes, so that everybody gets equal time? It is a very important day, it is a very emotional debate, and I want to make sure we get fairness right across the Chamber.

7.7 pm

Dr Philippa Whitford (Central Ayrshire) (SNP): I speak as someone who has not lost a child, but I remember what happened when I was working in Lebanon and was four months pregnant with my son. We had discussed the risks of going to Lebanon when I was

pregnant and we thought I would only be there a few months; even if I was here there would be nothing that could be done, so I was not adding to the risk. But when I suddenly saw blood, all of a sudden I realised how paltry that word “miscarriage” is. I understand that we are predominantly talking about babies who have been lost later, but that term “miscarriage” sounds like “misstep”—like a bump in the road—and by four or five months, particularly once you have had that little ultrasound picture, which you thought was going to be the first of a whole lifetime of photographs, you realise you have already bonded with the bulge that means you need elasticated waistbands and is giving you heartburn or keeping you up at night, or even, a bit later, starting to kick the living daylights out of you at three in the morning. So I think it is really important, as my hon. Friend the Member for East Kilbride, Strathaven and Lesmahagow (Dr Cameron) said, that we think of those who are slightly outwith this debate. That is something that we must try to bring over to medical staff as well.

I acknowledge the discussion about bereavement midwives, and we always need champions and leaders when, trying to raise awareness, but as someone who has worked in breast cancer for over 30 years, I can tell the House that having a grumpy old surgeon and then sending the lady to the breast cancer nurse, who would be nice to her, is not a solution. In fact, with all midwives, all doctors, it only takes one person to turn the knife and make that heartbreak worse.

I had a friend who had three miscarriages before she successfully had two rather wild and lively boys—something for which I am sure she gives thanks every day. On her second miscarriage, a routine scan at 16 weeks revealed that the heartbeat had stopped. They thought she would miscarry, but she did not. The period between then and when she underwent surgery meant she knew she was carrying her own dead baby. That was really difficult. At the scan that made the diagnosis, she was simply sent back out to the waiting room after a couple of minutes. She was sitting there surrounded by women with their bumps discussing their plans, while she waited for almost half an hour to be taken into a room and just given leaflets. There is no point in having one person who knows how someone should be supported: every single member of every single team, from antenatal, perinatal and right through to early paediatrics, needs to know the language, the body language, the timing and the support that someone might need.

The number one thing as a doctor is to try to reduce the number of deaths. Scotland actually had higher perinatal, stillbirth and neonatal figures. About five years ago, there was a big discussion in the profession in Scotland saying that it needed to be tackled. It was not enough simply to collect data—whether the Scottish perinatal mortality data, which go back to 1977, or, now, in MBRRACE-UK. The cases had to be looked at. Regardless of whether that is done through a fatal accident inquiry, it must be done by the clinicians. As surgeons, we carry out morbidity-mortality meetings every couple of weeks to discuss cases that have gone wrong in a very open and frank way. We learn from them. Often, we will suddenly see a pattern that makes us want to change. Since 2013 in Scotland, our perinatal figures have dropped by 34%—a third—our stillbirth rate has dropped by 26% and neonatal has dropped by over 50%. That is what can be done if every single case is discussed.

[Dr Philippa Whitford]

Believe me, Scottish Members here know that the geography of Scotland makes providing perinatal care really difficult and challenging. It is easy to identify the difficult case with a past history of diabetes or a huge wain and a small pelvis, but any delivery can go wrong. One challenge we face, which is not faced in so many areas in England, is how to get people off our islands and how to cover hundreds of miles, yet we have managed to bring the figures down.

It is absolutely right that, even if we drop the mortality rate further, there will be children who are lost. We must not stop trying to do that and we must support people, in particular those whose babies are born and require extra neonatal care in a special baby unit. We know they have a higher incidence of post-natal depression. We know that, naturally, mothers who lose a child will have an increased incidence of post-natal depression. If we can get all our teams to try to get it right all the way through and support them, then maybe we can tackle both problems.

7.13 pm

Victoria Prentis (Banbury) (Con): Thank you for calling me, Mr Deputy Speaker, although I have to say it is not a pleasure to speak in today's debate. It is absolute torture for many of the speakers who have chosen to share their experiences with the House. It is, however, a pleasure to follow the extremely knowledgeable speech, as ever, of the hon. Member for Central Ayrshire (Dr Whitford). It is so good to hear the good news from Scotland about the real developments that have come from investigation into what happens when things go wrong.

I am most grateful to business managers—even if I am quite close to some of them—for allocating time during Baby Loss Awareness Week, and to all those who organised the extension of today's sitting. It is a testament to the way the House has changed. I am grateful that you, Mr Deputy Speaker, have chosen to be in the Chair after your traumatic experiences last year listening to us. We are most grateful to all those who have enabled this debate.

It is fair to say that maternal safety keeps me awake at night. Issues with the maternity unit at Horton General Hospital in my constituency sadly continue. It is good to see my hon. Friend the Member for Witney (Robert Courts) in his place. I do not know what keeps him awake at night. Indeed, I do not know whether he is kept awake at night. If he is, I suspect his young son probably has something to do with it, but I also know that he worries as much as I do about the future of the unit. The uncertainty goes on. My hon. Friend, other campaigners and I are not giving in. I remain convinced that the current situation is unsafe. Significant numbers of transfers are taking place during labour. Babies have been born at the side of the road and in ambulances. Mothers and their babies are not getting the sort of care that is safe, kind and close to home, which is what everybody in the Chamber wills them to get.

Out of this morass sadly comes some dreadful casework. I have noticed that when something goes wrong, the shutters come down in the health service. Hospitals are on the defensive from the beginning and legal teams are called in. In one of the saddest cases I have had to deal with over the past year, Oxford University Hospitals

NHS Foundation Trust responded by saying that it would not meet me or the family in question without legal representation. My attempts to ensure that there was a full and external review of the case by MBRRACE-UK, for example, were stalled for months. This is simply not acceptable. Families, along with most of us, are motivated by a burning desire to ensure that what happened to us will not happen again. They are not interested in compensation except where that is necessary for looking after a desperately sick child. They are motivated by change in practice.

Sir Charles Pollard, the former chief constable of Thames Valley police, has been working tirelessly on producing restorative solutions in the justice sector—that is my background—and increasingly in the health sector, where the needs of all parties, including families, doctors and staff, are crucial. Constructive conversations can be had in carefully controlled environments. I think, particularly after having a lengthy conversation with my hon. Friend the Member for Sleaford and North Hykeham (Dr Johnson), that it is important to find a new language. We do not want to apportion blame to anyone in any way, unlike in the justice sector. Finding a new language would be good for families and for staff, who are often traumatised by a loss on their watch.

Tim Loughton (East Worthing and Shoreham) (Con): There have been some exceptional speeches on this sensitive issue. I am not sure whether my hon. Friend is aware that my private Member's Bill—the Civil Partnerships, Marriages and Deaths (Registration Etc.) Bill—includes a clause to give coroners the power to investigate late-term stillbirths. Extraordinarily, that is currently not available to them. Many parents who have gone through difficult stillbirths where the circumstances are unclear would like an independent assessment of what went wrong so that everybody can learn from the situation. I am sure my hon. Friend will support that.

Victoria Prentis: I will most certainly support that.

The hon. Member for North Ayrshire and Arran (Patricia Gibson) made an excellent speech in which she mentioned inquests and fatal accident inquiries. I do not know why so many of us involved in this debate are lawyers; it is very strange. These are, of course, very sensitive legal issues. We are talking about when a person becomes a person—things that we have not spoken about in places such as Parliament or the courts, and perhaps should have done, over the years. We have allowed a body of law to grow up that does not fit current requirements. Even though restorative solutions are great, inquests may also be appropriate and may also act restoratively. They do not have to be legalistic. They can be inquisitive, which is why inquests came into being. Inquests and, in Scotland, fatal accidents inquiries, have an important part to play in preventing stillbirths and neonatal deaths.

Today is World Mental Health Day, so it is particularly appropriate that we are talking about the bereavement care pathway in Baby Loss Awareness Week. As we have heard from other hon. Members, the pathway is very good in places but variable in others. We are making progress but we need to do more to ensure consistency, and I know the Minister is on top of this. The Care Quality Commission does not currently ask sufficiently in-depth questions about the quality of bereavement

care on offer, but I am encouraged by the constructive conversations I have had with it on behalf of the all-party parliamentary group on baby loss recently and am hopeful that we will have real progress to report this time next year.

I would like to end on a high. Petals opened its new bereavement counselling service in Banbury yesterday, in the Horton General Hospital, and I was very pleased to be there. It offers bereaved families six sessions per couple. That might not be enough, and it certainly might not be appropriate for mothers and fathers to be seen together, but the evidence shows that what it does is of very real value and that its outcomes are valuable and beneficial to the couples who use its service. Lots of charities do similar work, as is clear from our well-attended APPG meetings.

We might not enjoy these debates, but they have begun to change both perceptions and the law, and I am grateful to the Minister and the previous Member for Ipswich for all their work. I would like to finish by congratulating us all.

7.20 pm

Emma Little Pengelly (Belfast South) (DUP): I am grateful for the opportunity to take part in this important debate, which allows us to play our part in Baby Loss Awareness Week.

In terms of how we talk about it day to day, pregnancy and childbirth are for many people times of joy and celebration: a new addition to the family, a celebration of new life, the hopes and dreams—and laughter and tears—that a new baby can bring to a family. It is all the more difficult, therefore, when a family suffers the loss of a baby. These issues—miscarriage, stillbirth, death in infancy—are less commonly spoken about for a range of reasons. I note that the hon. Member for Central Ayrshire (Dr Whitford) referenced miscarriage. I know from speaking to family and friends that the loss is felt acutely, but too often, perhaps, society trivialises it. To the mother and family, it is the loss of a baby—an unborn baby—and the hopes and dreams that go with it. When that is taken away, privately it can be very difficult. Some do not tell their family and friends straightaway, so the grief takes place in a very private and unspoken way. Others break the news, and it is heart-breaking to have to so shortly after sharing the good news of the pregnancy. I know that that can be particularly difficult for families and women.

The pain and loss that follow from the loss of a child can be acute. I know that families admire the many improvements made and I recognise that much work has been done, but I also know that more must be done to enhance services, including bereavement services, and the support for perinatal and post-natal mental health. I know from speaking to many women that the support services are simply not there at this very difficult time. It is not right, for example, that many women continue to be placed in and around maternity wards, surrounded by new mothers, parents and joy, at a time when they are grieving. Having to listen to the conversations, hearing the cries of new-born babies, while suffering their own personal loss, makes it all the more difficult for them and their families. It is not right that a woman who has suffered miscarriage after miscarriage, often when a child is much longed for, is required to sit in an

out-patients maternity ward with heavily pregnant and joyful mothers-to-be. Very often women are left there for half an hour or an hour watching those families and feeling the pain of their loss—sometimes loss after loss—very acutely. It is not right either that families are left without adequate bereavement care.

I want to raise a number of short points. First, our perinatal and support services must improve, not just following baby loss or miscarriage, but in relation to women's mental health. The way in which we understand the human mind, mental health and trauma has changed and advanced year on year, but I think that, for too many of the people who go through this experience, those services are not advancing at the same pace and they need to catch up.

Secondly, we need to look at statutory and support services for bereaved parents as a matter of urgency. Like many people, before I started to speak to parents, I had assumed that these issues would be dealt with compassionately by employers, schools and statutory agencies, but it became clear that that was not always the case. There is a good basis for the introduction of enhanced statutory protections for bereaved families, to ensure that they are given the time that they need to try to heal and move forward with their lives.

Thirdly, I think it would be remiss of us not to refer to the health of mothers, infant mortality and miscarriage rates all over the world. There is no doubt that improvements can be made, and that they can be made throughout the United Kingdom as well. I welcome the commitment that has been made in that regard, but in too many countries, there are still appalling rates of infant mortality and appalling statistics about the health of mothers and what happens during childbirth. I know that most of those who campaign on the issue here will have the same interest in trying to improve services for women throughout the world. Those in the poorest areas often suffer incredibly during childbirth, and there are still very high levels of infant and mother mortality in such places.

Lastly, I want to take a moment to recognise all the parents and families who have suffered loss in this way. I think that it will be an incredible tribute to those families, and to the loss that they have suffered, if we go on striving to create world-leading services in both bereavement and childcare.

7.26 pm

Michelle Donelan (Chippenham) (Con): I feel extremely humbled to be able to speak in the debate. Let me start by paying tribute to my hon. Friends the Members for Colchester (Will Quince), for Eddisbury (Antoinette Sandbach) and for Banbury (Victoria Prentis), as well as all members of the all-party group. They have shone a much-needed light on the issue of baby loss, its effect on parents, and the need for action. They have not only pushed for change, but helped to achieve it. On behalf of everyone who has ever suffered, I take this opportunity to say thank you.

We must also pay tribute to the medical professionals who work day in, day out to prevent baby loss and deal with it, and to organisations such as the Royal College of Obstetricians and Gynaecologists, as well as charities such as Sands. They play an important role in developing programmes and reviewing the care provided for expectant and bereaved parents.

[Michelle Donelan]

Baby loss is not a regional or even a national problem, but an international one. It affects people in all our constituencies, and hurts and devastates families in Wiltshire and throughout the country. It has touched my own family. My grandma experienced the loss of her first-born in 1948 when the child was breached. Tragically, the ambulance reached her too late. The months after that were probably the hardest that she experienced in her life, and I heard about them when I was growing up. Like other women in the same situation, she struggled with the ordeal of having carried the baby and prepared for its birth, only to lose that child as soon as it arrived. Devastated and receiving no help, my grandmother suffered a period of depression.

That is the story of the strongest, most no-nonsense woman I have ever met in my life. She was a woman full of grit and strength, yet she had no help in her time of need, and even the strongest among us do need help. My grandma is long passed and now in heaven, but I think that she would want me to share her story, and to ask the question: why, after so many, many years, are the rates of baby loss still so high? The most recent review of stillbirths and neonatal deaths in the UK reports that of 782,720 births in 2015, 3,032 were stillbirths and 1,360 were neonatal deaths. Yes, there has been a reduction since 2013, but the number remains higher than those in comparable European countries.

I am proud that the Government have taken action to address maternity care and set an ambitious target, which I think is bold and moral, to halve stillbirth rates by 2030. Now we must all work together to ensure that we meet that target by keeping the subject on the agenda. I hope that debates such as today's will help to serve that purpose so that 69 years from now, when another MP is standing here, they are not saying the same thing.

I think that my grandmother would also ask why, 69 years on, we have failed to improve our bereavement care to a satisfactory and appropriate level. Bereavement care, as has been pointed out, is the focus of this year's Baby Loss Awareness Week. Bereavement care is vital, both for psychological and emotional support, and for advice and signposting. Since 2010 we have invested £35 million in the NHS to improve birthing environments, including better bereavement rooms in 40 hospitals. We need that for every hospital and facility. The current guidelines vary far too much between setting and service. In addition, most of the frameworks are guidelines, and they are not mandatory, or indeed monitored, in all areas. That is why the Government's work to create a national bereavement care pathway is so important. That will reduce the variation in the quality of bereavement care provided by the NHS so that residents in Wiltshire get the same care as those in, say, London or Manchester. That is essential.

One can only imagine how harrowing and devastating the loss of a baby must be. I think that the courage that Members have displayed by sharing their experiences in this House is remarkable. Bereavement care must be of a high quality, consistent, individualised and available across the UK. It is time that we achieved that so that, as I have said already, we do not look back in 69 years' time and again ask why we are not doing more for those in need.

It is estimated that today about 15 babies in the UK will die before, during or shortly after birth. Today let us not only remember those who have suffered and the babies they have lost, but pledge to work together, across parties, to support the Government's work and ensure that nobody faces a postcode lottery when it comes to baby loss. We need to determine what should be the level of bereavement support and ensure that it is consistent across the country so that parents receive what they deserve if they tragically lose a child.

7.32 pm

Lilian Greenwood (Nottingham South) (Lab): I pay tribute to the hon. Members and their constituents who have shared their deeply personal stories. It must be very difficult to talk about the loss of a child. We are indebted to all those who have had the courage to talk about their experiences, both this evening and previously. I remember watching the debate last October and being struck by the speech made by my hon. Friend the Member for Lewisham, Deptford (Vicky Foxcroft), who is in the Chamber tonight. She said then that it was the most difficult speech she had ever had to write or deliver, but it mattered enormously that she did so. Her speech, as well as those of other Members, many of whom are here tonight, demonstrated that Parliament was willing to talk about this most painful issue.

It was a few weeks after that debate that I met my constituents Jack and Sarah Hawkins, whose daughter Harriet was born dead at Nottingham City Hospital on 17 April 2016. Jack and Sarah were convinced that Harriet's death was the result of a mismanaged labour, but their concerns were not listened to by hospital staff; they were told that a post-mortem had found that Harriet's death was caused by an infection and "to try to move on".

Jack and Sarah are both health professionals, so they knew that there was no evidence of an infection. They were sure that their healthy, full-term baby had died due to mistakes in Sarah's care, and they were not prepared to be dismissed. The debate in this House helped to give them the confidence to get in touch and seek my advice and support, but it is thanks to their courage and determination that Harriet's death is finally the subject of a proper external investigation. But the loss of their much-wanted daughter, and the circumstances surrounding it, have had an absolutely devastating effect on every aspect of their lives. Last week, they spoke to the media about Harriet's death and the failures of care during Sarah's labour, and many Members may have seen, heard or read their story. I will not attempt to do justice to it now, but others will be able to look it up online if they want. Jack and Sarah are calling for a change in the law to enable coroners to investigate stillbirths and hold inquests into the deaths of babies after 37 weeks' gestation. That is the particular issue that I want to discuss today.

Under the Coroners and Justice Act 2009, a coroner has a duty to investigate certain deaths, but current legislation means that a stillborn child is not classed as a deceased person, so the coroner cannot investigate even when a healthy full-term baby has died during labour and the parents wish the coroner to do so. I welcome the Minister's confirmation that the standardised perinatal mortality review tool is being rolled out across the country, but will he also support calls to broaden

coroners' jurisdiction so that they are able, at the request of parents, to investigate a stillbirth? Hospitals' internal review processes should involve parents and should answer their questions about why their baby has died, but when those questions are not answered, the coroner can play a vital role not just in providing answers—important though that is—but in identifying preventable deaths, and ensuring that lessons are learned and mistakes are not repeated. Such a change to coronial law would bring England and Wales in line with Northern Ireland, where a landmark legal ruling in 2013 held that a coroner

“can carry out an inquest into the death of a stillborn child that had been capable of being born alive.”

It is clear from several contributions this evening that there is cross-party support for such a change. I particularly welcomed the contribution of the right hon. Member for Broxtowe (Anna Soubry). She is not in the Chamber now, but she assured me that the change has her support, for which I am thankful. I hope that the Minister will deal specifically and positively with this suggestion when he responds to the debate.

There is nothing that I can do to take away the pain of Harriet's death for Jack and Sarah, as much as I wish I could, but I think that they would gain some comfort if their experience helped to prevent other parents from suffering in the same way.

7.37 pm

Antoinette Sandbach (Eddisbury) (Con): It a pleasure to follow the hon. Member for Nottingham South (Lilian Greenwood). I know exactly how Jack and Sarah feel, because it was the burning desire to see change that motivated me and many others in the all-party parliamentary group on baby loss to work not only to reduce the number of neonatal deaths and stillbirths, but to consider how we can improve things for parents.

When we set up the APPG, saying that we wanted to achieve huge cuts in the number of families affected by all these issues and to put in place a bereavement care pathway seemed to be setting rather a large challenge. I pay enormous tribute not only to Members of this House—it has been a cross-party effort—but to parents and health professionals, who have risen to the challenge set by the APPG and the Department of Health. In a way, I can provide some comfort to a number of Members who have spoken today about miscarriage, for example, because the national bereavement care pathway, which was launched yesterday, in effect addresses loss from conception to up to one year post-birth. That is quite groundbreaking in a number of ways. Pilot schemes in 11 hospital trusts are developing specific pathways to address early miscarriage, late miscarriage and stillbirth, and for those in the very unfortunate situation of having to terminate because of foetal abnormality. I have been encouraged by the willingness of parents to come forward and talk about their experiences as part of the development of these pathways and to share their loss with medical professionals, including the Royal College of Obstetricians and Gynaecologists, and the Royal College of Midwives. There has absolutely been cross-working and buy-in for this change.

I am encouraged that the change is being supported by the Department of Health. Pilots are taking place so that lessons can be learned, with the outcome of those lessons applied before things are rolled out more widely

and nationally. As somebody who sat in a room with white walls and a sofa that was not anything like a bereavement suite, I know at first hand, as do so many parents who have not been in such facilities, that when one visits a hospital such as Medway Maritime Hospital, which has the most extraordinary facilities, one can see that change is coming. The improvement and change in the past year has, to my mind, been something that I and many professionals did not imagine would happen as quickly as it has and in the way that it has.

I would absolutely support the hon. Member for Nottingham South if she proposed a ten-minute rule Bill to try to effect the change in coronial law that she spoke about. I myself will introduce a ten-minute rule Bill tomorrow on the regulation of foetal dopplers. I will expand on that point tomorrow, but the false reassurance they provide to parents can increase the risk of stillbirth. I know that my hon. Friend the Member for Colchester (Will Quince) put forward a Bill in the last Parliament that has now been taken up by my hon. Friend the Member for Thirsk and Malton (Kevin Hollinrake), and it is due to have its Second Reading on 20 October. There are therefore methods to effect change in this Parliament, and I know that the hon. Member for Nottingham South would find great support in the House for her constituents if she tried to effect the change that they propose. I know that I will be trying to get the Minister's support tomorrow on the subject of foetal dopplers.

This is Parliament at its best. We are listening to constituents. We understand where there has been a failure in the system, and there is no doubt that the statistics show we need to make changes in this area. I am delighted that the Government have accepted that quickly and have therefore set ambitious targets. The chief executive of my local hospital, the Leighton Hospital, which has an award-winning maternity unit, was able to say to me that they had had 14 fewer deaths this year. That means 14 fewer families in my local areas going through the loss that so many in this House and outside it have seen. At the same time, I should say that the Countess of Chester Hospital is under investigation in relation to 15 baby deaths. There are concerns about care in relation to eight of them. So the perinatal mortality tool is crucial, as is the investigation of these incidents, in order that those lessons are learned, that good practice is shared and that professionals are honest with parents where something has gone wrong; they need to admit that and learn from it so that it does not affect other families. Let us get that open culture; the Health Secretary has talked openly about the need for no-fault investigation, and the need to learn from that culture is incredibly important. The hon. Member for Ellesmere Port and Neston (Justin Madders), who speaks for the Opposition on this matter, will know of the particular importance of that, because the Countess of Chester serves his area too and this directly affects all our constituents.

I say to the Minister that the huge progress that has been made is encouraging. The charities and colleges yesterday spoke about the great enthusiasm and drive that has come from working collaboratively together. If we can take that and use it, the progress we are starting to make can carry on. We can roll it out into the difficult areas. We know that they exist, so let me mention just two. First, we know that there are big issues in respect of minority ethnic groups that go beyond the

[Antoinette Sandbach]

hospital setting, often relating to factors in the environment. Those issues fall outside the Department of Health's remit, but wider working will need to be done to examine how those factors can be addressed and whether or not public health issues arise in their regard.

The second area involves general practitioners. I sent out a freedom of information request to every clinical commissioning group in England, and less than 50% of them provide any form of bereavement counselling, whatever the death. So even not in relation to child loss, a lot of CCGs simply are not commissioning support in the community. Those CCGs have relied on provision from the acute sector, and the next piece of work from the all-party group will need to be on how we take the lessons learned from the acute sector into the primary care sector, because that will end up benefiting not just those who have lost a child, but those who have suffered a loss.

Victoria Prentis: The other sector that provides so much of the bereavement care, such as the service I helped open yesterday, is of course the charitable sector. Would my hon. Friend like to comment on whether CCGs should be encouraged to join that sector in funding bereavement counselling, such as that provided by Petals, in the future?

Antoinette Sandbach: My hon. Friend makes a good point, and she can probably guess that the reason for my freedom of information request was to put pressure on not only my local services, but services more widely. There is expertise out there that we can build on, but bereavement touches everybody and this Government's focus on mental health gives us a real opportunity to approach death in a way that minimises its mental health impacts, which can be severe. We can roll out elsewhere the way in which the Department of Health is leading on baby loss and working together with the third sector. This year's Baby Loss Awareness Week therefore perhaps has a message of hope that has not been present in the past two such debates we have had.

7.49 pm

Diana Johnson (Kingston upon Hull North) (Lab): I am very grateful to be called to speak in this debate. I took part in the debate last year and was very moved by the contributions. I am pleased that we have such excellent speakers again today. I wish to pay tribute to the all-party group for the wonderful work that it has done, and to say to the Government that their record of making improvements and investing in this area is to be applauded.

I am having to stand here again because I wish to speak about my constituents, Mike and Tina Trowhill. Members may remember that I spoke about them last year. Many years ago, they lost their little boy, William, who was then cremated. They were told that there were no ashes, but 20 years later they found that there had been ashes and that they had been scattered without the family's knowledge. Mike and Tina started to ask questions, and it became clear that they were not the only family that this had happened to. It now appears that there are about 70 families in the Hull area who share their experience. The ashes of those babies may have been left on the shelves of the funeral director's offices. There was

one instance of a baby being cremated, with no indication of an undertaker being used. Nobody seems to know quite how that happened.

When this all came to light, I went to see the council, because I knew that there had been similar instances in Shrewsbury and Scotland and that there had been inquiries about what had happened in those areas. It was on 27 March 2015 that I went to the council with Mike and Tina and we asked whether we could have an inquiry into what had happened to these 70-odd families. It took three and a half months for the council to say that no, it was not willing to do that. I felt that there was an injustice here and that these families needed to know what had happened to their babies' ashes.

In February 2016, I went to see the right hon. Member for Surrey Heath (Michael Gove), who, at that time, was Secretary of State for Justice. He wrote a letter to Hull City Council, which said:

"My fellow Secretaries of State at the Department of Health and the Department for Communities and Local Government have agreed with me that there is a need for an historic investigation into the practices relating to infant cremations in the Hull area, and we have today jointly written to the Chief Executive of Hull City Council asking him to commission this. We have suggested that the Hull investigation should have terms of reference similar to those of the Emstrey inquiry."

I was very grateful to the right hon. Gentleman for that. He met my constituents and was incredibly compassionate and understanding. It is really important to see a politician showing such kindness. However, unfortunately, Hull City Council said that it did not need to hold that inquiry and there was a change in Justice Secretary. Without any reference to me, Tina or any of the other families, the Ministry of Justice decided not to pursue the issue with Hull City Council. It accepted that Hull had done everything it needed to do and that everything was fine. I was not told that. I only found it out because the council told me that it was no longer considering holding an inquiry. I was livid and, as Members can imagine, my constituent was completely dismayed. She has now formed a group with the other families called Action for Ashes in Hull.

The families were absolutely dismayed, as their hope of getting the answer to what had happened was snatched away from them. However, the new Justice Secretary did write to Hull City Council, suggesting that it might like to meet the Action for Ashes group. The council refused to do that, saying that it was not willing to meet the group, but that it would meet me, Tina and one other parent. We had that meeting on 24 March 2017. I specifically asked for the full investigation that it said it had carried out to be published so that we could see what it had actually done. That took four months. On 25 July, my constituent Tina was given 27 minutes' notice that the report was about to be published and given to the press. It was not sent to any of the other parents who were in the group.

A 22-page internal report was produced by Hull City Council, but so many questions still needed answering—questions, as I said at the outset, about why babies' ashes were left on the shelves of funeral directors and why families were told there were no ashes in the first instance. None of that was properly addressed, and there was no investigation into the role the NHS had played or into the independent funeral directors who had been involved. The report also looked at just 2% of

the cremations that had been carried out in the area, whereas, in Shropshire, the Emstrey inquiry looked at 100%—it combed through all the records. In Hull, the report looked only at the families who had come forward and self-identified.

A year on from the last time I raised this issue in Parliament, Hull City Council still believes it has done everything it needs to do, despite families saying they still have not got the answers they need. I still do not understand why, in Shrewsbury and Scotland, an inquiry was appropriate, but one is not appropriate for the people I represent. There have never been clear answers and explanations about what happened. One Conservative Member made the point that there seems to be a fear that this will turn into a legal dispute and that there will be an opportunity for compensation. That is not what these families want; they just want to know what happened, why they were told things that were not true, and who knew what when. It is that basic information that they are still seeking.

I hope very much that come next year—I hope there will be a debate again, because this is an important issue, which we need to discuss each year—I do not have to come here and say, “I am still fighting to get a local authority to display the kindness and compassion this group of people truly deserves.” I am staggered that I am still having to fight this case, because it is absolutely obvious that an internal investigation is not sufficient. What we need is to have some fresh air in this case and to have someone independent come in, look at all the records and ask the families about what happened. That seems to me the best way forward, the kindest way forward and the way we will actually get justice and truth for these families finally.

7.57 pm

Paul Masterton (East Renfrewshire) (Con): Let me start by saying how grateful I am to everybody who secured the extension of today’s business so that we have the opportunity to pay tribute to the families who have suffered the unimaginable loss of a child and to the professionals who provide irreplaceable care and support throughout a journey that no parent ever wants to take, and, in Baby Loss Awareness Week, to break the silence for bereaved parents, as the strapline for this year’s campaign says.

I also pay tribute to the APPG and to my hon. Friends the Members for Banbury (Victoria Prentis), for Eddisbury (Antoinette Sandbach) and for Colchester (Will Quince), and to other Members from across the House, including the hon. Member for North Ayrshire and Arran (Patricia Gibson), who have spoken with such courage, dignity, passion and determination, enabling us to deal with this issue in a very open and honest way and to really move things forward. The hon. Lady was right to say that if we do not talk about things, nothing ever happens, and I commend everybody for telling their stories.

I want to tell two stories today, one of which I told in my debate in Westminster Hall before the recess, and which focused on bereavement support for employees. It is about a young guy in the west of Scotland, who was recently married and looking forward to becoming a dad for the first time, but whose son died at three days old. He received a phone call from his employer the day after his child’s death to say that because his son was dead and there was no baby, there was an expectation

that he did not need the remainder of his parental leave and was therefore expected to come back to work the next day. The hon. Member for Belfast South (Emma Little Pengelly) is so right that there is an assumption that people are kind and decent and deal with things compassionately, but the truth in too many cases is that that is not the case.

The second story I want to talk about is about a family in my constituency, and it means a lot to me because it is the story of my office manager, whose daughter Rebecca died of TB meningitis. She had spent the last three months of her life in the Institute of Neurosciences in Glasgow’s children’s hospital. After several failed operations on her brain, her parents were told that there was no hope and that their daughter would die—their daughter, who had previously been fit and well and full of life, would die of a disease not usually associated with a first world, developed country. For the last three weeks of her life, she was transferred to Robin House, which is a most incredible children’s hospice run by Children’s Hospices Across Scotland in Balloch, near Loch Lomond.

The staff of Robin House gave Rebecca, her parents and the rest of her family a week devoted to giving her what I believe is called a “good death”. I am not sure there is ever such a thing, but in these circumstances perhaps that is the right term. It was a week where nothing else mattered, where the tasks that made an impossible situation in the hospital worse, like having to cook, do the laundry, travel, find a car parking space and look after other children, were all entirely dealt with. Rebecca died on 2 December 2009 in the arms of her parents, in a double bed that had been installed in her room from another part of the hospice, because no task was impossible for the staff of Robin House. Indeed, their support for Rebecca’s family continues several years on.

It is important to recognise that for the charities across the UK no task is impossible for the babies, children and parents they look after—from Bliss and its vision to give every baby born prematurely and sick in the UK the best chance of survival and quality of life, to Sands, which offers support to anyone affected by the death of a baby, the Miscarriage Association and its work offering support to anyone affected by miscarriage, and Together for Short Lives, whose mission is to secure the best quality of life and the best end of life for children who have short lives. In parents’ hours of need, absolutely nothing is insurmountable for both the paid staff and the volunteers in these organisations.

As we have heard, however, experiences outside the specialist palliative care environment can vary wildly. Hospital facilities do not always lend themselves well to the purpose of grieving. Not all health boards have dedicated bereavement rooms. They do not all have dedicated staff available. They do not all have rooms where parents can leave the noise and “life” of the hospital environment, which can make things so much harder and painful because it is so impersonal and sterile. Not all hospitals provide night-time accommodation for parents. Rebecca’s mum regularly slept in hospital coffee rooms overnight simply because there were not the facilities on the ward for her.

After death, when families are left devastated—some of them may have lost or given up their job and devoted themselves to being the sole carers for a sick child for

[Paul Masterton]

many months or possibly years—the support we as a society give them to grieve can make the difference between whether they are able to rebuild their lives or not. Someone said to me that when your child dies you are shattered and, like a smashed vase, you can put the pieces back together but you are never the same as you once were; you are never truly whole again. You may find a way to function in society, but you are not coping; you are never coping. The grief can come on almost randomly and indiscriminately and it can be overwhelming. We must acknowledge the fact that the psychological consequences of grieving for a child are lifelong. It is not something that will ever leave you.

I am talking today not with a list of statistics or data because this is not a debate for pie charts or graphs. It is more about trying to reinforce the message of Baby Loss Awareness Week, to break the silence for bereaved parents who need support, to break the silence to promote the outstanding work of charities such as CHAS, CLIC Sargent, the Rainbow Trust, Bliss and the many charities across the UK that have come together for Baby Loss Awareness Week, and, most importantly, to break the silence for children like Rebecca so they are never forgotten.

8.3 pm

Mr Tanmanjeet Singh Dhesi (Slough) (Lab): Following on from the very moving and courageous speeches by hon. Members about Baby Loss Awareness Week, I rise as someone whose own family members have suffered from the trauma of baby loss. Stillbirths and neonatal deaths affect so many in our community, including in my Slough constituency. The son of my very good friend Councillor Madhuri Bedi was born prematurely. He had strep B, which gave him brain damage. The family had to make the harrowing decision to switch off his life support machine only one day into his precious life. As they remarked, there is very little awareness and not enough support. That is something that we all need to work towards.

I commend the excellent work done by so many individuals, campaigners and hon. Members, on a cross-party basis. I also pay tribute to members of the all-party parliamentary group on baby loss.

Melanie Onn (Great Grimsby) (Lab): On that point, will my hon. Friend join me in welcoming the recommendations in the updated clinical guidance from the Royal College of Obstetricians and Gynaecologists, which include the recommendation that all pregnant women should at the very least be provided with an information leaflet on group B strep, as a tool to raise awareness and prevent what he has just described?

Mr Dhesi: I fully concur with my hon. Friend and thank her for her intervention. In that regard, I would very much like to pay tribute to hon. Members in the all-party group. I look forward to joining them tomorrow to provide whatever little support I can.

It is wonderful to see the advances made and also the pledges made by the Minister, whether on maternity safety champions, funding for safety and training at hospitals or the national bereavement care pathway. I for one most sincerely hope that he and the Government

will continue in this endeavour to ensure that we make further advances and minimise the trauma suffered by so many.

8.5 pm

Kevin Hollinrake (Thirsk and Malton) (Con): It is a pleasure to follow the hon. Member for Slough (Mr Dhesi), who talked very touchingly about his own family experiences when they were affected by this terrible issue. It is also a privilege and an honour to speak in this debate in Baby Loss Awareness Week. Obviously it is humbling to hear all the different stories from fellow Members and parents on these Benches—they are such harrowing stories—and the bravery with which they are able to communicate them and raise this issue.

This is the most harrowing thing that can happen to any parent. I speak as a parent of four children, one of whom is about to reach his 21st birthday, but this is a fear that will never leave any of us, whatever age our children are. Although we got to four children, we had a number of mishaps and miscarriages along the way, and the hope for those affected is that as more children come along the way, that pain eases a little bit.

It is a pleasure to have the opportunity to introduce my own private Member's Bill to deal with some of these issues—actually, I have merely been passed the baton by my hon. Friend the Member for Colchester (Will Quince), who has done so much work on this. My private Member's Bill would allow parental bereavement leave. We heard an incredible story from my hon. Friend the Member for East Renfrewshire (Paul Masterton), who talked about an employer who would not let somebody affected by this terrible tragedy have time off work. That is absolutely outrageous, but the reality is that in those circumstances—the death of a child—there is no statutory requirement for an employer to let staff have time off. I cannot imagine the distress that that must cause people affected by these terrible tragedies—tragedy upon tragedy—or how terrible the effect must be on the workforce of that employer, with everybody having to hear about it.

Most employers, of course, do not take that approach. I speak as an employer, both here—we are employers in this place—and in my life before Parliament. As an employer, we would not need the Government or anybody else to tell us to give people affected by this tragedy leave. Of course we would do that, and we would pay them whatever pay they were due. Sadly we cannot be that generous in our private Member's Bill, but I encourage all Members please to attend the Second Reading debate on my Bill next Friday, to contribute and to make sure that we look at all the issues and circumstances. It is wonderful to hear that people are willing to share their circumstances, because it will help us to make sure that the legislation is in the right place.

The Bill would require all employers to provide at least two weeks' leave for all staff affected by this kind of tragedy. I am delighted that the Government are supporting the Bill, which gives us a very good chance, given the extended time we have to get it through—unfortunately my hon. Friend the Member for Colchester was unable to get it through in the last Session because of time constraints. It fits very neatly with the Government's pledge to enhance rights and protections in the workplace, so it is exactly where we need to be. Making sure that every employer provides such protections for people in their time of loss is the least we can do.

I thank my hon. Friends the Members for Colchester, for Eddisbury (Antoinette Sandbach) and for Banbury (Victoria Prentis) for their tremendous work in this area. Over the summer months, we have been working with employers, charities and unions to make sure that we get the legislation to the right place, as I am keen to do. The legislation will help bereaved parents not just of babies but of children all the way up to their 18th birthday.

I am sure that we all have touching stories from our own experience, or from constituents who have come to us. Some members of the all-party group will be familiar with Annika and James Dowson, and with Luke and Ruthie Heron. The Dowsons lost their little child, Gypsy, who was stillborn. The Herons lost Eli after 23 weeks and six days, but he managed to survive for another two and a half days. Had he not done so, their loss would have been classed as a miscarriage rather than a stillbirth. They are championing the need to look at the legislation in that regard, and Annika and James put all their efforts into raising money for a bereavement suite in Scarborough. There are some tremendous and touching stories of the hope that has come out of these tragedies. If the Bill eases the unimaginable pain of just one family, our collective efforts will be worthwhile.

8.11 pm

Dr Caroline Johnson (Sleaford and North Hykeham) (Con): I pay tribute to the bravery of the many people who have described very personal and moving experiences in the Chamber this evening. I have experienced this issue from a different angle, in a professional capacity. As a consultant paediatrician, I have been privileged to see many hundreds of babies come into the world. I can honestly say that the joy and the miracle of that event, in whatever circumstances, is not diminished by having seen it on numerous occasions.

As a junior doctor, one is fortunate to see many happy occasions when babies are born in good health and at full-term. As a consultant, one is called only when either the mum or the baby is in significant trouble. That might be when the baby is very premature, when the baby or mum is very sick—for example, following a road traffic accident or with sepsis, which we have heard about here before—or when the baby is, sadly, born without a heart rate.

I can remember occasions from my professional experience when I have had to give parents the news that nobody—I speak as a parent of three—ever wants to hear, and no doctor ever wants to give: that a baby or child is, sadly, going to die. I remember holding one particular infant in my arms, because his parents were not able to do so, as he passed away. There is no doubt that we need to do everything we can—NHS professionals work very hard every day—to make sure that that does not happen, but unfortunately it does. I welcome the Government's target to reduce the incidence of stillbirth by 50% by 2030.

I want to talk about some of the changes that have been made during my career. I graduated as a doctor in 2001, and I worked as a consultant paediatrician in the NHS, particularly in neonatal care. A number of changes in neonatal care have led to improvements over this time. There has been an increasing centralisation of neonatal care, so that the smallest and sickest infants

are cared for in areas of significant expertise. This has helped to reduce mortality, particularly for the smallest and sickest babies. It has also led to a need for transportation. A baby who is born in a small district general hospital may need to be transferred many miles—sometimes hundreds of miles—to a hospital that has the expertise to care for their particular problem. When I was a junior doctor, that meant the doctor who was on shift, such as me, getting into the back of a 999-called ambulance and taking the baby in an incubator to wherever they needed to go.

Over the past few years, that has changed considerably. We now have clinical networks and areas of the country are divided up into patches in which there is a dedicated clinical team, led by a consultant neonatologist, with nurses and doctors who have specialised in this area. In many cases, there is a dedicated ambulance, as well as helicopter transport, to come and retrieve babies from whichever hospital they are born in and to take them to such a centre of expertise. That has been a big improvement in the care we offer children during the time that I have been a doctor.

As was mentioned earlier, another thing we have done is to focus much more on the lessons that we can learn. As a doctor, the first infant I saw who died was a young boy whose death was, sadly, entirely preventable. There was an investigation and lessons have been learned, but that does not take away from the horror of the occasion. It was an awful experience for the family, and it was traumatic for everybody involved. As an introduction to being a junior doctor—although I took no responsibility for it all medically—it was very traumatic, as it was for everybody.

We now have regular meetings to look at the cases of children or infants who have died, suffered significant injury or become more unwell than we anticipated, and where any type of adverse event has occurred. Such cases are looked at in detail by a multidisciplinary team, which goes stepwise through the process from the child being conceived or being referred to hospital and asks what has happened, why it has happened, what could have been done better and what would have changed the outcome. Although we would like to prevent every case, the reality is that, while we will get closer to doing so, we will never prevent every death, in my view. We should, however, prevent every one that can be prevented, and I very much welcome the Minister's statement about improving the way in which cases are reviewed and about making that a statutory requirement.

I welcome the contribution of my hon. Friend the Member for Thirsk and Malton (Kevin Hollinrake) in relation to child bereavement leave. He is right to say that most employers, like him, are very flexible in dealing with people whose infant may be very unwell in hospital for several months at a time, but some are not, and that places an enormous pressure on such people. I also welcome the national bereavement care pathway. All the hospitals in which I have worked have had bereavement rooms and I think they provided good care to bereaved parents and families, although I know that that is not accepted as a universal statement.

Will the Minister look in detail at the evidence on group B streptococcal infections, and at any evidence relating to whether women should be screened for that in pregnancy?

[Dr Caroline Johnson]

The centralisation of tertiary neonatal services has been a good thing in making the survival outcomes for babies better. We are now focusing not just on survival but on improving the quality of life, particularly for pre-term infants, such as by improving ventilator settings so that their vision is improved and their lung function is better as they grow up. However, centralisation also has an impact on families. For example, for a baby born in my constituency, the nearest tertiary neonatal centre is Nottingham, and if it does not have a bed, they might be sent further afield to Sheffield, Leicester or Norwich. For people looking after older children at home—having to take them to school, for instance—trying to manage having a baby several hours' journey away will have a huge impact on the family. It also has significant cost implications, and I not infrequently see parents, particularly in working families on low incomes, who are struggling with the financial implications of travelling to visit their desperately sick baby who is several hours away.

Overall, I think there have been many welcome announcements in this field today.

8.18 pm

Robert Courts (Witney) (Con): May I say how honoured and humbled I am to follow so many hon. Members on both sides of the House who have made moving speeches about their own experiences, and those with very deep professional knowledge, chief among whom are the hon. Member for North Ayrshire and Arran (Patricia Gibson) and my hon. Friend the Member for Sleaford and North Hykeham (Dr Johnson)? May I also thank all the members of the all-party group—we have heard from my hon. Friends the Members for Colchester (Will Quince), for Banbury (Victoria Prentis) and for Eddisbury (Antoinette Sandbach)—whose passion for and commitment to this most important of all causes really shines through, as I am sure everybody on both sides of the House agrees? I thank all those who have spoken today through their own pain, as well as all those constituents who have written to all of us to enable us to raise in the Chamber a cause that matters so much to them. If they did not write and share those very difficult stories, we would not be able to do half as much to help.

In my brief comments today, I shall give voice to concerns that my constituents have raised, and I want to support all my colleagues, on both sides of the House, who are working so hard to make change, reducing the number of deaths in these most tragic circumstances and providing help to parents when, regrettably, deaths do occur. I am very grateful to my hon. Friend the Member for Banbury for mentioning my little boy Henry. I am experiencing the joy of being a new father. I can only imagine the trauma that any parent would feel, having lost someone in those circumstances. There is no doubt that a greater trauma for a parent could not be imagined.

I shall take a brief look at the statistics. As has been said, this is a very human subject—not one for pie charts or statistics—but I think we ought to look at them, if only to consider how far we have to go, and how much more space we need to cover to get close to a situation where stillbirths, and births in labour and shortly afterwards, are reduced to the lowest possible

level. One in four pregnancies will end in miscarriage; 200,000 mothers and their families are affected every year; 3,245 stillbirths were recorded in 2014 by MBRRACE-UK. In 46% of stillbirths, the causes are unknown. That is a horrifyingly high statistic, and it is vital that we continue—I am grateful for the Government's efforts in this respect—to research, so that we can find out the causes of as many conditions as possible. It surely is not something we can be happy about, or be content to tolerate, that the rate of stillbirth in this country is higher than in so many European countries, including Germany, Sweden, Poland and Estonia.

It is a sad fact that in so many cases, the causes of death are potentially avoidable. Many who have spoken today have far greater experience and knowledge than I have, and I do not pretend to tell the House about those points, but it seems to me that the Government should consider mounting an education campaign so that mothers can, where possible, avoid any risks—the risks, for example, of smoking in pregnancy are well known, and they need to be made clear to everybody—and recognise the signs of an impending problem.

Antoinette Sandbach: The MAMA Academy creates some fantastic wallets. I suggest that my hon. Friend writes to his local hospital trust and urges them to provide those wallets to their mothers-to-be. I know that the Countess of Chester is doing that for mums served by that trust. Each wallet has a lot of information on the front, which helps parents know when they should start worrying, because it alerts them to the signs that mean they should go to hospital and get scanned.

Robert Courts: I am very grateful for that helpful intervention. I will almost certainly do that. [Interruption.] No doubt my hon. Friend the Member for Banbury will assist. That will be most welcome to mothers—and indeed fathers, who of course worry equally about such risk factors. That will be a great deal of help.

I wonder whether the Government would also consider the subject of scans. I am conscious that in this country we do not scan past 20 weeks, and that in Finland, which has one of the lowest rates of stillbirth in the world, there are much more frequent scans, continuing into the third trimester. Indeed, in that country, they also have regular checks on very young children. I appreciate that there are many important claims on resources, but ask the Government to continue to look at that because the causal link between Finland's success and regular checks should be considered.

The theme of Baby Loss Awareness Week is support for bereaved parents and today, of all days, is World Mental Health Day. When tragic circumstances occur, all possible support must be available to parents. Nothing will ever make amends for the loss of a child and nothing will ever take them back to the day before that loss occurred. As anyone who has lost someone will realise, however, while the situation is never “better”, the realisation that you are not alone can and does help. We ought to bring that support to as many people as possible. I welcome the Government's bereavement care pathway and the assistance provided for it by the all-party group.

My hon. Friend the Member for Thirsk and Malton (Kevin Hollinrake), who is in his place, is introducing a private Member's Bill. One would like to think that employers would be sympathetic in such circumstances:

that is a basic, human and natural reaction. I am very grateful to my hon. Friend the Member for East Renfrewshire (Paul Masterton), who gave us a very clear example of when that is not always the case. If ever there were a clear example of why the Bill is necessary, we have heard it today—and of course I support it. Compassion, as well as the time and support to grieve, is vital for parents in such tragic circumstances.

I would like to end my brief comments on a local note. I am very grateful to my hon. Friend the Member for Banbury for mentioning Horton General hospital, and I support and echo everything she says. Her passion is clear to all. Like her, I remain of the view that downgrading Horton's maternity services is unsafe. I remain of the view that asking mothers in the late stages of labour to travel on the very congested roads between Banbury and Oxford, or from the north of west Oxfordshire in my constituency to Oxford, is unsafe. I fear for the consequences if that situation is sustained. I deplore the way the consultation was handled: looking at maternity services at the hospital in phase one of a sustainability and transformation partnership, when the issue of maternity services across the whole of Oxfordshire, and particularly west Oxfordshire and my constituency, must be considered. It is not helpful to look at such services in isolation.

The people of Chipping Norton have equally valid concerns over the future of their midwifery-led unit. It is clearly critical in such an isolated rural area, where the weather has an effect on traffic on our congested roads, for expectant mothers and families to have access to full, high-quality midwifery and obstetrics care throughout the whole of Banbury and the north of west Oxfordshire. I will continue to work with my hon. Friend the Member for Banbury and others to ensure access throughout west Oxfordshire to the very highest quality maternity services.

8.28 pm

Justin Madders (Ellesmere Port and Neston) (Lab): This has been a compelling debate, which has once again shown the House at its best. I welcome the fact that we are discussing these issues again in the Chamber as part of Baby Loss Awareness Week. I hope that these extremely valuable debates will become an annual fixture, because they provide us with a very valuable opportunity to raise awareness of the work of the 40 baby loss charities who work together as the Baby Loss Awareness Week Alliance. They also give us the opportunity to assess what progress has been made in meeting our shared ambitions to improve prevention, treatment and bereavement care.

I recognise the work of the all-party group on baby loss. It is true to say, as a number of Members have today, that it has played a key role in ensuring that this issue is kept at the top of the Government's agenda, and that some of the taboos that have so often surrounded this subject are broken down. There have been a number of excellent contributions from Members on all sides and I am grateful for the opportunity to be able to draw attention to some of them.

The hon. Member for North Ayrshire and Arran (Patricia Gibson) mentioned coroners' inquests and fatal accident inquiries for stillbirths—an issue she has raised on a number of occasions. I pay tribute to her for her persistence in that campaign. She certainly made a

compelling case that such inquiries would inform good practice and, more importantly, bereaved parents may get answers that they have not previously had.

The hon. Member for Colchester (Will Quince) spoke with great passion and personal experience, and in his capacity as the co-chair of the APPG. He touched on a range of issues and highlighted the importance of mental health. I was rather troubled by what the hon. Member for Banbury (Victoria Prentis) said. I certainly recognise her description of a culture of defensiveness in certain trusts. She was absolutely right that most parents want answers, not compensation. We need to do more about the way in which the NHS handles these issues.

My hon. Friend the Member for Nottingham South (Lilian Greenwood) told us about her constituents, Jack and Sarah, who have recently spoken publicly about the tragic circumstances of the death of their daughter, Harriet. They felt that what they were told was not correct and want coroners' inquests to be available for stillborn children. As my hon. Friend said, there seems to be growing cross-party support for such a move. I assure her that the Opposition Front Bench will do what we can to assist in making that campaign a reality.

The hon. Member for Eddisbury (Antoinette Sandbach), who also co-chairs the APPG, was right to pay tribute to the NHS staff who have really taken up the challenge laid down by the APPG of improving the experience for parents. She rightly drew attention to the wider public health factors that we need an awful lot more work on, and raised an important point about the need for CCGs to commission bereavement counselling consistently across the board. It is often a concern that CCGs do not commission services consistently across the country, so more examination and accountability is required.

My hon. Friend the Member for Kingston upon Hull North (Diana Johnson) spoke about her constituent's son, William, whose ashes were scattered without his family's knowledge. She spoke about this in the debate last year, so I am sorry to hear that there are still many unanswered questions. I hope that she does not have to come back to this debate next year to raise the same issues.

My hon. Friend the Member for Slough (Mr Dhesi) spoke about the terrible circumstances affecting one of his constituents and the need to improve awareness of group B strep. In last year's debate, the right hon. Member for Mid Sussex (Sir Nicholas Soames) advised the House that one baby a day develops group B strep. We should be able to do a lot more about that, given that it is a largely preventable infection.

The hon. Member for Thirsk and Malton (Kevin Hollinrake) highlighted well the gaps in the law on bereavement leave. I wish him success with his private Member's Bill. He made the valid point that we are also employers, so it is probably worth us examining the Independent Parliamentary Standards Authority terms and conditions following the debate to see whether there is anything more we can do to ensure that we are an exemplar.

We were privileged to hear from the hon. Member for Sleaford and North Hykeham (Dr Johnson), given her professional experience. She conveyed well how difficult it is for staff in some of these situations. Her reflections on her last 16 years in practice were informative and positive,

[Justin Madders]

and she made some excellent points about areas in which we can do better. I hope the Minister will take those points on board.

As we have heard from many hon. Members' contributions today and in previous debates, the efforts of people here and among the public have gone a long way towards breaking down taboos. I pay tribute to those who have done so and the efforts of others in the public eye to raise awareness. For example, "Coronation Street" had a storyline involving a stillbirth earlier this year. I am sure that such television programmes have an even greater reach than Parliament TV. What made that storyline so poignant was that Kim Marsh, whose character portrayed the stillbirth onscreen, herself suffered a bereavement eight years before. She said of the broadcast that

"sharing is absolutely imperative to being able to put the pieces of your jigsaw back together".

That is incredibly sound advice.

Many parents have spoken of the isolation they can feel, and we have heard from hon. Members today about how that has been a taboo subject for a very long time and about the difficulty people can have in discussing the loss of their child for what seems like many years. A constituent of mine, Nicole Bowles, is in that situation. She has set up a campaign, called Our Missing Piece, to make it easier for parents to let other people know that their family is missing a loved one. She has designed a badge for bereaved parents to wear as a way of telling the world that they are dealing with child loss. Her ambition is very simple but could have a very positive impact. She says:

"I hope that by creating this badge it helps to show that: It's OK to talk to us; It's okay to ask if we're alright; It's okay to say their name."

I commend her campaign and I hope that this debate has gone some way to conveying the sentiments she expresses about the need to talk about these issues and break down the barriers that have been there for too long.

We know from the recent review of stillbirths and neonatal deaths in the UK that of the 782,720 births in 2015, 3,032 were stillbirths and 1,360 were neonatal deaths. This amounts to about 12 stillbirths or neonatal deaths every day. That is a huge number of families each and every week experiencing one of the biggest, if not the biggest, tragedy of their lives. It is a difficult figure to process, particularly because, as the hon. Member for Witney (Robert Courts) said, sometimes these deaths could have been avoided.

It is of course positive that perinatal mortality has decreased in this country, but the level of progress has not been good enough. According to *The Lancet*, the annual rate of stillbirth reduction in the UK has been slower than that in the vast majority of high-income countries. One of the key reasons for that is the high level of variability in the services offered. This country offers some of the best neonatal care in the world, along with some exemplary psychological and bereavement support, but unfortunately that is not available equally to everyone. Last year, NHS England reported a 25% variation in stillbirth rates across England. That is a startling figure, but it demonstrates that we have the capability to meet and exceed the Government's target to reduce the number of stillbirths by 20% before 2021

if we ensure that everyone has access to the very best care and treatment. I welcome the progress the Minister referred to earlier towards meeting that target, and I hope that he will be able to update us annually on progress. I also invite him to consider whether it would be appropriate to expand the scope of the Government's ambitions to focus also on reducing the number of premature births, given that prematurity contributes to a significant number of stillbirths and neonatal deaths each year.

As well as variability, another area where we need to make significant progress is ensuring safe staffing levels at all times on all neonatal units. The 2015 Bliss report "Hanging in the Balance" found that 64% of neonatal units did not have enough nurses to meet the national standards on safe staffing and that 70% of neonatal intensive care units regularly looked after more babies than was considered safe. As we know from exchanges this morning in departmental questions, there are huge challenges in the workforce at the moment, and the Government have set out their strategy to deal with them, so I hope that we will see progress. It is certainly something that we will be monitoring closely.

Finally, I turn to the key theme of this year's Baby Loss Awareness Week, which the hon. Member for Colchester referred to: bereavement care. This is an area that stretches from the level of support available immediately following a neonatal death to the medium and long-term support available to families. I welcome yesterday's announcement on the national bereavement care pathway, which will see 11 sites in England trial the use of new materials, guidelines and training for professionals. The trial, leading to a full roll-out in a year's time, has the potential to tackle long-standing and unacceptable variances in bereavement care and ensure that all bereaved parents are offered equal, high-quality, individualised, safe and sensitive care, which is something everyone in the House wants to see.

I suspect that the challenge of a successful roll-out will be ensuring that sufficient time is set aside for the training that staff will need. I welcome the news from the Minister about the funds and support that will be available for the delivery of that training, but we must recognise that training is a continuing process, and we must keep an eye on progress in the years to come. As I said earlier, another big challenge is ensuring that the workforce are in a position to deliver the pathway. Last year, Sands found that 38% of maternity units did not have a specialist bereavement midwife based there, while Bliss has found that 30% of neonatal units do not have access to any psychological support.

There is also a need for capital investment. We have heard from a number of Members today about the importance of bereavement suites, and we know that one in three trusts and health boards does not have a dedicated bereavement room in each maternity unit. I am aware that the Government have ambitious plans to release significant parts of the NHS estate, and I should be grateful if the Minister could reassure us that there will be consideration of the shortfall in the number of bereavement suites before any disposals proceed.

There is much more to be done, but I think the hon. Member for Eddisbury (Antoinette Sandbach) summed up the position well when she said that, for the first time, there was some hope. Let us continue to move forward in that spirit.

8.41 pm

Mr Dunne: I am grateful for the opportunity to respond to some of the points that have been raised during this excellent debate. It is important to recognise and welcome the cross-party support from Members, including the hon. Member for Ellesmere Port and Neston (Justin Madders). We heard 14 contributions from other Members, including five, by my count, who have personally suffered—or their families have suffered—the loss or miscarriage of a baby, as well as two from experienced doctors: my hon. Friend the Member for Sleaford and North Hykeham (Dr Johnson) and the hon. Member for Central Ayrshire (Dr Whitford), who brought their particular expertise to the debate. I am grateful for the support from Members on both sides of the House for the Government's action plan—for what we have done in the 12 months since our last debate on this subject, and for what we are planning to do.

A number of issues have been raised today. I will not go into detail about Members' constituency concerns, although I will say to the hon. Member for Kingston upon Hull North (Diana Johnson) that when, as a Shropshire Member, I was dealing with one of my constituents who suffered an inability to find out what had happened to the ashes of the baby they had lost, which was similar to what occurred in Hull, my experience was of talking to the local authority and persuading it that this was the right thing to do. I should be happy to help the hon. Lady, if she needs help from the Department, to emphasise again to her local authority that it is indeed the right thing to do.

Members have challenged me on a couple of issues, particularly that of coroners' reports. We are introducing a perinatal mortality review tool to allow investigations to be undertaken, with information collated in a manner that can then inform and be learned from. We will watch with interest what happens in Scotland, but at this point I think we need to get the tool working and see how it goes. In my opening speech, I mentioned the health service safety investigations branch on which we

are consulting. We envisage it as having a role in looking at some of the more extreme cases, but only if it decides to do so.

A number of colleagues talked about the use of private Members' Bills to try to drive this agenda forward. I can confirm to my hon. Friend the Member for Thirsk and Malton (Kevin Hollinrake) that the Government will support his Bill on bereavement leave, which was also mentioned in the excellent speech of my hon. Friend the Member for East Renfrewshire (Paul Masterton). I cannot promise that we will support all the other measures that the all-party parliamentary group comes up with, but we will certainly look at them with interest.

Following last night's launch of the national bereavement care pathway, I am particularly pleased, in Baby Loss Awareness Week, that that has received so much support from the APPG, the charities and the healthcare professionals who work in this field. Finally, let me say a big thank you to all the midwives, doctors and healthcare support workers who do such a fantastic job, delivering more than 700,000 babies successfully and also helping parents who, sadly, do not experience the happiness of a healthy baby.

Question put and agreed to.

Resolved,

That this House has considered Baby Loss Awareness week.

Business without Debate

ADJOURNMENT (FEBRUARY, EASTER, MAY DAY AND WHITSUN)

Motion made, and Question put forthwith (Standing Order No. 25),

That this House, at its rising on Thursday 8 February 2018, do adjourn until Tuesday 20 February 2018; at its rising on Thursday 29 March 2018, do adjourn until Monday 16 April 2018; at its rising on Thursday 3 May 2018 do adjourn until Tuesday 8 May 2018; and at its rising on Thursday 24 May 2018, do adjourn until Monday 4 June 2018.—(*Craig Whittaker.*)

Question agreed to.

Devolution: Yorkshire

Motion made, and Question proposed, That this House do now adjourn.—(*Craig Whittaker.*)

8.45 pm

John Grogan (Keighley) (Lab): It is a particular pleasure to open this debate on Yorkshire devolution with you in the Chair, Madam Deputy Speaker, because you have a distinguished record as a former Minister for Yorkshire, and at a time when Yorkshire needed a strong Minister, bringing together the world of politics, business and local authorities. I suggest that we are at a similar moment in our history. We need a strong elected voice to champion the whole of Yorkshire as our economy and our businesses face the challenges of Brexit.

All Yorkshiremen and women pride themselves on calling a spade a spade, and sometimes in our political lives we can fall victims to that. I retired from this House in 2010 and never expected to return. I quickly realised the trueness of the statement that there is nothing more ex than an ex-MP.

The Parliamentary Under-Secretary of State for Communities and Local Government (Jake Berry): No!

John Grogan: I am afraid so, Minister, as one day you might find out.

I returned to my former constituency to knock on doors in Heslington in support of a former council colleague. I wondered whether the resident at the first door I knocked on might recognise me. He opened the door, gave me one look and said, “The return of the living dead.” I want to be as frank as that former constituent in my comments to the House this evening, but I also want to suggest a way forward and possible compromises and conciliation. I will also speak about the Sheffield city region deal, much diminished though it now is.

Let me start by examining a proposal that has been signed by 17 Labour and Conservative councils—when last I checked, not one had withdrawn its name. They are proposing a single mayor and a single combined authority for the areas they represent, which is perfectly in line with the current law, as the Minister has agreed in a parliamentary answer. I want to consider not what might happen in future Parliaments, but what we can achieve in this Parliament, because, representing God’s own county, we all have a responsibility to do that.

Kevin Hollinrake (Thirsk and Malton) (Con): Does the hon. Gentleman feel that we have a responsibility to consider all the options? He mentioned 17 local authority leaders. The nine across north Yorkshire, who did sign up to the One Yorkshire deal in principle, are keen to explore the option of Greater Yorkshire, which is a deal on the table that we could progress today. Does he not think that we should be exploring that option?

John Grogan: Interestingly, none of those nine local authorities has yet withdrawn its name from the 17 that signed up to explore the Yorkshire deal. Some have admitted to me that they have benefited from re-education at last week’s Conservative party conference and now better understand the Government’s position, but Councillor Carl Les, who is a very good friend of mine

from my days in north Yorkshire, said today that he still favours the widest possible deal. He doubted whether he could persuade the Minister, but I am more confident that we can do so.

It is interesting to look at the geography, because it includes the north of the Humber but not the south, and I recognise that there would need to be strong links between the north and the south however this plays out. The proposed combined authority would control things such as transport. On the basis of deals elsewhere, it might have £150 million to spend that is currently spent by Whitehall. It would look after skills, and there are some imaginative proposals, including that the regional schools commissioner should report to the mayor because we need to improve the performance of Yorkshire’s academies. The mayor would also oversee the team that promotes international trade in Yorkshire.

There are lots of exciting ideas, but it is Yorkshire’s identity that matters to me. Whether at Keighley Cougars, Sheffield United, Sheffield Wednesday or Leeds United, people do not chant, “Sheffield city region!” or “South Yorkshire!”, they chant, “Yorkshire!” [*Interruption.*] Anytime that my hon. Friend the Member for Sheffield South East (Mr Betts) wants to intervene, I will obviously take that intervention.

Mr Clive Betts (Sheffield South East) (Lab): I am just storing it up.

John Grogan: I thought so.

One newspaper that comes out of this whole saga with credit is *The Yorkshire Post*, and I want to read just two sentences from its editorial this morning:

“This debate is a litmus test which will define the future relationship between Ministers and Yorkshire. While the city-region model is working elsewhere, a Yorkshire-wide devolution deal has the potential to be truly transformative and Ministers will not be thanked if they’re unable to recognise the once-in-a-generation opportunity that exists at long last.”

Rachael Maskell (York Central) (Lab/Co-op): My hon. Friend is making an excellent case for the Greater Yorkshire deal. Devolution is all about local people making choices about their future and controlling their destiny. Seventeen authorities have come together to say that they want this deal, so the Minister should meet them and the MPs involved to get the deal under way. We cannot lag behind.

John Grogan: I agree entirely with my hon. Friend. All that the 17 councils are asking for is talks, which the Minister has not yet agreed to. This House quite rightly prides itself on the fact that we have had devolution through consent from both parties in more difficult places than Yorkshire, such as Northern Ireland, and we are now telling the Spanish Government that they must have talks with Catalonia. If they can do that, why cannot the Government have talks with 17 Yorkshire council leaders?

Tracy Brabin (Batley and Spen) (Lab/Co-op): I thank my hon. Friend for making that point, because we started with a proposal for a West Yorkshire mayor and then for a lesser Yorkshire mayor, and we now have one for a Greater Yorkshire mayor. This should be less about the political colour of the mayor and more about councillors and other politicians working together to

make swift decisions so that the people of Yorkshire, and particularly Batley and Spen, can make the most of this opportunity to regenerate our glorious, wonderful Yorkshire.

John Grogan: I could not have put it better. This is not just about the councils, because business also backs the proposal. I saw Jonathan Oxley, the regional chairman of the Institute of Directors, on television this morning, and Bill Adams of the TUC is among the opinion formers in Yorkshire who are very much behind the proposal.

I share many things with the Minister, one of which is that neither of us wakes up on election morning knowing that we will win—we fight marginal seats. Some of my hon. Friends have argued that the Labour party should not propose something that we would not definitely win. Equally, I am sure that some civil servants in Westminster have that traditional metropolitan fear of too strong a body in Yorkshire, which perhaps dates back in folk memory to when York was the capital of Viking England. We need a strong political voice in Yorkshire to argue for things such as better transport. Transport spending in Yorkshire is only £1 per head compared with £10 per head in London. We in Yorkshire are also 20% more likely to die young than those in the south-east, so we need a strong political voice to change things in our society.

Julian Sturdy (York Outer) (Con): The hon. Gentleman is making a powerful argument. To bring him back to the sporting analogy, we had the grand final at the weekend—sadly, Keighley Cougars were not there, but Leeds and Castleford were—and it was played in Manchester. Is that not the point? While Manchester carries on with devolution and is moving forward, Yorkshire is not. Forget the politics, we have to move forward with devolution now.

John Grogan: I agree with the hon. Gentleman, although I would say that Keighley Cougars will rise again. We are missing out in Yorkshire. Take the Commonwealth games. They are possibly going to Birmingham; Yorkshire was not even in the frame, and that is because we do not have a strong, powerful voice arguing that things such as the Commonwealth games should come to us. I would want a competitive election, which a devolution deal based on the whole of Yorkshire would bring.

Mr Betts *rose*—

John Grogan: I was about to move on to the Sheffield city region deal, so this is the moment for me to give way.

Mr Betts: I will let my hon. Friend expand on that point, then I will come in.

John Grogan: I thought my hon. Friend was rising to intervene.

Mr Betts: I will in a second.

John Grogan: Perhaps to encourage my hon. Friend to do so, let me say that I am afraid that the Sheffield city region deal is much diminished. Obviously, Barnsley and Doncaster signed up, and there was the hope that

various authorities in Derbyshire would be involved. Sadly, that has now changed. Although the deal is about the same in terms of money—slightly more than Manchester, but quite a bit less than the west of England—if we look at the powers we can do better in the whole of Yorkshire. There is no housing investment fund in the Sheffield city region deal, no control of railway stations and no community infrastructure levy. All those things are held by the Mayor of Manchester, so why do we have to have second best in Yorkshire? We can negotiate better than that across the whole of Yorkshire.

Mr Betts: Can I come in on that point?

John Grogan: I think that this would be an appropriate point for that.

Mr Betts: I thank my hon. Friend for allowing me to intervene. He accuses the Government of not talking, but they have talked at great length to the leaders of councils and to councils in the Sheffield city region. When the deal was signed up to by the four council leaders in the South Yorkshire districts in 2014, that was before Chesterfield and Bassetlaw came in. They came in at a later stage and if they had not, the deal would have been agreed and an election would have been held this year for an elected mayor. That will now happen next year. All those four leaders signed up to the election and the statutory instrument is being put through. I ask my hon. Friend to do a deal for his constituency and the rest of Yorkshire, and not to let our deal be held up on that basis.

John Grogan: I am slightly disappointed, as I was hoping that my hon. Friend would announce his candidature for Sheffield city mayor, but I will give way if he decides to make such an announcement tonight. The plain fact of the matter for my hon. Friend and for the Government is whether they are seriously going to impose an expensive mayoral election on the people of South Yorkshire when two of the four authorities are opposed to it. Are they seriously going to do that for a mayor who will have no powers and no money?

I am all in favour of all-party talks and I know that my hon. Friend the Member for Sheffield South East has been working closely with the Government on this, but I would ask him, the Government and John Mothersole, who is the chief executive of South Yorkshire and a distinguished public servant, but perhaps a little too associated with one deal, whether we could try another plan—the best chief executives always have a plan A, a plan B, a plan C and a plan D—which I will suggest in a spirit of compromise. Members of all parties at a local and national level have been ringing me up over the past few days. Some have suggested a staged approach if there was a commitment to all-Yorkshire devolution. My hon. Friend has said himself that he would not rule that out in the future. Our good colleague, and former MP, Richard Caborn, has said the same. He would not rule that out. Could we not do it now? We could bring it in very rapidly. Perhaps we could have that staged approach with a mayoral election in South Yorkshire followed by an all-Yorkshire election a couple of years later. Those are possibilities.

I have one more suggestion to make to the Minister in a moment, but I just want to look briefly at one other factor. I said yesterday that an idea is serious once people start betting on it, and I noted today that a book

[John Grogan]

has been opened on the first Yorkshire mayor. I was rather surprised that I was at 4-1. I am not sure whether anybody, even a member of my family, has put a bet on today, but I am ruling myself out. Various other hon. Members are on the list, but I will not embarrass them. I will say only that Jessica Ennis-Hill is at 33-1 and it surprises me that she is the first woman on that list, because there are many, many strong candidates. I can think of four women council leaders in Yorkshire off the top of my head, and it would be something if Yorkshire were to have the first female major metropolitan mayor.

Kevin Hollinrake: When the Select Committee took evidence from Lord Kerslake about devolution, he made it clear that a stepping stone approach may well work in terms of different devolution deals. Why would the hon. Gentleman not now commit to moving ahead with Greater Yorkshire? What is it about Doncaster and Barnsley that is so attractive to Keighley that he needs those in a deal in order to move ahead with it? Why is that?

John Grogan: In direct response to that, let me conclude with a suggestion to the Minister. It is possible that he will not initiate talks tonight. I hope he will—I have great hope and faith—but he may just not do so. This Minister from a Lancashire constituency—I put it delicately—may tell us a lot about his three happy years as a student in Sheffield, and we are looking forward to hearing about that, but it is just possible that to solve this problem we need a higher authority than the Minister—the Secretary of State, the Prime Minister or even the Prime Minister’s hero, Geoffrey Boycott. I am secretary of the all-party group on Yorkshire and Northern Lincolnshire and I have written to the Archbishop of York asking him to consider calling a meeting of all those involved in the devolution process to try to make some progress, which the people of Yorkshire sorely need. The Archbishop of York’s office has told me that he is supportive of the process of Yorkshire devolution, and he will closely examine the proposals of the 17 councils involved and will be in contact with the bishops of Leeds and Sheffield about the most appropriate course of action to take.

So I leave the Minister with two questions. Are the Government against the principle of One Yorkshire devolution or, as various hon. Members have suggested, would they be prepared to accept it as the final destination on an agreed staged process over the next two or three years? Secondly, if it is forthcoming, would the Minister accept an invitation from the Archbishop of York, even if he will not initiate talks himself, to take part in talks on Yorkshire devolution and how the people of Yorkshire can get what many of the great cities of England already have?

9.2 pm

Alex Sobel (Leeds North West) (Lab/Co-op): It is great to have a Yorkshire woman MP in the Chair for this debate. Devolved decision making over the past 20 years has been like a game of snakes and ladders; we have been up ladders and down snakes. We have had Yorkshire Forward and the Yorkshire Assembly, as part of the regional settlement; it is worth noting that only two of the Government regions in England which are

still in use for a number of functions are not points on a compass and reflect a geographic area. The first is London, which has had its devolution settlement with the Mayor and Assembly since 1999, and the second is Yorkshire. After the regional development agencies were abolished, Government policy moved on to the local enterprise partnerships and combined authorities, and now Government policy is for metro mayors and city regions.

In Yorkshire these structures are still opaque and confusing for most people. People in many of our towns and cities would not recognise themselves as being part of a city region, but they understand the idea of Yorkshire. Yorkshire people are proud of being part of Yorkshire, and it is time that our identity and regional uniqueness were acknowledged, and not dismissed by this Government. If our region could speak with a single voice, it would be a player on the world stage, rather than on the national stage. As my hon. Friend the Member for Keighley (John Grogan) said, both industry and the unions have backed the One Yorkshire model. They want to develop region-wide hubs around IT, tourism, food and advanced manufacturing, including low-carbon and renewable energy, helping to create 21st-century jobs and 21st-century solutions which can be the envy of the world and start to rebalance our economy away from London. That is the most important goal for our region and others.

Yorkshire’s cultural achievements are legion: the world’s first ever film was filmed in 1888 in Roundhay; the first ever football club, Sheffield FC, was founded in 1874; and, as hon. Members might recall, in the London 2012 Olympics if Yorkshire had been a country it would have finished 12th in the medals table. Obviously, that is not forgetting this weekend’s eighth super league grand final win by Leeds Rhinos from my constituency. Yorkshire pudding is an integral part of our national dish, the Sunday roast.

Our whole character is based on our regional cultural establishment. This year, we have had the UK city of culture in Hull, which has been a platform not just for Hull, great as it was, but for the whole of Yorkshire. Leeds is bidding to be the European capital of culture in 2023. How good would it be to be part of a One Yorkshire authority where we could all amplify that achievement globally? Furthermore, Yorkshire’s interconnectivity and transport issues need a single voice.

9.4 pm

The Parliamentary Under-Secretary of State for Communities and Local Government (Jake Berry): I congratulate the hon. Member for Keighley (John Grogan) on securing such an important debate.

In May this year, just five months ago, six metro mayors were elected to the combined authorities in England. Those six mayors—three in the northern powerhouse—have the power to create jobs, improve skills, drive forward their local economy and improve transport. Already they are creating a single point of accountability for residents, and have become powerful advocates for their area. Let us consider two of them. Ben Houchen in the Tees Valley has created the first mayoral development corporation outside London and is already attracting not just national but international businesses to the Tees Valley so that he can turn around SSI—Sahaviriya Steel Industries—steelworks. One mayor, one point of accountability driving forward his economy.

Andy Burnham, who will be familiar to those on the Labour Benches, is the metro mayor for the great city of Manchester. In one of the most striking acts of leadership that I have seen, he stood strong, representing his city and our whole nation, against a terrorist outrage that took place in that city just days after he was elected. One city, one mayor standing together against terrorism.

As with all devolution settlements across the United Kingdom, the process of passing powers from central Government to our regions is a one-way street. Metro mayors are already asking the Government what happens once they have fully implemented their devolution deal. What is the next natural step to return power, money and influence to their region?

These early adopters, these mayors, are viewed with envy by the residents and the business communities around them. When people turn on their telly and see Ben Houchen, Steve Rotherham and Andy Burnham standing there with the Chancellor of the Exchequer, as they did this summer, they naturally ask—as I have been asked in Yorkshire—why is my area being left behind?

The metro mayors, created by this Government, form a partnership of equals with Government. They sit at the top table to talk about housing, economic development and, crucially, Brexit. That is why this Government believe that the South Yorkshire devolution deal should proceed. There can be no devolution two without a devolution one going on in the first place.

The hon. Member for Keighley asked why Manchester has so many powers. Manchester and its mayor have currently negotiated four deals with the Government. The Sheffield city region deal is the start of devolution, not the end of it. As a Conservative Government, we are not making a narrow political point. We will not gain any advantage from having a South Yorkshire mayor. I guess that the people of Barnsley, Rotherham, Doncaster and Sheffield deserve the devolution that they have been promised.

Those areas came together in 2015 and asked this Government for the deal. We believed then—and still believe now—that passing power and money from Whitehall to those town halls can transform the lives of people in South Yorkshire. Then Barnsley, Rotherham, Doncaster and Sheffield reaffirmed their commitment to the deal—not once, not twice but on three separate occasions. At their request, not the Government's request, we legislated on two occasions to put ourselves in the position that we are in today. It is the law of the land, debated in this House, passed by this House, and voted on by this House that the mayoral election in the Sheffield city region will take place on 3 May 2018. The Sheffield city region deal is by all measures a good deal. It will bring £30 million a year of new Government money into one of the most deprived regions of the UK. It is one of the most generous devolution deals the Government have agreed. It equates to £22 per person per year in the Sheffield city region, compared with just £11 in Manchester.

On 3 May 2018, when the new South Yorkshire mayor is elected, the people of South Yorkshire—not the politicians—will, just like the people of the Tees Valley, Manchester and Liverpool, have a strong local voice to represent them at the top table with the Government.

While it is unfortunate that two of the local authorities that signed up to that deal in its original form have not consented to proceed to consult on the powers of the mayor,

I can confirm that, as far as the Conservative party is concerned, I spoke last night to my right hon. Friend the Member for Derbyshire Dales (Sir Patrick McLoughlin), who is the Conservative party chairman, and we are proceeding to select our candidate for this important election.

The reason I make that point is that I say this to the new mayor of South Yorkshire, whoever he or she may be: we understand the challenges South Yorkshire faces, we believe that an elected mayor can give South Yorkshire the leadership it clearly needs, and we will work with them, whoever they may be, to ensure that the nearly £1 billion of Government money that has been promised to South Yorkshire is delivered to the people of South Yorkshire.

It took my breath away when the leader of Sheffield City Council, Julie Dore, told me this summer that she never thought she would live to see the day in South Yorkshire when a Labour council—in fact, two Labour councils—egged on by local MPs, would reject £1 billion from a Tory Government because of factionalism and infighting in the Labour party in South Yorkshire.

Dan Jarvis (Barnsley Central) (Lab): I say to the Minister in good faith that he needs to be very careful about the tone of his comments. We have had a good-natured and constructive debate tonight about a very important subject, but the leaders of Barnsley and Doncaster have done what they have done because they genuinely believe it is in the best interests of the areas they represent.

Jake Berry: Well, I look forward in future debates to never hearing a whimper from the Labour Benches about supposed Government cuts. I have lived in South Yorkshire, and I know how deprived some of these areas are. People in Barnsley, Doncaster, Sheffield and Rotherham deserve the £1 billion the Government have brought forward for them.

Dan Jarvis *rose*—

Jake Berry: I will not take the hon. Gentleman's intervention. All I can say is that the people who are trying to undermine this deal know exactly who they are, and it is shame on them, shame on them, shame on them.

Dan Jarvis *rose*—

Jake Berry: I will not take the hon. Gentleman's intervention.

Let me turn to devolution in the rest of Yorkshire. We welcome the discussions that have taken place over the summer, with talks having restarted after a significant period of stalemate. It is absolutely clear that there is no agreement around what has been referred to as the One Yorkshire deal. A report in Sheffield's *The Star* yesterday confirmed that 11 of the 20 councils in Yorkshire support this proposal. York, Hambleton, Harrogate, Scarborough, North Yorkshire, Ryedale and Wakefield have said that they will not proceed with it. Although some elements of the media may choose to ignore that inconvenient truth, it is simply not the case that the coalition of the willing has had or does have wide support for its proposal.

[*Jake Berry*]

As my right hon. Friend the Secretary of State made clear in his letter dated 15 September, he is happy to meet leaders to discuss a Greater Yorkshire deal, which could be an exciting and groundbreaking devolution deal, passing real power and real influence from the people in London back to the people of Greater Yorkshire. He has also confirmed that a Greater Yorkshire deal should not and cannot include any of the South Yorkshire boroughs. That is because to do so would undermine fundamentally the position of good faith that underpins both the Sheffield city region deal and all devolution deals that the Government seek to negotiate.

Nic Dakin (Scunthorpe) (Lab): If there were a desire from the northern Lincolnshire area to be involved in that process, would that be looked at by Ministers?

Jake Berry: Whoever is involved in the Greater Yorkshire deal, it is for Greater Yorkshire leaders to decide, perhaps with Lincolnshire, whether that should proceed.

In conclusion, if Yorkshire leaders come to Government with a widely supported, ground-up Greater Yorkshire deal involving—

Dan Jarvis: Will the Minister give way?

Jake Berry: I am sorry, I cannot because I do not have time.

If Yorkshire leaders come to Government with a widely supported, ground-up Greater Yorkshire deal involving a single mayoral combined authority that does not in any way undermine the Sheffield city region deal, we will welcome that. We stand ready. We will meet with people, including John Sentamu, because we believe that that deal, together with the South Yorkshire deal, has the potential to drive forward devolution in Yorkshire.

9.15 pm

House adjourned without Question put (Standing Order No. 9(7)).

Westminster Hall

Tuesday 10 October 2017

[MR ADRIAN BAILEY *in the Chair*]

Aggressive Antisocial Behaviour

9.30 am

Steve McCabe (Birmingham, Selly Oak) (Lab): I beg to move,

That this House has considered tackling aggressive antisocial behaviour.

It is a pleasure to see you in the Chair, Mr Bailey. For seven years, the standard response of Ministers to any question or doubt about crime and antisocial behaviour has been an assurance that crime is falling. Those of us who ventured that police budgets were being cut too deep and too fast, exposing areas such as the west midlands to severe grant reductions, have been brushed aside. I have lost track of the number of Ministers who think that all is solved by the stock answer that crime is falling.

It is certainly true that the crime survey for England and Wales provides a valuable picture of long-term trends for certain types of offences, but it does not necessarily capture the picture on the ground for other types of crime, so it is wrong for Ministers to rely on those statistics to the exclusion of all else. The fear that dominates the daily lives of real people and their families is not addressed when Ministers issue such a stock reply.

Estimates are especially unreliable when it comes to particular types of offences and, as a consequence, we frequently underestimate certain crimes. Sexual offences and child sexual exploitation, about which we are beginning to learn much more, are good examples of underestimated crimes. Antisocial behaviour almost certainly also falls into that category. Until 2015, the headline figures also excluded fraud and computer misuse. When those figures are added, the number of crimes rises from around 5.9 million to around 11 million, which suggests that there is even less room for complacency.

Not that long ago there were major debates about the need to improve the quality of police recording of crime. When recording is done properly, we have a more reliable measure to assess recent or current trends. In the last year alone, police recorded crime increased by 10%—the biggest year-on-year rise in a decade—which includes a 20% surge in knife and gun crime. That rise is actually accelerating; a 3% increase in the year to March 2015 was followed by an 8% rise in 2016.

Turning to antisocial behaviour, most people think of their home as their sanctuary, their castle, and the place where the troubles of the external world can be set aside, if only for a short time. But what if home is not like that? What if, because of aggressive antisocial behaviour, intimidation, threats and harassment, a person's home becomes just another place of risk and fear—a place where they can be subjected to deliberate and intolerable levels of noise, and where dangerous and uncontrolled dogs are allowed to run free, threatening children? What if walking a few hundred yards to or from their own front door risks a confrontation and potential assault?

What if the immediate vicinity of their home is plagued by thugs with motorcycles, who constantly congregate outside or nearby?

According to some reports, there has been a 1% decrease in antisocial behaviour incidents. I find that impossible to believe. Try telling my constituents that antisocial behaviour is declining. As far back as 2012, Her Majesty's inspectorate of constabulary reported concerns about the wide variation in the quality of decision making associated with the recording of antisocial behaviour by police forces. That resulted in a review, but as budgets are increasingly stretched, I find it hard to believe that there has been a vastly improved focus on tackling antisocial behaviour. We are talking about offences including vehicle and bike-related crime, vandalism, criminal damage, graffiti, nuisance neighbours and extensive intimidation, involving threats, verbal abuse and domination of whole neighbourhoods.

Not only do Ministers say that crime is falling but they regularly tell us that they have protected police funding. That is simply not the case. The reality is that the central Government grant remains largely the same, and the shortfall in police budgets has been transferred to the council tax precept. Analysis by the Library tells us that since 2010, police expenditure from tax and grants has fallen by 5% in cash terms and 13% in real terms.

The National Audit Office has pointed out the effect of that sleight of hand: the force areas most affected by funding reductions are those that are most reliant on the police grant. Four of the five forces that are most dependent on the central Government grant—all, incidentally, in the midlands and the north—are those experiencing the worst overall budget reductions. I am sure that the Government understand perfectly well that economically depressed areas with a relatively low council tax base are not capable of making up for the loss of central grant, even if they raise the council tax precept to the maximum permitted level.

In the west midlands, which is one of the hardest hit areas, we have faced cuts of £130 million since 2010—the highest proportion in the whole country. In 2017-18, we have suffered a further £6 million budget cut. The chief constable has recently been forced to point out that policing will “break” unless forces are given “real terms protection”. In Northumbria, the chief constable has said that his force is close to no longer being able to provide a professional service. The chief constable of Avon and Somerset police said:

“We now face a tipping point. We cannot sustain further funding cuts without extremely serious consequences.”

Jack Dromey (Birmingham, Erdington) (Lab): My hon. Friend is making a powerful case on behalf of his constituents and the city of Birmingham. The West Midlands police service has suffered a real-terms cut of £18 million this year. The chief constable has warned that the force is stretched to the limit. The police and crime commissioner has said that call-out times are getting longer; they are now up to 24 hours for 999 calls about domestic violence, and the police often do not turn out at all to deal with antisocial behaviour, although it is said to be very serious. Does my hon. Friend agree that the first duty of any Government is to ensure the safety and security of their citizens, and that it is

[Jack Dromey]

absolutely wrong that the Government have cut 2,000 police officers from the West Midlands police service, putting the public at risk?

Steve McCabe: I agree totally. Those reckless cuts and the Government's refusal to recognise the consequences are the reason why we are experiencing such problems.

As well as giving us a hopelessly complacent message about crime falling, Ministers for far too long have tried to tell us that this is all about back-office savings—that the police are top heavy in administration and there is plenty of fat. As my hon. Friend says, the figures tell a different story. The number of police officers in the country has fallen for seven consecutive years, despite all those promises to protect the frontline. Since 2010, more than 20,000 police officers and 6,000 community support officers have been axed.

Stephanie Peacock (Barnsley East) (Lab): Does my hon. Friend agree that the falling numbers of police officers, and especially community police officers—in my region of Yorkshire, more than 400 have been lost—has a huge impact on antisocial behaviour, such as crimes committed on off-road bikes and mopeds, which plague communities like mine in Barnsley? Does he agree that more needs to be done to tackle it?

Steve McCabe: I do agree. It seems to me that one feature of policing, particularly in relation to antisocial behaviour, must be deterrence. If people feel that they will not be caught and there will be no consequences, there is nothing to inhibit their behaviour, and that is exactly what we see in communities right across the country at the present time.

Policing has now reached a historic low, with forces at their lowest strength per 100,000 of the population since records began back in 1979. In the west midlands, as we have heard, we have 2,000 fewer officers compared with 2010 and there are 50% fewer community support officers. Conversely, better-funded forces such as Surrey, which benefit from the perverse nature of police funding decisions, have managed to increase their numbers of police officers for their low-crime communities over that same period. That says something about priorities and attitudes to crime and antisocial behaviour.

All of this is having a profound effect on police morale. The Police Federation report for 2017 shows that 58% of officers have reported not having time to do the job to the standard they would be proud of; 57% report being single-crewed, which increases operational risk, and 39% report high job stress.

I was recently told of an incident by someone who works in community safety. There was a local neighbourhood disturbance, with about 40 youths with weapons roaming the area, threatening each other and carrying out attacks. After several members of the public made repeated calls, a police car eventually turned up, sirens blaring. The youths scattered, and naturally there were no arrests. It turned out that the occupant of the police car was the duty inspector for the area, who was the only officer available. He freely confessed that he had had no choice but to turn up sirens blaring in the hope that he might scatter the youths. Is that really the level of policing we should expect in this day and age

when our neighbourhoods are under attack? Force-wide voluntary resignations increased by 11% last year, and long-term absence is at record levels. Our police are stretched to breaking point.

It is hard to see how any Minister could come to the House with a straight face and continue to argue that the impact of their cuts is not affecting operational performance. Her Majesty's inspectorate of constabulary's police effectiveness, efficiency and legitimacy report for 2016 talks of the risk that forces are struggling to meet demand and are resorting to artificial means of suppressing that demand. The report suggests that that might be done by downgrading the severity category of a call or by setting a quota for the number of cases that get referred for special assistance. For example, a number of forces are increasingly dealing with calls for service over the phone rather than deploying officers to visit the victim. That can be very inappropriate in certain types of cases—for example, assault or sexually related offences—and there can be no guarantee that the person charged with conducting the phone call has the correct skills to carry out such an interview.

Particular areas of concern are the large number of incidents in control rooms that do not receive an appropriate response, as referred to earlier by my hon. Friend the Member for Birmingham, Erdington (Jack Dromey). An immediate response should be within 15 to 20 minutes and a prompt response is usually within an hour. In either event, that is likely to be too long to prevent a crime or, in most cases, catch a perpetrator red-handed. However, in far too many cases, calls are not allocated for several days. That is consistent with the many examples of which Members will be aware from their constituents, saying that they phoned the police but did not hear back or that officers attended several days later but made no attempt to take finger prints or record any other significant details that might help identify the culprit. In too many circumstances, the response to a crime is a perfunctory police appearance, well after the event—that is if they turn up at all.

Across the United Kingdom, the number of abandoned 999 calls more than doubled in the 12 months from June 2016, rising from 8,000 to nearly 16,500 across 32 forces. The number of 101 calls abandoned over the same period also rose—by 116%. In total 230,000 calls were abandoned; 101 is the number that the police prefer the public to use to report antisocial behaviour. That is the reality of much police response in this day and age.

As I have said, we have to be careful about relying on ministerial fantasies that crime is falling. Half of police forces inspected since August 2016 have been rated as “inadequate” for failing to record hundreds of thousands of crimes reported to them—approximately 219,000 crimes a year. Only three forces were rated as “good”. West Midlands police were found to have failed to record an estimated 38,800 crimes. In 2015-16, no further action was taken in 74% of recorded offences and by 2016-17 that had increased to 76%. By far the largest category of “no further action” cases resulted from a failure even to identify a suspect. It is not hard to see why crime is rising if the fear of being caught is rapidly diminishing.

Perhaps I may take this opportunity to remind the Minister of the importance of those findings and the store the Government place on HMIC inspections. The former policing Minister, the right hon. Member for Great Yarmouth (Brandon Lewis), told us that

“HMIC’s rolling programme of crime data integrity inspections will keep the spotlight on forces to improve the accuracy of their crime recording.”

That is exactly what HMIC is doing, and it is reporting an increasing number of forces unable to cope and, in many cases, opting to downgrade the reality of the crime people are experiencing.

There is little evidence of a robust Government response to those HMIC warnings. Ironically, even HMIC is seeing its budget cut, with a 14% reduction in cash terms since 2012. First the Government cut the police, and then they cut the agency charged with keeping track of police effectiveness. Is it really that surprising that there has not been an HMIC report on force handling of antisocial behaviour since 2012?

The Government have embarked on a dangerous road. It is important to remember that, as part of the incoming coalition Government’s efforts to diminish the Labour legacy, they put arguments about civil liberties ahead of issues of public safety. In everything from control orders, designed to protect us from would-be terrorists, to antisocial behaviour measures, Ministers set out to loosen existing legislation and controls. To some extent, the changes were cosmetic, but they had an impact, as can be seen from the reduction in the use of stop-and-search powers, and the corresponding increase in knife crime.

The then Home Secretary branded Labour’s antisocial behaviour measures “bureaucratic, expensive and ineffective”. She embarked on a series of changes that led to a loss of focus on bearing down on antisocial behaviour, as practitioners had to take time to learn new language and procedures for tackling existing issues for which powers were already proving quite effective. However, it was more than a rebrand. Abolishing ASBOs and introducing injunctions to prevent nuisance and annoyance was a weakening of the stance on antisocial behaviour. Breach of an ASBO was a criminal offence; breach of a civil injunction was a civil contempt, carrying a much lower maximum penalty. Significantly, under-18s can be dealt with only by the youth courts, where the penalties are lower.

Also, collapsing ASBOs and related measures into a civil injunction effectively removed the graduated response that Labour’s measures were designed to achieve. It is true that there was a fairly high breach rate for ASBOs, but acceptable behaviour contracts and antisocial behaviour injunctions were stepping stones prior to an ASBO. There were stages to be gone through, and warnings could be issued if the initial response failed to quell the unacceptable behaviour. The Government’s changes swept all that away, along with all efforts to monitor the effectiveness of the legislation.

The Home Office and the Ministry of Justice regularly respond to questions about the effectiveness of their policies with the standard defence that it would not be cost-effective to collect the information requested. Indeed, the Government have contrived to make it virtually impossible to measure the effectiveness of their response to antisocial behaviour. Not only do they fail to collect information centrally; county courts do not do it either. Consequently, the only way to obtain information on the Government’s injunction strategy would be to examine individual case files. In fact, the Government have no capacity to link arrests, recorded crime, and prosecution and conviction data. They have no idea of the effect their policies have on crime and antisocial behaviour.

Labour’s approach was not just about court orders. Family intervention projects were established to provide focused work on those families considered most likely to generate antisocial behaviour problems. In 2007, the Department for Communities and Local Government produced a report that found that both criminal and antisocial behaviour had declined markedly at the point when those families exited the programme. The risk that they would face eviction because of their behaviour had also considerably reduced. Once again, the incoming Government sought to change things, and introduced a decentralised troubled families programme, with a significantly broader focus and, of course, fewer resources. It coincided with huge cuts in local authority youth programmes and other social services spending.

Despite early positive claims about the troubled families programme, an independent evaluation found that there was no significant impact across its key objectives and that it was not possible to evaluate estimates of savings, despite Government attempts to argue that the policy had resulted in savings of £1.2 billion. That, of course, was at a time when Ministers were keen on arguing for payment by results. However, the independent evaluation noted:

“The financial framework could have been significantly improved if it had followed the model of other programmes, which included a requirement to demonstrate that results were attributable to the programme.”

It is my contention that those changes in legislation, and the loss of focus, have damaged our ability to tackle antisocial behaviour. I attended a recent meeting of a community safety panel covering my constituency. I was impressed by the commitment of those present—about 23 people, including a fire station commander, who chaired the meeting, a police inspector, two councillors, a community representative and several council officers. It was a two-and-a-half-hour meeting; they are bi-monthly. It was full of presentations, which I must say I found interesting. However, what I did not get was that CompStat feeling: where were the raw data and the demand to do better? Where, indeed, were the results, and demands for action? I fear that, without greater direction from the senior echelons of the various agencies, community safety panels will become another part of the local bureaucratic apparatus. They are well intentioned, but what issues will they resolve?

It was interesting to hear that the panel had noted an increase in gang activity in south Birmingham and was concerned about an emerging picture suggesting that children are getting involved in gangs at a much earlier age, and that membership is no longer confined to those from poor and disadvantaged backgrounds but embraces those from what we might regard as quite middle-class homes. It seems to me that that information supports my view that we are losing control of our neighbourhoods, and that we need Government-directed activity and local intelligence to come together to provide clear action plans to tackle the threat posed by that emerging gang culture.

Neither the Home Secretary nor the Prime Minister made a single reference in their conference speeches to antisocial behaviour. It is clearly not on their radar. Nor did they mention police resources. It is all very well the Home Secretary saying that she plans to keep the police safe, but how safe are they if there are not enough of them to do the job and they are exposed to risk every

[*Steve McCabe*]

time there is a local incident? There was a passing reference in her speech to a review of moped crime—I hope that will also cover motorcycle crime. I welcome that, although my constituents would like a timescale and a promise of clear action. Perhaps the Minister can update us on what the Government intend. Also, where is the evidence that under-18s are the greatest offenders in acid attacks? If there is not such evidence, what exactly will be achieved by the Home Secretary's announcement on the matter?

I reassure the Minister that I do not raise these issues for the sake of it. A recent analysis that received more than 1,000 responses in my constituency highlighted the priority that my constituents accord to such matters. More than 70% reported being very concerned about the rise in crime. With respect to the visibility of, and access to, police and community support officers, almost 90% reported experiencing a decrease; 92% regard it as a false economy that the Government have pursued a policy of reducing police numbers, especially when so much money can be found for other items. Nearly 40% of those I asked about the 101 non-emergency police number had never heard of it. Of those who had used it, nearly 30% reported that it was unsatisfactory. The chief complaint, which will be no surprise, is the time that it takes to get through. Too many people are left hanging on, and are forced to give up. Those who do get through often find the response unsatisfactory.

Bearing in mind that I am a Birmingham MP and that what happens in London does not reflect the whole country, the Minister may want to note the fact that nearly 75% of those responding to the survey thought that we might need to look again at the rules on stop-and-search. I remind you, Mr Bailey, that it was the present Prime Minister who championed curtailment of the use of stop-and-search. I wonder whether the increase in acid and knife attacks, gun crime and gang activity suggests we may need to listen to the majority of our constituents, who are asking about their civil rights.

Often in crime surveys it is argued that people's fear of crime is a much bigger issue than their actual experience, so I asked how many of those responding had been a victim of crime or had someone close to them experience a crime in the past 12 months. Over 50% said that they had; that is not exactly a picture of crime falling or a situation that is under control. One of the few aspects of antisocial behaviour the Home Secretary acknowledged in her conference speech was the problem of moped and motorcycle crime and associated offences—94% of respondents said that it is time to come up with new ways of tackling that menace, as current methods are simply not working.

What should we do? Clearly, we need a greater uniform presence, and to that end I support Labour's sensible and costed proposals for an extra 10,000 officers. I recognise that it takes time to recruit and train such numbers, so in the interim we can perhaps look at making better use of other personnel, such as transport police, council security staff and even some traffic wardens. I draw the line at suggestions that employees of private security organisations such as G4S should be given the power of arrest, and I hope that the Minister will knock that on the head today.

I advocate that we need to examine stop-and-search once more, particularly where there is evidence of a high risk of weapons being carried and increases in knife and gun crime and other violent assaults. Members will recall that the Prime Minister claimed in her 2014 conference speech that the number of black people being stopped and searched had fallen by two thirds as a result of her intervention. However, the figures show that although overall stop-and-search is down, the number of black people being stopped and searched as a percentage of the total has actually risen. It is a failed policy. Discrimination needs to be tackled, but not with red tape that ties the police in knots and puts the safety of whole communities at risk.

I do not understand why, in an age of high-quality cameras that are so small and relatively cheap, it is so difficult to mount more successful surveillance operations in areas where particular types of street crime such as theft, assault and carjacking are prevalent. When it comes to the pursuit of those on mopeds and motorcycles, why is more attention not given to drone technology, and where local communities are clearly being intimidated, why not make more use of professional witnesses to identify and prosecute prolific offenders?

We need to see a new energy in tackling aggressive antisocial behaviour, with guidance from the Home Office to chief constables, police and crime commissioners and local authority chief executives making it clear that it is a priority and must be tackled. That should be coupled with a reinvigoration of community safety panels, with a clear emphasis: their job is to collect and analyse data, so that they can demonstrate how they are getting on top of rising neighbourhood crime and aggressive antisocial behaviour. If the Government are determined to hide behind the cloak of localism, they must issue guidance on how data are collected and shared on the success of measures such as criminal behaviour orders and civil injunctions. We must be able to see reliable comparisons, so that there is proper evidence about the scale of the problem and the success and failure of existing strategies and policies.

I support the development of a national transformation fund to tackle some of the worst areas of deprivation, but we should also entertain the idea that such an approach should be coupled with a new family intervention programme, so that those who create the most problems are not simply left to enjoy state benefits without any obligations on their behaviour. We need to revisit their entitlement to enjoy rented tenancies in areas where they cause untold trouble.

In circumstances where the perpetrators are homeowners or responsible for those living at their abode, we need to be bold. Where the culprit or someone regularly living under the roof of that person is guilty of persistent aggressive antisocial behaviour, we need to change the law so that eviction is the end point. Local authorities should be given new powers with the police, so that those who persistently practise aggressive antisocial behaviour, or permit its practice from their dwelling, can have their property made subject to a compulsory purchase order—effectively forcing them to leave the area and preventing them from continuing to practise the evil that they have inflicted on innocent victims for too long.

The simple truth is that the last Labour Government picked up the challenge of aggressive antisocial behaviour in our neighbourhoods and did something about it after

years of neglect. The present Prime Minister has failed us on that vital area of crime by cutting our police, ignoring the predicament of our constituents and allowing crime and antisocial behaviour to grow. It is time for a substantial change.

Several hon. Members *rose—*

Mr Adrian Bailey (in the Chair): I wish to bring in the Front-Bench spokespersons at 10.30 am. That gives Back-Bench speakers about four to five minutes each.

10.6 am

Kevin Foster (Torbay) (Con): It is a pleasure to serve under your chairmanship, Mr Bailey. I will be considerate of your advice and the fact that there are other people who wish to speak, rather than just go on for a considerable time.

I congratulate the hon. Member for Birmingham, Selly Oak (Steve McCabe) on securing this debate. I know he will share my pleasure that he will be able to work with Andy Street, the new Mayor of the combined authority, to tackle many of the issues he raised in his speech. As he rightly pointed out towards the end of his quite long address, it is not only about the police arresting people, but about tackling a range of issues. It will be interesting, if we follow the pattern in the west midlands of the Mayor becoming the police and crime commissioner, to bring that work together to make a real difference on the issues that the hon. Gentleman has just outlined. I am sure that his constituents will appreciate that.

It was interesting to hear about drone usage. Devon and Cornwall police now have the first drone squad in the country. I am sure officers in Devon and Cornwall would be only too happy to share with West Midlands police their experience of the opportunities afforded by drones. In cases in which a force helicopter could not be used, a drone offers an aerial presence that is far safer than one on the ground.

My main reason for contributing to this debate is to discuss the issues that we have experienced over the summer in Torquay town centre and what can be done to tackle them. Things came to a head one day when six people had collapsed by lunchtime on the floor in Castle Circus as a result of using Spice. That put pressure on the police, as did the overspill from some aspects of antisocial behaviour that are inherent in the use of those substances and from the disputes about who can sell them in particular locations. People were putting their lives at risk, and that had an impact on businesses in the area.

Being homeless in itself is not criminal. However, too often, the two were conflated in reporting of the issues over the summer—the idea being that homeless people and antisocial behaviour went together. In fact, some people at the local homeless hostel were the very people targeted by the suppliers the police are now seeking to deal with. Although we have some great organisations making a difference, such as Humanity Torbay and Shekina, along with the Torbay End Street Homelessness campaign, which received £400,000 of Government funding, it is clear that some people were pretending to be homeless and are still doing so with fake begging operations. Lumping everyone together was not appropriate. Some of the most vulnerable people in our communities should have had the chance to be helped and should not just be lumped in with those who are causing problems.

It is worth complimenting Torquay police and its inspector, Si Jenkinson, who has been working to react to the situation after I said that enough was enough and we needed a crackdown. We have had action days where a number of people have been arrested and the law has been enforced. A number of people have been jailed for offences. Two people who recently pleaded guilty to the supply of new psychoactive substances will, I hope, join them, but I am conscious that that matter is still in the courts and I should not say too much more about it. A number of arrests have been made. Police drug dogs have been out in the night-time economy, tackling the problem. We are beginning to use proactively the criminal behaviour orders system, to ensure that those who are a constant nuisance can be dealt with.

However, this is not just about police enforcement. As I touched on in response to the speech of the hon. Member for Birmingham, Selly Oak, it is about tackling a range of issues. That is why I am pleased that traders are coming together to make a difference and to begin looking at how we can take our town centre forward. They are meeting this Friday to do so. What can the Government do? The purpose of this debate is to discuss that, rather than just reeling off statistics. For me, part of it is about looking at the rules in relation to the usage of new psychoactive substances. It is a great credit to the Government that they introduced the Bill—with cross-party support, to be fair—that finally made those substances illegal and closed down two shops in my area that, bluntly, were drug-dealing outfits that sold stuff that avoided the law. We need to look not so much at possession as at usage in public. It would be interesting to hear the Minister's thoughts on whether the law could be taken slightly further. I can understand why we did not seek to criminalise users, as opposed to dealers, given the history of other legislation, but could some consideration be given to this point? Alcohol is not illegal, but being drunk and disorderly in a public place is an offence. Perhaps we could look at how the legislation could be tweaked to cover those who have used new psychoactive substances.

Likewise, on tackling fake beggars, we need to review the provisions of the Vagrancy Act 1824, which have clearly had their day. I am not seeking to target those who are vulnerable—there are charities doing that—but there is clear evidence of a group of people in Torbay who are exploiting the good will of others to get money, even though sometimes those people are sitting there in quite expensive designer gear.

This is also about the regeneration of our town centres. It is not just about using the law, but about ensuring that Torquay town centre is a pleasant place to be and about providing positive activities for young people. That is why I shall close by saying that I hope Paignton rugby club can soon use once more the park that its eight and nine-year-olds were playing in, as it seems absolutely bizarre that Torbay Council has decided to ban that.

10.12 am

Mr George Howarth (Knowsley) (Lab): It is, as ever, a pleasure to serve under your chairmanship, Mr Bailey. I congratulate my hon. Friend the Member for Birmingham, Selly Oak (Steve McCabe) on a comprehensive analysis of the problems confronting many of our constituents.

[Mr George Howarth]

I shall confine my remarks to the criminal, dangerous and antisocial use of motorcycles. Many Members of the House have raised concerns about that; indeed, the Prime Minister herself has acknowledged that it is a problem. My hon. Friend the Member for Sheffield, Heeley (Louise Haigh), on the Front Bench, has been campaigning alongside me and others on the issue.

It is a real problem in my constituency. The young people who ride the motorcycles often wear crash helmets, although they are unlicensed, or use some sort of head covering—a balaclava or scarf—to make it very difficult to recognise them. That poses challenges for the police. There is recognition on the part of Merseyside Police, to whom I am indebted for my briefing for this debate, that these scrambler bikes, as they are commonly called, although they are not necessarily scrambler bikes, are used in the pursuit of crime. We have heard examples of their being used in acid attacks and in ram-raids on shops, but more commonly in my constituency they are used to distribute drugs and, in some cases, firearms. Merseyside Police tell us that although there has been a sharp increase, in some parts of the Liverpool city region, in the discharge of firearms, the numbers of firearms have not necessarily gone up. The same firearms are being used repeatedly, and in some cases they are being ferried around by young people connected to so-called drug barons. They are almost like firearms for hire: the young people drive around, and whoever wants to hire a firearm for the day, that is how it is delivered to them.

There is real concern about this matter and, as my hon. Friend the Member for Birmingham, Selly Oak said, at the same time as the problem is growing, police numbers have been reduced. On Merseyside, we have 1,000 fewer police officers than we had in 2010, and which creates challenges. This matter is covered by section 59 of the Police Reform Act 2002, which gives the police the power to seize vehicles, including motorbikes, if they are used in a “careless and inconsiderate” manner. In most circumstances, a warning is required, but in exceptional circumstances one need not be used. The legislation is suitable for dealing with very low-level antisocial behaviour—for example, people using a scrambler bike in a field or on wasteland who will engage with the police when stopped and spoken to—but not for dealing with riders who are intent on riding along public roads in a dangerous manner and have no intention of stopping for the police. We therefore need to revisit the legislation, and I would like to refer to a couple of case studies that illustrate why that is important.

The first case study involves an incident on Merseyside in 2015 in which police officers came across a scrambler bike rider travelling at excessive speed in the city of Liverpool. Eventually, after a lot of problems, an officer managed to detain the rider of the bike, because he considered that he was a real danger to the public. The rider was arrested and charged with dangerous driving, and was eventually sentenced to six months in prison, but that was not the end of the story. The incident was referred to the Independent Police Complaints Commission, and thirteen months later the police officer involved ended up in court, and was acquitted, for the actions that he had taken to detain the young person. Dealing

with the matter took 18 months, during which time that police officer was under a lot of pressure and, indeed, the threat of losing his job and his liberty.

I have other case studies, but I realise that we are short of time, so I shall skip them and just say that the Police Federation has concerns about this matter. It believes that the law needs to be clarified so that police officers in the situation described have some kind of exemption from prosecution. Obviously, their need to protect the public should override the civil libertarian concerns about people who are using what are often unlicensed and uninsured vehicles for criminal purposes. I hope that the Minister, who nodded when I made that point, will acknowledge, when she winds up the debate, that that is a problem and it needs to be addressed urgently.

10.18 am

Jim Shannon (Strangford) (DUP): It is a pleasure to speak in this debate. First, I congratulate the hon. Member for Birmingham, Selly Oak (Steve McCabe) on presenting a very comprehensive case. This issue affects us all, regardless of constituency or region of the United Kingdom of Great Britain and Northern Ireland; it is a shared concern. We are all very aware of antisocial behaviour issues, such as drunkenness, noise pollution, vandalism, shoplifting and joyriding. In the past week alone, I have read about displays of antisocial behaviour among young people during freshers week in Belfast, and on Saturday a substantial number of fireworks and counterfeit goods were seized in Newtownabbey, a town just north of Belfast. Again, those were to be used for antisocial behaviour.

A quick Google search confirms that such behaviour is not confined to Northern Ireland. In the past week, police have launched an operation in Skegness to deal with antisocial behaviour. New orders have come into force in King's Lynn, Downham Market and Hunstanton. In the broads, a new plan to tackle antisocial behaviour has come into force, and a zero-tolerance order has been passed in Walsall. That is a very quick synopsis of some of the issues. Across Northern Ireland, the incidence of antisocial behaviour incidents has decreased, although there has been a slight increase in the last three years. The Police Service of Northern Ireland releases monthly and annual figures, and while antisocial behaviour incidents seem to be falling they are still too high. We have to address that. Antisocial behaviour rates in Northern Ireland are consistently higher in July, August and October, while they fall between November and February or March. It could be said that that suggests the weather plays a role in how people behave. Anyone who has been to Northern Ireland can attest to the fact that we do cold weather better than most, but the fact is that the figures decrease in the colder months, whereas when the weather is good and the nights are longer, people tend to stay out for longer and consume an amount of alcohol. We all know those people who consume more alcohol and become very friendly, but most people who consume alcohol to excess become louder, rowdier and are prone to getting into arguments and even physical fights.

Like many of my colleagues, I have a fantastic relationship with the local police force of Northern Ireland. They continue to work alongside relevant organisations to address antisocial behaviour, particularly when it relates to the misuse of drugs or alcohol. We

should give credit to the organisations that do fantastic work in Northern Ireland and across the whole of the United Kingdom of Great Britain and Northern Ireland. For example, the SOS Bus operates in Belfast to ensure that people get home safely and receive any help that they require, whether that is medical or simply taking a seat and having a coffee to reduce the effects of alcohol. In 2015, street pastors, who are very active in my constituency—I am pleased to be their president—aimed to ensure that people got home safely; however, they also give out flip-flops, pick up bottles, and listen to people's stories, helping those in distress and pointing people to further help if required. That is their role and what they do. They have a growing organisation in Newtownards that is now in Ballygowan and Comber, right down the Ards peninsula. The overall aim is to ensure that people remain safe when they are out socialising, and where possible to prevent people from getting into situations in which antisocial behaviour might arise. I would like to put on record my thanks to those organisations, which do such fantastic work for people throughout the United Kingdom.

One way to address antisocial behaviour is to encourage local authorities to introduce a zero-tolerance order for antisocial behaviour and perhaps more CBOs. Is that something that the Minister is considering? Some people see antisocial behaviour orders as a badge of honour. They should never be a badge of honour; they should be a discredit to the person who has one. We need to be strong on that. The stats for England and Wales show that some 1.8 million incidents of antisocial behaviour took place, but it has been a while since Her Majesty's inspectorate of constabulary did an inspection on antisocial behaviour. If she has the chance, would the Minister give us her thoughts on where we are with that? The crime survey for England and Wales showed an increase of respondents on the issue of antisocial behaviour in the last year.

I want to reiterate what the right hon. Member for Knowsley (Mr Howarth) referred to: a growing problem with those on mopeds. Riders regularly mount pavements, swiping mobile phones, and they also use mopeds in acid attacks, and we need to look at that. We also need to look at the pursuit of criminals on mopeds. The death of Henry Hicks in London, who crashed his moped while being pursued by police officers, changed the way police officers have to work. Four officers are going to have hearings this month. It means that the police are unable to pursue citizens, but we must allow police officers to do their job, including pursuing and stopping criminals in a safe and responsible manner. In the last year, crimes involving vehicles have risen by 600%.

I will conclude, Mr Bailey, as I am conscious of time—I apologise. We must do more to tackle new types of antisocial behaviour, particularly crimes involving vehicles. Can the Minister say whether she is working with the police to identify the problem areas that we have outlined, and the times of year at which antisocial behaviour increases, with a view to improving police presence and in turn reducing the extent of such behaviour?

10.24 am

David Hanson (Delyn) (Lab): I congratulate my hon. Friend the Member for Birmingham, Selly Oak (Steve McCabe) on an excellent contribution and summary of some of the concerns relating to aggressive antisocial behaviour.

I want to start by saying very firmly that the police are trying to do a good job and want to reduce antisocial behaviour as much as my hon. Friend and other Members who have spoken do. However, the key issue boils down to policing numbers and the police's ability to respond on a local level to concerns raised. There are many powers in place. Previous Labour Governments, the current Conservative Government, and previously the Conservative and Liberal Democrat Government, introduced a number of measures to give powers to local councils and the police to tackle antisocial behaviour, but ultimately it is about having local, visible policing on the ground, engaged with the community, being seen, giving reassurance and dealing with issues at the first instance, before they escalate into what my hon. Friend described.

I mention that because just yesterday I received an email from a constituent, which puts the case more eloquently than I ever could. The constituent wrote to me regarding policing in one of the towns in my constituency, and she said:

"Can we ever expect to see the police walking again or PCSOs? Is this ever going to happen again. Their presence is immeasurable on so many levels i.e. reassurance, deterrents, role models, help when needed... the list is endless."

It is important that we look at that summary of a real problem.

In my area, the North Wales force is small compared with that of the West Midlands, but it covers a geographical area from the borders of Chester through to Holyhead, a distance of nearly 100 miles as the crow flies. In my area, since I was Police Minister in 2010—we had 1,590 police officers in March 2010—we have seen a reduction to 1,441. That is 149 police officers lost, nearly 10% of the police force. In Wales as a whole, we have lost 682 officers over a similar period. That is at a time, particularly in the last 18 months to two years, when we have had increased demands on the police in terms of armed response units, prevention of terrorism and radicalisation on a range of fronts, from right-wing radicalisation through to potential terrorist threats elsewhere. The police are responding dramatically to those areas at a time when they are facing difficult cuts, and have lost thousands of staff and over 20,000 police frontline officers as a whole. If we add to that the 36% reduction in police and community support officers, who deal with the visible, frontline, intelligence gathering and reassurance issues, which my constituent referred to in her email yesterday, we find that the ability to respond to low-level aggressive antisocial behaviour is not as good as it was, despite the best efforts of the police.

My hon. Friend mentioned the partnership in relation to local councils. Local councils are facing severe cuts in their funding. Just looking this very morning at this month's reports, we see that Blaenau Gwent County Borough Council in south Wales has said that it may have to turn off its CCTV cameras, because of a potential lack of funding. Denbighshire County Council, in the next authority to my own, has had the same problem. Councils are facing a squeeze on their resources and are having to take on statutory responsibilities more and more, making it difficult to do things that are important in helping to support the police on low-level antisocial behaviour.

There will always be pleas for more money—we know that. With the police draft grant coming up in November to December, and the police grant being

[David Hanson]

formalised by this House in February next year, the Minister has an opportunity to recognise that policing is under pressure. It is under pressure for the reasons that my hon. Friend mentioned, but also because the increasing demands of this very dangerous world that we live in are dragging police resources away from the neighbourhood policing model. The challenges of mental health, antisocial behaviour, reductions in council budgets and reductions in CCTV are causing real difficulties at local level. The Minister and her colleagues, the Police Minister and the Home Secretary, have an opportunity to look at the police budget and not to palm it off, as my hon. Friend said, to those local ratepayers, who in many areas are facing difficulties anyway and whose rateable value base was not sufficient to generate the income. The Minister should use that opportunity and look at how she can uplift police funding to help to meet the challenges that we have described today, and in doing so help to reduce antisocial behaviour, protect communities, take stress off individuals and prevent the criminals of tomorrow from gaining confidence, growing in their potential and committing more serious crimes at a later age.

10.29 am

David Linden (Glasgow East) (SNP): It is a pleasure to serve under your chairmanship, Mr Bailey. I commend the hon. Member for Birmingham, Selly Oak (Steve McCabe) for securing this debate. I am pleased to see him in the Chamber leading on this issue after the incident that happened to him this summer; I am sure that all colleagues wish him well.

The debate so far has been good. We have heard contributions from the hon. Member for Strangford (Jim Shannon) and the right hon. Member for Delyn (David Hanson), giving us a UK-wide picture. I am conscious that this matter is devolved in Scotland, but I will offer a couple of thoughts through a Scottish prism, as well as from a constituency point of view.

The backdrop to this debate is police cuts in England; when I saw it on the Order Paper, I thought it an excellent opportunity to talk about some of the things that we are doing north of the border, particularly on policing. The Scottish Government went into the 2007 elections with the commitment to put 1,000 extra police officers on Scotland's streets. I am glad that 10 years on, we have managed to maintain that; the number of police officers in Scotland has gone from about 16,000 to 17,249 in June. As a result of ensuring that there are police officers on the streets, we now have the lowest levels of recorded crime since 1974, which was 42 years ago. That is welcome, but it is important that we do not rest on our laurels. Although there has been a reduction in the number of many crimes, I am disappointed to say that there has been an increase in the number of sex-related crimes, as there has across the board.

From my casework in surgeries and from going out door-knocking, I know that antisocial behaviour involves many issues. I will refer particularly to some antisocial behaviour issues in the Cranhill area, where I come from originally. Antisocial behaviour there comes from a group of young boys who think that it is absolutely acceptable to throw stones at both windows and people. I was disappointed to see a couple of weeks ago that a

young girl in my constituency was injured when they threw a brick at a passing car. That is totally unacceptable, and we need to nip it in the bud straight away. There are also antisocial behaviour issues in the Baillieston and Garrowhill areas in my constituency, and I am working hard with Police Scotland and Community Safety Glasgow to address them. I pay tribute to Community Safety Glasgow, a joint initiative of Glasgow City Council and Police Scotland, led by Eileen Marshall, to tackle antisocial behaviour and crime. Since it was set up in 2006, there has been a remarkable transformation in our communities.

I also want to mention some of the local voluntary groups working to provide diversionary activities for young people. The first is Urban Fox, led by Michael McCourt and Debbie McGowan. It is a voluntary project based in Lilybank in my constituency that delivers a range of educational and diversionary activities including supervised sport, leisure programmes and health and social guidance. It promotes self-development and provides young people with skills, confidence and opportunities to develop self-esteem. I commend the work of Urban Fox to the House.

Andy Gilbert is a passionate community activist in my constituency who does a lot of work in the Glenburn centre. One issue that I plan to raise with the Employment Minister on Thursday involves the proposal to close three out of four of our local jobcentres, which is ridiculous given that territorialism and gang culture are still issues in my area. One example that I mention here regularly is Wellhouse and Easthall, which are literally separated by a road into two communities, both of which are small but have their own community centres and housing associations. The work that Andy Gilbert is doing in Easthall is to be commended; he is reaching out to attract young people to the Glenburn centre who might otherwise be at risk of offending.

I was delighted last week to meet Young Movers, also based in Easthall. The organisation does a lot of work on youth empowerment, and I was pleased to hear about its recent efforts in the park at Sandyhills, where about 20 young folk had been hanging about causing trouble and engaging in antisocial behaviour. Through youth empowerment, Young Movers has managed to get them to set up a youth club, which has removed the antisocial behaviour in that part of Sandyhills.

Another organisation is Street League, which is UK-wide; it has operations in 14 cities around the UK and is led in my constituency by Brian Lennox. It has had good outcomes in terms of reducing antisocial behaviour in Glasgow, particularly in the constituency of my hon. Friend the Member for Glasgow Central (Alison Thewliss). It ran a programme that cut antisocial behaviour in the Carlton area by 80% through street football, which is to be commended. Another organisation, which the hon. Member for Strangford already discussed, is Street Pastors. It does excellent work, particularly in Glasgow city centre at chucking-out time for the nightclubs; he mentioned initiatives to hand out flip-flops and similar things. I commend Stuart Crawford, a good personal friend of mine, who leads that organisation.

To return to the point about police budgets, we in Scotland have committed to protecting revenue budgets in real terms for the entirety of the next Parliament, delivering £100 million in investment over the next five years. I would like to ask the Minister about VAT. Police Scotland is the only force in the UK subject to

VAT; it has cost the Scottish Government £140 million since 2013. I hope that in the Budget next month, the UK Government will do the right thing and ensure that Police Scotland is not subject to VAT. Once we can release that money back into the police force, we can reduce antisocial behaviour in our constituencies.

10.36 am

Louise Haigh (Sheffield, Heeley) (Lab): It is a pleasure to serve under your chairmanship, Mr Bailey. I congratulate my hon. Friend the Member for Birmingham, Selly Oak (Steve McCabe) on his tour de force describing the growing issue of antisocial behaviour in our communities, particularly the consequences of reckless and brutal police cuts.

It is common sense that we cannot tackle antisocial behaviour and crime without a well-resourced neighbourhood policing presence. It is an irreplaceable component of the battle to keep our communities safe, and it has been steadily undermined and eroded over the past seven years. The hon. Member for Torbay (Kevin Foster) discussed the use of police dogs to tackle drug abuse. That was excellent to hear, but there has also been a massive reduction in the number of dog handlers throughout the country. Ten years ago, South Yorkshire had 54; we now have 12. Furthermore, his own police force, Devon and Cornwall, is being forced to merge with Dorset amid significant funding challenges. We welcome collaboration and efficiencies, but it is alarming to see forces taking decisions that might be harmful to police accountability on the basis of funding challenges.

Kevin Foster: The shadow Minister says that the two forces are being forced to merge; they are not. They have had a strategic alliance for quite some time, and it now makes sense to bring the two forces together. She would have found that out if she had spoken to any of the Members for Devon or Cornwall.

Louise Haigh: The chief constables, in their press release, said that the merger was brought about amid significant funding challenges and was the only way forward for the police forces involved. It was disappointing not to hear the hon. Gentleman talk about those funding challenges in his speech.

Over the past seven years, 20,000 police officers and more than 30,000 police staff have been cut. The crimes that concern the public most—knife crime, gun crime, violent crime and acquisitive crime—are all on the rise. Demand across the board, especially on non-crime issues such as mental health, is soaring. At a time of unprecedented terrorist threats, the number of armed officers is down. Yet among all those competing demands, my hon. Friend the member for Birmingham, Selly Oak painted a compelling picture of why it is so important to take antisocial behaviour seriously. Time and again, it is an issue raised by our constituents. It blights lives and can make people prisoners in their own homes.

Undoubtedly, the reduction in neighbourhood policing has left our communities at risk. Alongside the incredible quotes read by my hon. Friend from a variety of chief constables, Her Majesty's inspectorate of constabulary said earlier this year that the model of neighbourhood policing is being eroded. In calling for urgent action, HMIC warned that

“the position on crime prevention and local policing continues to deteriorate.”

The blame lies clearly and squarely with the Government.

The voices raising concerns do not stop there. Over the summer, one of the most senior police leaders in the country—Sara Thornton, who weighs her words carefully—said:

“We're particularly concerned about the resilience of local neighbourhood policing...Withdrawal from communities risks undermining their trust in us, at a time when we need people to have the confidence to share information with us.”

The Government have been told time and again that police forces are increasingly unable to provide the service that the public expect. They are rationing their time, which is pushing reports of antisocial behaviour, among a host of other demands, to the back of the queue. At the Budget, as my right hon. Friend the Member for Delyn (David Hanson) said, the Government must get a grip. Forces urgently need a real-terms funding increase that matches their needs and that recognises the record demand they face, having lost 20,000 officers and £2.6 billion since 2010. The status quo is not an option.

If we are to tackle ASB effectively, the Government must get to grips not only with resources but with some crucial practical issues. As we have heard, people are incredibly frustrated with the performance of 101 across the country. They can wait for more than half an hour to report ASB or crime and they feel that the police will not act on the report and that it will fall into an intelligence black hole. The police can have all the evidence and intelligence they like, but that is useless without the analysts and officers to act on them. Will the Minister consider conducting an assessment of the performance of 101 and of which forces are demonstrating best practice in the area? Some forces have excellent online reporting mechanisms, but that is far from consistent across all forces.

On data analysis, I direct the Minister to the recent report by the Royal United Services Institute, “Big Data and Policing”. I recommend its suggestion for a national data strategy and policy for the police. It is deeply frustrating that expertise and practice have to be replicated across 43 forces, especially when they are struggling even to provide core response services.

On legislation, we have heard about the problems associated with the downgrading of ASBOs to civil injunctions. With CBOs, the same challenges persist that existed with ASBOs for police on the ground. A considerable amount of police work goes into preparing a CBO case but, from speaking to those on the frontline, it seems that CBOs are not respected in the round by the judiciary. I have heard many examples of the police working with councils and other services to provide individuals with interventions that have repeatedly failed. They have turned to a CBO as a last resort, only to have it thrown out of court almost immediately. Under the previous legislation under Labour, the judge or magistrates were required to explain why they would not grant an ASBO, but that is not the case for a CBO.

As my hon. Friend the Member for Birmingham, Selly Oak pointed out, we have no measure of the effectiveness of the Government's ASB strategy. We certainly do not measure or hold to account the wider criminal justice system's use and implementation of ASB legislation. Will the Minister consider raising with

[*Louise Haigh*]

her Ministry of Justice colleagues the need for better training and awareness of ASB measures and for putting in place a review of how and when CBOs are granted by the courts to establish whether they are being used properly?

One of the positive things about CBOs is that they require some positive action from the offender. That is fantastic in theory, but in practice the third-sector and public providers either no longer exist or do not have the funding to work with and support offenders with CBOs. Will the Minister consider commissioning research to establish how that is working in practice? For example, Durham Constabulary is doing some excellent work through the programme Checkpoint, which I recommend to her. The problem, however, is that, although the cost savings from reducing reoffending and diverting from court are felt across the criminal justice system, the police are currently footing the entire bill. That is simply unsustainable.

We have heard about moped and bike-enabled crime from several hon. Members, particularly my right hon. Friend the Member for Knowsley (Mr Howarth), who has conducted an excellent campaign on it. It is menacing communities nationwide. Bikes are used not just to plague residents with ASB, but for much more serious crime associated with drugs and violence. A significant part of the issue is the decimation of youth services, but an effective police response is a crucial part of the solution.

We have been calling for the Government to get a grip, not least through a review of police pursuit policy. In recent months, both the Minister and the Independent Police Complaints Commission were adamant that the current Crown Prosecution Service guidance was adequate for protecting the police. It was good to hear the Government think again and announce a review recently. Pursuit and response drivers across the country will be watching with interest. Many tell me that effectively they are forced to operate under a no-pursuit policy, as they do not have the confidence that if—God forbid—someone got hurt during that pursuit, they would not be prosecuted, even if they had followed their force pursuit policy to the letter.

Jim Shannon: There have been incidents across the United Kingdom in which people on mopeds have removed their helmets so that police following them feel they must pull back. There are so many conditions and restrictions on the police. As the hon. Lady says, it is important for the Minister to address that.

Louise Haigh: That is exactly the problem. The message is out there that the police are not able to pursue, and offenders are freely removing their helmets or carrying on under that impression.

The lack of protection for the police was amply demonstrated last week by the case of PC Simon Folwell, who was involved in February last year in the pursuit of a vehicle. The car crashed into a lamp post and, tragically, the driver died. The CPS ruled no further action on the case on two separate occasions, yet the IPCC still pressed for a gross misconduct hearing. The officer was finally cleared last week after an 18-month investigation.

No one is suggesting for a second that the police be given blanket licence to pursue, but if officers have followed their training, their force policy and the law, they should not be treated as suspects. Will the Minister confirm what the review's terms of reference will be and when she expects it to report?

In conclusion, I beg the Minister to put our case to the Treasury in the strongest possible terms ahead of the Budget. Policing simply cannot continue in its current form with this level of demand and with no additional resource. Does she acknowledge the importance of neighbourhood policing and recognise that the rise in crime and antisocial behaviour is at least partly due to cuts to that important function? I reiterate our ask that the Government properly measure their ASB strategy and review the pursuit policy, to give the police the confidence to do their job and our constituents the confidence that their safety and fears are taken seriously.

10.45 am

The Parliamentary Under-Secretary of State for the Home Department (Sarah Newton): I congratulate the hon. Member for Birmingham, Selly Oak (Steve McCabe) on securing this debate. Addressing antisocial behaviour is important not only to all Members present, but to so many Members across the House, because it is important to all the communities we represent.

I want to underline, as I was asked to confirm, that it is the first responsibility of Government to keep people safe. In doing so, we want to ensure that the police have the resources to deliver good neighbourhood community policing. That is the cornerstone of our policing, which makes it distinctive compared with police forces around the world. It plays a significant role in the public confidence that people have in our police force, which is actually increasing. There has been liberal use of statistics in this debate, but one thing that we cannot be in doubt of is the crime survey, a robust data set that is acclaimed throughout the world for its integrity. It looks at how people feel and their experiences of crime. It shows growing support for the police—up to 78%—and public perception that traditional crimes are falling.

We welcome the rise in police-recorded crime because, as the Office for National Statistics says, that is the result of better work by the police. The hon. Member for Birmingham, Selly Oak recognised that as an improvement. We have also introduced lots of new offences for hidden crimes—sexual offences, domestic abuse and violence, stalking offences, revenge porn—that were not measured in the past because they were not crimes. I am proud of our record in government of facing up to these hidden crimes and encouraging victims to come forward who would have previously been too frightened.

I have listened carefully to the wide range of very good points made today. As hon. Members can see, I have very few minutes left to address such wide-ranging and detailed questions, but I will write back in detail responding to each request for further action or information.

I stress from the outset the importance I attach to how the Government and public services respond to antisocial behaviour. Noisy, inconsiderate neighbours, drunken and unruly behaviour on our streets, and nuisance in our public spaces undermine the pro-social values of the law-abiding majority. They can have a debilitating

effect on the people subject to them, particularly when they happen day in, day out. I recognise that people can feel like prisoners in their own homes.

I also want to say how sorry I am that the hon. Member for Birmingham, Selly Oak was recently the victim of a very nasty attack. That must have been a very frightening experience and I hope that he is feeling much better. I will do everything I can to support him and the work he is doing in his community to tackle what is clearly a spate of totally unacceptable antisocial behaviour that may be related to an increase in gang activity around drug use and county lines.

I have put a lot of effort into tackling that issue, and I have had a huge amount of support from police chiefs across the country. We have put extra investment into area-based reviews. As many people have said today, we need better intelligence, better data and more sharing of information among local agencies if we are going to bring together not only the police but all the other agencies that can make a difference in safeguarding vulnerable individuals and keeping communities safe. Following this debate, I will be very happy to meet the hon. Gentleman to look at the particular circumstances he has mentioned and see what further resources and further support we can deliver in his community to help him to keep it safe.

Crime is antisocial by its very nature but one thing concerns me—it has been referred to in this debate. At one end of the spectrum, we have daily incidents of misbehaviour and nuisance. Unpleasant as they may be, they require a particular response and we have an effective regime to tackle them. However, a lot of what we have heard about today is actually criminal behaviour. Where Parliament has created offences and given police officers and the criminal justice system the powers to go after the perpetrators of those crimes, I expect the full force of the law to be used. Many of the examples of antisocial behaviour that we have heard about today are serious criminal offences. Parliament has created a range of new and flexible powers—six in total—that are designed to enable not only the police but local authorities to respond to antisocial behaviour, to nip the concerns in the bud and to prevent their escalation into more serious offences.

We recognise that antisocial behaviour happens in different communities and different parts of the country, and that it has several different features. We have heard lots of examples today. We need to empower professionals on the frontline to make decisions about what powers they want to take that will really keep their communities safe. Of course, they are responsible for how they use those powers. I reassure Members that those powers are kept under review. Part of HMIC's PEEL inspections—the police effectiveness, efficiency and legitimacy inspections—is to examine how police are using those powers locally. However, we do not want to tie the hands of police officers or tie them down with the red tape of daily reporting and reporting in great detail what is going on. We have set up a national advisory panel, which is made up of police officers, members of the local authority and, most importantly, victims and the Victims' Commissioner. At the centre of all our work to tackle antisocial behaviour is the victim. The panel meets regularly. It gives us really good advice, which enables us to monitor how those powers are being used and to update any guidance or recommendations—

Mr Howarth: It is reassuring that all that work is going on, but at the end of the day it does not alter the fact that, even where powers already exist, if the police do not have the resources—they say that they often do not have the resources—to exercise those powers, the problem cannot be tackled.

Sarah Newton: I have carefully listened to the point that the right hon. Gentleman and all other colleagues have made about the capacity of the police to respond effectively to antisocial behaviour. Of course, the Government and I recognise that it is crucial that police have the right resources and capabilities and the powers that they need to keep the public safe. That is why we ensured that in the 2015 spending review the overall funding for the police was protected in real terms.

In addition to that funding, of course, there is the police transformation funding. We have heard today about the way in which the nature of crime is changing and it is important that we invest in new skills and new tools to enable the police to recognise those changes, take them into account and to go after the criminals effectively. There is £175 million in the police transformation funding alone.

Let us look at the west midlands. Following a public consultation, the police and crime commissioner put forward a budget for 2017-18, which was approved by the police and crime panel in early February. That budget is enabling the recruitment of 800 new police officers, 150 more police community support officers and 200 specialist police staff; those are all being recruited as we speak. Across England and Wales, in the last six months, the overall number of police officers has risen, and the number of officers joining is up by 60%, compared with this time last year. So more police officers are being recruited.

David Hanson: On that point about protecting the budget, can the Minister say how much of that is central Government funding and how much of it is allowing local precepts to be raised?

Sarah Newton: The vast majority of funding for the police comes from central Government, but the precept has always been an important part of funding policing. It ties police officers to their local communities in a very strong way. Police and crime commissioners, working with the public and the police, are responsible for deciding the local priorities and how they should be policed.

Everyone here has given examples from their own constituency of good partnership working. We know that there are complex challenges facing police officers, and they require the support of schools, social services and health services in their community. Like other colleagues here, I have the great privilege to go up and down the country to see excellent examples of partnership working, which enables smarter working and more people to be kept safe in our communities.

This debate has been important in many ways. We have not only talked about antisocial behaviour; we have also touched on some of the emerging crime areas. We have heard about the issues of moped and motorcycle-enabled crime; the use of acid as a weapon; the increases in knife crime; psychoactive substances and their effect, particularly on homeless communities around our country; and the increase in gangs in certain areas.

[Sarah Newton]

In the remaining few minutes that I have, I want to assure hon. Members that we are working with great pace, urgency and determination to tackle those threats. We know that, although crime in those areas, compared with 2010, has fallen, in the last 12 months or so, there have been real rises. Some of this is about better police recording, but I accept that we are seeing increases in violent crime.

That is why we have set up a series of taskforces to bring in industry, academics, the police themselves, NGOs and victims' organisations to ensure that we leave no stone unturned and that we are considering how powers are exercised. We have talked about the pursuit power review and about the work that we are doing to ensure that police officers feel empowered to stop and search people in an appropriate way. We are looking at new offences of possession of acid. We are looking at what more we can do to prevent young people from getting hold of offensive weapons. However, what is probably more important than anything else is the work that we are doing to ensure that young people are resilient and receive a good education and support, so that they can make good choices that keep them away from gangs and the violence that not only blights their lives but blights their community.

Therefore, we are investing more new money into community-led area-based reviews and into providing support for grass-roots organisations that work with young people who are tempted into crime and who are being criminally exploited. We work with organisations that have a good track record of helping people to exit gangs. There is also work in schools to raise awareness of the harms of being drawn into violent crime and carrying knives. That is new funding; only recently £400,000 has been added to the funding for that locally.

In the final few moments that I have, I reassure the Members present that we absolutely understand that we must have a well-resourced police force, and we will continue to do everything we can to support the police in the incredibly good job they do to keep us safe, in challenging times, day in and day out.

Mr Adrian Bailey (in the Chair): Do you want 20 seconds to wind up?

Steve McCabe *indicated dissent.*

Mr Adrian Bailey (in the Chair): I thought not.

Question put and agreed to.

Resolved,

That this House has considered tackling aggressive anti-social behaviour.

Catalan Independence Referendum

11 am

Hywel Williams (Arfon) (PC): I beg to move,

That this House has considered the effect of the Catalan independence referendum on the EU.

I speak today as the new chair of the all-party parliamentary group on Catalonia and as someone who observed the referendum in Catalonia last Sunday. I was part of a parliamentary delegation from the European countries and beyond, which included my hon. Friends the Members for Dunfermline and West Fife (Douglas Chapman) and for Edinburgh South (Ian Murray) and Lord Rennard from the other place.

This debate is about the effect of the independence referendum on the European Union. It is also our first brief opportunity, while staying in order I hope, Mr Bailey, to examine the referendum itself, the run-up to it, the events surrounding it and the consequent fallout, which continues. It is, indeed, a fast-changing situation. This evening the Catalan Parliament will debate the referendum, and it may declare independence, unilaterally, or some other status, postpone such a declaration or propose some other course—we just do not know. The Spanish Government may invoke article 155 of the Spanish constitution, taking power in Catalonia to themselves. Those are the events with which we may have to contend.

This debate is on the effect of the Catalan referendum on the EU. I should say that I applied for it some weeks ago, when I foresaw that the referendum could be contentious and was aware that the consequences for the EU had hardly broken the surface of political discourse here in the UK, and in most EU member states. That was well before the actions of the Central Government in Madrid and before the likely consequences had become clear.

Recently, we have only once been really close to a so-called internal enlargement of the EU, with the Scottish referendum. The debate then, in respect of the consequences for the EU, was passionate but, for many, inconclusive and unresolved. However, the issue will not go away. Thinking about the parts of Spain—Galicia, the Basque country perhaps—Belgium, and Scotland again perhaps, as far as I can see the EU is as queasy as ever about facing up to the reality.

We have a Minister here, so this is also an opportunity for the UK Government to make any comments they wish to MPs. As far as I know, the Government have chosen not to do so up to now, other than the reference by the Prime Minister yesterday, when questioned during her statement on the EU by the chair of the British-Spanish all-party parliamentary group, the hon. Member for Rhondda (Chris Bryant). The Foreign Secretary has, I think, at some point tweeted that the referendum is a matter for Spain, that its constitution should be respected and that Spain is a close ally and a good friend. He also said that he was worried about the violence, but he made no condemnation of it.

Douglas Chapman (Dunfermline and West Fife) (SNP): In our experiences in Catalonia just last week, it struck all of us who attended, I think, that if that level of violence had been carried out by state police at a football match or a pop concert, the European Union and the Commission would have made a strong statement

of condemnation, as would the British Government if a British team been involved in a game at which such violence had taken place.

Hywel Williams: I agree entirely with my hon. Friend. He makes a fair point. In fact, someone remarked to me that had events such as those in Catalonia occurred further away—perhaps not in an EU member state, perhaps in a poorer country—politicians throughout Europe would have been on their feet preaching democratic values. The silence from so many EU leaders is extremely concerning.

In the European Parliament, the European Commission's First Vice-President, Frans Timmermans, condemned the efforts to hold an independence referendum as a violation of the Spanish constitution and therefore, significantly, as a threat to the rule of law in all EU countries. He said:

“violence does not solve anything in politics”,

and I agree. He continued:

“However, it is of course a duty of any government to uphold the rule of law and this does sometimes require the proportionate use of force”.

Those of us who witnessed the actions of the police on 1 October, could scarcely believe that he used the word “proportionate”. What we saw was far from proportionate.

President Juncker said that the vote in Catalonia was not legal and that the matter was an internal one for Spain, and he called on all the relevant players to move to dialogue. Those statements are just not good enough. They do not address the political reality, which is that 90% of those who voted were for independence. This is, essentially, a political question, and the fact that the Spanish Government resort to the law—which is, in many ways, feasible—but do not address the political issue other than, of course, their seeming move towards taking control in Catalonia again, is extremely concerning. The echoes from Spain's history are very troubling.

Belatedly, Enric Millo, the Spanish Government's representative in Catalonia, said in a television interview:

“When I see these images, and more so when I know people have been hit, pushed and even one person hospitalised, I can't help but regret it and apologise on behalf of the officers that intervened.”

There is a great deal in that statement with which I could take issue, including the word “intervened”, because it was much more than an intervention. I welcome the fact that the Spanish Government's representative said that, but it is belated, because we have waited many days for that sort of response. The Spanish Prime Minister initially said a great number of things, such as that there was no referendum in Catalonia on Sunday—a denial of reality that took my breath away. He also asserted—I paraphrase—that the actions of the Spanish police were a model to be admired throughout the world. There is a huge reluctance on his part and the part of his minority Government to face up to the political reality of what is happening in Catalonia.

Peter Grant (Glenrothes) (SNP): The hon. Gentleman was genuinely prescient in applying for the debate when he did. Does he agree that the job of politicians is to talk to people they disagree with, to try to find ways of agreeing without resorting to violence? Given that Catalonia has submitted 19 formal requests to the Spanish state for talks on the constitution and to date 19 of them

have been rejected, does the hon. Gentleman agree that the honourable and courageous thing for the Spanish state to do now would be to offer to talk to Catalonia, to find a solution that respects the will of the people of Catalonia but also respects the desire of the rest of Spain to maintain its constitutional integrity?

Hywel Williams: I agree entirely with my hon. Friend. The impression has been given, not least in the UK press, that Catalonia has moved to this position almost on a whim; that it is being deliberately obstructive and destructive. There is no time to go into the constitutional history of the matter, and I would probably not be in order if I did so, but suffice it to say that the status of Catalonia appeared to have been settled in 2006 with an agreement between Barcelona and Madrid. However, that agreement was overturned and then significantly eroded by the judgments of the constitutional court in 2010. A series of events led the Catalanian Government, almost in desperation, to move to a referendum.

Hugh Gaffney (Coatbridge, Chryston and Bellshill) (Lab): I thank the hon. Gentleman for securing this debate. I am going to speak very briefly. The events we have seen over recent days and weeks are essentially state-sanctioned police brutality and abuse. There cannot be any tolerance or space for that in Europe—or any other part of the world, for that matter. We saw young people, women, older people—innocent, well-mannered Spaniards—abused, bloodied and attacked for having their say and expressing their views. I welcome the exercise of democracy, and I will always defend people's right to vote and play their part in the democratic process.

Mr Adrian Bailey (in the Chair): Order. The hon. Gentleman can make an intervention, but not a speech.

Hugh Gaffney: I fully support this debate. I personally do not believe in independence, but I believe in democracy. Last week, we saw disgraceful scenes, and we should have condemned them earlier than we did. I will finish on this point. I have tabled early-day motion 333, and I hope hon. Members will support it.

Mr Adrian Bailey (in the Chair): Order. That was a mini-speech. The hon. Gentleman has the right to make an intervention if the speaker is prepared to give way, but he does not have the right to make a speech.

Hywel Williams: I concur with the points that the hon. Gentleman made and those that he intended to make, which I suspect are similar to mine. He moves me on to my next point.

Mr Millo said:

“people have been hit, pushed and even one person...was hospitalised”.

In fact, 900 ordinary people trying to vote were injured, clubbed, stamped upon, pulled by the hair, shot at with rubber bullets and tear gassed. In addition—we must say this—about 30 police officers were injured. “Hit and pushed” does not begin to describe what was seen.

The European Union's position on this political and, some might say, moral and democratic vacuum is wholly unsatisfactory. A symbol of that is the fact that one country has offered to mediate—Switzerland.

Geoffrey Clifton-Brown (The Cotswolds) (Con): Nobody can condone any breaches of the rule of law, and we ask both sides to uphold it, but in this Parliament we must be very careful about taking sides. This is essentially a matter for the Spanish Government to resolve with the Catalans. It looks like there is a bit of good will on both sides, and we must urge them to come to a peaceful settlement.

Hywel Williams: I agree entirely with what the hon. Gentleman said at the end of his remarks.

Having witnessed what I saw in Catalonia on Sunday, I think it is incumbent on anyone who believes in the fundamental values of democracy to stand up, explain their views and act as honourable and honest witnesses, which is what I am trying to do.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): I hope my hon. Friend will agree that if legislators are not allowed to legislate, democracy is hobbled.

Hywel Williams: Indeed. There is a philosophical argument, which we cannot go into today, about the competing legitimacies of the democratic mandate. The Catalan Government have a majority, which was properly established at an election. The Government in Madrid have a different view and, although they are a minority Government, are also elected. We could pursue that at length, but I will not do so now.

The fact that Switzerland has offered to mediate is indicative of the European Union's failure to act, which is very troubling indeed, given that these events affect a very large EU partner—the eurozone's fourth largest economy. Catalonia itself hosts large multinational companies and provides a large proportion of Spain's tax take.

I believe that a line has been crossed in terms of how an EU member state believes it is proper to treat its citizens. That attitude may be dangerously contagious at the other end of the European Union, where there are growing concerns about right-wing authoritarianism. It is also disappointing, given that the UK has direct experience of an independence referendum in Scotland, which was held peacefully and largely within an agenda of respect. I am not going to ask the Minister a large number of questions, but did the Spanish Government solicit any views or advice from the UK Government about the Scottish experience? Was any such advice offered of the UK Government's own volition? Clearly, we have relevant experience.

It would be impossible for me to close without referring directly to last week's events and the background to them—I will do my best to stay in order. We were in Catalonia for five days as part of the international delegation. By now, people across the world will have seen pictures on television—or more likely on their computer screens—of the long queues of people standing for hours in the rain; of people trying to vote and being beaten back by the police; of ballot boxes being confiscated; of the police shooting rubber bullets and tear gas at the crowds; and of women and old people staggering, their heads streaming with blood. They will have also seen the counter-demonstrations—this relates to the point that the hon. Member for The Cotswolds (Geoffrey Clifton-Brown) made—made up not just of the old supporters of Franco's fascist party singing their anthem

and giving straight-arm salutes, but of ordinary Spanish people in Madrid and other cities. In Barcelona, they included some of the people who did not turn out to vote, who are split between people who want no change, people who want change but not independence, and people who just want all concerned to sit down and talk, which is a commendable view.

Let me conclude by talking about what the delegation saw on the ground and what our report says. We concluded that on the day, the referendum was carried out as fairly as possible. Officials worked hard to enable people to vote. The police had taken down the Catalan Government's website, so in many cases officials could not access the electoral roll. Despite all that, the vote was, as far as we could see, as fair and scrupulous as possible.

The police's behaviour was, in many cases, violent, oppressive and wholly disproportionate. I witnessed the police breaking into a polling station in the face of wholly non-violent opposition by hundreds of ordinary local people—men, women and even youths and children—who streamed to the polling station when they heard that the Guardia Civil were on their way. The ballot boxes containing many cast votes were carried out and away in heavy police vehicles. The crowd shouted, "Votarem!"—"We want to vote!"—and that was it: there was no violence.

Many people slept in polling stations overnight to ensure they could be opened in the morning. People showed astonishing patience, queuing in the rain for hours and meeting the police batons with determined and unshakeable non-violence, but nearly 900 people and 30 police were injured. That so many turned out is significant—2.26 million voters on a turnout of 42.3%—in the face of huge hostility from the central Government, reflected in the media beforehand, disruption of the process and widely reported police violence from the start.

I do not know what will become of all this. Given the Spanish Government's attitude, many have said that they had already lost the argument before the referendum was held and would still have lost the argument had there been a majority against independence, which there was not, because minds have been changed. It was clear to me that for many Catalans, this had become a vote not just on independence but on a sticking point—on the democratic right to have a say and on the core European values of democracy, openness and self-determination. It was impeded and, in places, thwarted violently by a central Government whom they saw as being of little or no relevance to them, at best. That has profound significance for all parts of Europe, and the response from Governments and the EU itself has been wholly wanting.

11.19 am

The Minister for Asia and the Pacific (Mark Field): I congratulate the hon. Member for Arfon (Hywel Williams) on securing this important debate and on all his work as chairman of the all-party parliamentary group on Catalonia. The Minister for Europe and the Americas is travelling on ministerial duties, which I am afraid is why I am responding on behalf of the Government. I am delighted to do so for a number of reasons. I have a holiday home in Majorca, in the Balearic Islands, where some of the issues are also playing out, so I am not entirely unaware of them.

Hon. Members, in the course of speechettes or interventions, have made several points and there is understandably strong feeling across various shades of opinion about what is happening in Catalonia. It is entirely right and understandable that this place should have a keen interest in Spain, which is after all one of our closest and strongest European friends and allies. As many hon. Members know, we have a significant expatriate population living in Spain, including a significant number in the Catalanian region.

To be clear, while we must defend important principles brought into question by developments in Catalonia, we should remember that Spain is a sovereign nation and that ultimately—as my hon. Friend the Member for The Cotswolds (Geoffrey Clifton-Brown) rightly pointed out—the situation in Catalonia is a matter for Spain to resolve, in accordance with Spanish law and democratic principles.

Douglas Chapman: Tonight at 5 o'clock, the Catalan Government will make a statement on how they see their future and whether they are to go for independence or another way. That is a decision for them. Given that to date Spain has been unwilling to talk or to accept mediation, and indeed is still issuing threats to Catalan parliamentarians, how does the Minister think that the British Government will react this evening? What kind of discussions do the Government hope to have with the EU and the Spanish Government, to use our influence in the region to ensure that mediation takes place and that there is a peaceful settlement rather than anyone resorting to the recent levels of violence that were totally unacceptable?

Mark Field: It is important to recognise that this is a fast evolving situation, as everyone has said. Let me confirm, in answer to the direct question from the hon. Member for Arfon, that over the past year the Spanish Government have made no attempt to ask our advice, nor have we solicited to offer any advice, about the conduct of the referendum or anything else. The one thing we can do, as a member of the European Union and as a sovereign nation and friend of Spain, is to make the relevant point that we want to dampen down some of the high spirits and passions that are understandably being experienced on the issue.

In reality, as many will recognise, there is a risk that the Spanish Government will trigger article 155 of the 1978 constitution, to take away elements of Catalanian self-government. At the moment, that would not be a desirable state of affairs, so we all await the events of this evening. There is clear strength of feeling on both sides of the argument, as the hon. Gentleman rightly pointed out.

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): Will the Minister give way?

Mark Field: I have a set text and am aware of the potential for running out of time, but if I can come back to the hon. Gentleman I will do so.

The Catalan regional Government are meeting today and, as has been pointed out, the possibility of some unilateral declaration of independence hangs in the air, despite the low turnout in last week's vote and recent broader polling—if one believes opinion polling in politics

these days—to suggest that a majority of Catalans would oppose independence. The decisions that the Catalan regional authorities take today and their consequences will affect the wellbeing and prosperity of not only all the people they represent, but all those throughout Spain. I hope, therefore, that they will consider very carefully the decisions that they take tonight, and the implications for the future.

As the hon. Member for Arfon rightly pointed out, the debate was initially to be about the effect of the Catalonia referendum on the EU, but events have moved on. President Juncker, in common with many European partners, shares the analysis that Catalonia is an internal matter for Spain. He has made clear the EU's legal position that Catalonia would have to leave the EU if it became legally independent, which would have consequences for the people of the region, including visitors and businesses, some of whom are already considering their future, given the actions of the Catalan regional Government over the past couple of weeks.

Legal independence, however, is a hypothetical scenario not related to recent events, but where the hon. Gentleman is right—he recognises this—the sensitivities around the issue are profound in many European states, not only here in the UK but throughout Europe. That is one of the many reasons why it is probably sensible to look at the Swiss playing a mediating role, given the temptation for a number of separatist groups to draw a direct parallel with the situation in Catalonia that may not necessarily exist for their own part of Europe.

Geoffrey Clifton-Brown: I know the Minister is running out of time, but may I caution him and anyone else about Swiss mediation, because we would not want them to mediate in the matter of Gibraltar?

Mark Field: That would obviously be an approved mediation in so far as both sides were keen and accepted that that should happen. Otherwise, as I said, it is an internal matter.

We should be clear that the purported referendum held on 1 October was illegal. On 7 September, almost a month before the vote took place, the Spanish constitutional court suspended the legislation calling for a referendum, making it clear that such an act would be illegal. None of the Opposition parties in the Catalan Parliament, which represent 51% of the Catalan electorate, considers that referendum to be valid. The vote was knowingly held in breach of the Spanish constitution and was therefore an attempt to undermine the rule of law. Not only that, it was a breach of the law of Catalonia itself, which is something that has been largely overlooked, but its importance must not be understated. The reason that that must not be understated is that the rule of law is the essential foundation of any democratic society. The issue is not hypothetical but of tremendous importance to the EU and to us all.

Peter Grant: Will the Minister give way?

Mark Field: Forgive me, I will not, because I am running out of time.

The rule of law underpins all the values, rights and freedoms that are fundamental to our way of life. The UK Government feel strongly that it is in the interests of the UK and of the EU to defend that principle

[Mark Field]

robustly. Failure to do so would diminish us all. What example would we be setting if we encouraged Governments around the world to embrace the rule of law, but did not uphold or defend it close to home?

For the people of Spain—there is a lot of history in this, as we all know about that country—the 1978 constitution has a particular significance. It was a key moment in the country's peaceful transition to democracy after decades of dictatorship. The constitution was approved by the whole of Spain, including Catalonia, and it does not permit the Government to authorise the secession of any region of the country. That is the very basis on which the Spanish constitutional court deemed the referendum illegal. When supporters of the referendum speak of the democratic rights of or self-determination for the people of Catalonia, we should remember that the Spanish constitution has protected the rights of Catalans and all Spaniards for several decades in Spain's modern democracy. Those are the very rights that the Catalan regional Government seek to flout.

I have said that developments in Catalonia are a matter for Spain and Spanish constitutional law and democracy. Nevertheless, it is incumbent on the UK, European partners and like-minded democracies—I accept this—to stand up for the principles on which our own liberty depends. That is why the UK Government will continue to make it clear that we support the rule of law and respect for the Spanish constitution. Failure to do so risks undermining the cornerstone of any functioning democracy and European values.

I very much appreciate the concern expressed by many hon. Members about the actions of the Spanish authorities and the alleged excessive use of force. All of us who watched the television coverage were shocked by the events. No one wants to see violence on the streets. The role of the police is to uphold the rule of law, which must be respected by us all. The Spanish Government have apologised for what took place, which I hope will be helpful in finding a constructive way forward.

Aside from matters of principle, it is important to say that Spain is a great friend and ally of the United Kingdom and a key player in the EU. Its strength and unity matter to all of us. In July this year, Her Majesty the Queen hosted King Felipe and Queen Letizia on the first state visit to the UK by a Spanish monarch in 30 years. That visit was a great success and showed off our deep economic, political, cultural and academic ties.

Democracy is about more than just voting. Every democracy has its own rules, laws and procedures, setting out both rights and responsibilities. The ability of the UK and the EU to promote fair and free societies elsewhere in the world would be significantly affected if we compromised our commitment to those principles here in Europe. This Government continue to support a strong and unified Spain as a key partner for the UK and an influential actor in the EU now and in the future.

Question put and agreed to.

11.30 am

Sitting suspended.

Leaving the EU: Consumer Protection

[MR GARY STREETER *in the Chair*]

2.30 pm

Vicky Ford (Chelmsford) (Con): I beg to move,

That this House has considered the effect of the UK leaving the EU on consumers and consumer protection.

It is an honour to speak under your chairmanship, Mr Streeter. I thank the Minister for coming this afternoon, and the many consumer organisations, businesses and others with an interest in consumer affairs that have written to me in preparation for today's debate.

Consumers are key to the country's prosperity. Consumer spending is more than £100 billion every month. Consumer confidence is vital for our stability and growth, so consumers must be a central part of the Government's plans as we negotiate our future relationship with Europe. Leaving the EU without an agreement on many consumer issues would risk causing real problems for many people in the UK and elsewhere in Europe.

I am glad that the Prime Minister and the Secretary of State for Exiting the European Union have spoken about putting businesses and consumers at the heart of the Brexit negotiations. We have not yet seen detailed policy papers from either side, so this is a welcome opportunity to look at some of the details. It is essential that the Government work with consumer organisations as well as businesses. I understand that the Minister has invited consumer organisations to join her in stakeholder meetings to consider the issues, and I am grateful for that.

Recent research by the consumer organisation Which? showed that consumers' top priorities for Brexit negotiations relate to maintaining lower prices, especially in key sectors such as energy, food, fuel and consumer goods. Our consumers are used to shopping across borders, and nearly half of British trade is with Europe, so it is absolutely right that the Government seek a deal with Europe that maintains as much stability as possible, avoids unnecessary financial shocks and keeps trade as friction-free as possible, otherwise costs will increase.

Consumer protection is also vital for maintaining consumer confidence. The UK has more than 40 years' experience of working with the EU on consumer protection. European directives and regulations give consumers protection on issues such as unfair terms, aggressive selling, and poor quality and unsafe products. Those bits of European legislation not only protect British consumers when we shop in our domestic market and in other EU markets but, importantly, give EU citizens rights when they come here to buy from British organisations. It is important that there is no regulatory cliff edge and that the relevant EU legislation is brought on to the British statute books using the European Union (Withdrawal) Bill, so I was pleased to support that Bill in the recent vote. The Bill will mean that there is no change to the body of EU consumer protection law when Britain leaves the EU.

However, consumer protection is not provided by legislation alone; it is underpinned by product standards and market surveillance networks. In Europe, CE marking means that a product meets the safety standards required by law. It covers technical products, products used by

children, electricals, building machinery, medical equipment and many other products. It has been suggested that the CE mark could be replaced by a more global standard, but global standard setting in many areas is still limited and lacking in detail. Given that nearly half of British trade is with the EU, any large-scale divergence on standards could lead to technical barriers for British businesses trading in Europe, which is why the vast majority of British manufacturers want to keep a common marking scheme for standards, to avoid unnecessary costs.

However, we know that standards can be a tool for protectionism, to lock others out of a market, and it is important that British manufacturers retain a seat at the table where decisions are made. I hope that the Minister can update the House on the state of discussions regarding the future relationship between the British standards bodies and the European standard-setting bodies. Will we be able to retain our seat at those tables?

Changing the standard-setting regime would also raise questions about consumer safety. When I was a child, I lost my father in an accident that was caused by an electrical good. That would not happen today. The fire at Grenfell tower was started by an electrical good. This is not a time to drop safety standards. Consumers must be protected by strong safety standards, on our exit from the EU and afterwards. I am delighted that Ministers have said that we will not be responsible for lowering standards as a result of Brexit and have committed Britain to continuing to be a global leader on safety standards.

As well as those standards, we have the networks and authorities that are necessary for ensuring that the standards work and are enforced. The UK is part of the Rapex network—the rapid alert system for dangerous non-food products—which means that other countries are notified when dangerous toys and goods are found on the market. That makes it easy for trading standards across the country, in Essex and elsewhere, to take dangerous goods off the market quickly and keeps consumers safe. There is a similar system in the medical world; the pharmacovigilance network ensures that medical authorities and drugs companies across Britain are notified if a patient has an unexpected response to a drug, which helps to keep patients safe.

As part of Europe, we take part in the consumer protection co-operation network, which allows a British authority to ask an authority in another country to begin an investigation if it thinks that standards have been abused or consumer protection law has been broken. That is being used to help hundreds of British consumers involved in the French leaseback scandal, many of whom may have lost their life savings, and it helps to keep our financial products safe.

It is in the interests of consumers on both sides of the channel that we not only retain the European legislation but continue to be part of the co-operation networks that support it. It would be helpful if the Minister confirmed that the deep, special and bespoke partnership that the Prime Minister has mentioned will lead to exactly that type of co-operation.

I am not saying that EU consumer protection laws are perfect; in many areas, they are not, and Brexit will provide us with an opportunity to look again at burdensome areas. Anyone who listens to commercial radio stations will be used to the incredibly long terms and conditions that are read very quickly at the end of every radio

advertisement for a mortgage or a financial services package. Apparently, less than 4% of consumers actually remember any of those details. That is all laid down in the consumer rights directive, and we may choose to diverge on such details. That is precisely why it is important that we have an ongoing mechanism for talking about future legislation and for enabling divergences.

Jo Swinson (East Dunbartonshire) (LD): The hon. Lady is making an incredibly powerful speech that I think everyone in the Chamber is glad to be able to hear. She made the point that high product safety standards and consumer protection are good for customers, and obviously they are. Does she agree that they are also good for British businesses? When our businesses go to those high standards, that makes them competitive globally because of their reputation for providing goods of high quality.

Vicky Ford: I agree, and I thank the hon. Lady for her intervention. Interestingly, when the consumer organisation Which? surveyed British businesses, it found that those businesses, too, want to ensure that consumer interests are properly considered and maintained as part of the Brexit negotiation. That is precisely why British manufacturers say, “We want to continue to be part of the product-setting networks. We must have a seat at the table when they are agreed.” There are non-EU countries where manufacturers and standard-setting bodies are involved in the negotiations on the standards. It should be perfectly possible to maintain that in a deep and special relationship. It is in the interests of both parties.

It is also important to remember that consumer legislation continues to evolve. We need to ensure that legislation keeps up with the digital age. The digital world is increasingly borderless: our consumers are buying products not just from local retailers but, increasingly, from large global retailers, so it is important that we have international agreement on consumer issues. As I have said, the global forums for setting standards, particularly on digital consumer issues, often lack detail. Therefore, co-operation with Europe is necessary.

A key part of digital trade relates to the use of data. The ability of consumers to use comparison sites and to get consumer feedback means that they are increasingly empowered and informed. Our consumers need data.

Julian Sturdy (York Outer) (Con): As has already been said, my hon. Friend is making a powerful speech. She talks about consumers making informed decisions. Does she see an opportunity with Brexit to take things further? One of my campaigns is for the opportunity to expand country of origin food labelling to allow consumers to make a more informed choice. We could expand the products that country of origin food labelling could be applied to.

Vicky Ford: Consumer choice is key, and I will discuss food standards, especially when I talk about trade relationships with other parts of the world. Being able to make a consumer decision increasingly relies on being able to access data, to go on to a database and to work out where to make a purchase in a digital world. The free flow of data also underpins digital streaming services, retail loyalty cards and use of cloud computing services. Without the free flow of data, businesses—but also consumers—would find themselves at a disadvantage.

[Vicky Ford]

Later this week, we will debate the future of data post-Brexit in the main Chamber. I contend that it is extraordinarily important for British and European consumers that we continue to have a free flow of data post-Brexit. Without that, British consumers will find that they cannot access information or comparison sites in anything like the detail they can at the moment, and many European companies will find significant barriers to their own business. There is no world trade agreement on digital data flows, so it is important that a decision is made on that area.

Another area I want to speak about in detail is the travel sector, because unless agreements are made in favour of consumers on travel, they will face significant impacts. For many consumers, the main impact of Brexit will be what happens on their holidays. The rest of Europe remains the most popular destination for British travellers. In 2015, British citizens made 32 million trips to the rest of the EU on holiday; EU citizens made 9 million trips to Britain. Two hundred million passengers fly through British airports every year.

As we all know, unless negotiated, the UK will lose access to the EU common aviation area, which risks affecting both flights from Europe into Britain and flights in the UK. There are also the many aviation agreements—more than 50—that the EU has with the rest of the world on airspace issues. It is imperative that access to airspace and landing rights is negotiated. Last week, we saw 100,000 people having problems with flights when Monarch collapsed. If there is no agreement or action on flights, tens of millions of consumers will be affected. That is why it is so good that the Government have started work on the areas that will be most affected if there is not a deal.

Aviation safety is also really important. The UK is currently covered by the European Aviation Safety Authority and, unless we continue to be a member of that, the Civil Aviation Authority will have to set up an equivalent, which would take time. That is precisely the sort of issue that needs a decent, long, thought-through transition period so that safety is not risked due to a cliff edge of uncertainty. Furthermore, today under EU law when flights are delayed or cancelled, passengers have a right to reimbursement or repatriation. It is important that we know soon whether those rights will continue. Airline tickets go on sale about 10 months before the first flights, so from next summer the airline companies will be trying to offer flights in a post-Brexit world and they need to know what rights go with their tickets.

Furthermore, non-air transport issues need to be considered. Today, British drivers are covered by the motor insurance green card, which means that we can drive from our homes across to the continent using our own motor insurance and that, if we have an accident with someone from elsewhere in the EU, the insurance will cover claims and compensation. If the green card arrangements are no longer in place, drivers may need additional insurance cover, which is especially important not just to individual consumers but to the freight transport sector.

I was glad to hear in the Chamber yesterday that another issue for travellers seems to have been resolved: the European health insurance card. There are about

27 million EHICs in the UK and last year those cards would have been used by more than 200,000 British travellers. Both sides—Europe and the UK—have said that they wish that to remain. It needs to be agreed in detail, but that does show that progress is being made on these key issues.

The final issue for travellers I want to mention is mobile roaming. This summer, my children certainly cheered when they got on the plane and found out that they would be able to use their phones without additional costs. Abolishing roaming charges has been especially popular with younger people. I know how extraordinarily tricky it was to negotiate that, having played a part in the negotiations myself. A deal on roaming and other digital issues needs to be a key part of our future trade agreement with the EU—and indeed of all future trade agreements.

Brexit gives us the opportunity to create new consumer-focused trade policy. That brings many benefits. Trade agreements bring consumer choice, variety, lower prices and the right to be able to buy products from many different countries of origin, including our own, as my hon. Friend the Member for York Outer (Julian Sturdy) correctly pointed out. However, we know that consumer confidence cannot be taken for granted. There have been many recent reactions and protests by consumers against trade agreements, particularly the proposed EU-US trade agreement, the Transatlantic Trade and Investment Partnership. As a member of the European Parliament, I remember receiving more than 10,000 emails over one weekend, nearly all of them different, about TTIP.

Consumers recognised the benefits of cheaper goods and services, but they also said firmly that this should not come at any cost. In particular, the public would be concerned about any drop in standards on food or animal welfare products. That is why the hon. Member for East Dunbartonshire (Jo Swinson) and my hon. Friend the Member for York Outer are both right to point out that it is in the interest of businesses to maintain standards, but also important that people know where their food especially is coming from.

The TTIP experience shows the problem of a disconnect between the public and the negotiators on trade issues and points to the need for transparency. It shows that the public and consumer organisations need to be involved in trade negotiations. It is important that those of us who want to continue to have a free market economy and free trade with the rest of the world prioritise the opportunities from the consumer's perspective.

That is why it is important that we focus on issues such as mobile roaming and the real barriers that travellers face, so that they can see we are focused on the issues that consumers focus on. Brexit offers an opportunity for both the UK and EU to rethink and reset our approach to how we trade with each other and those across the world, but it will only retain the support of the public if consumers and consumer protection are put at the heart of the policy.

2.51 pm

Yvonne Fovargue (Makerfield) (Lab): It is a pleasure to serve under your chairmanship, Mr Streeter. I congratulate the hon. Member for Chelmsford (Vicky Ford) on securing the debate and on her obvious passion for consumer issues.

There is often a good deal of complacency in this country when it comes to consumer protection. We often take it for granted; we only really think about our rights when we need to enforce them or seek compensation, and we expect it to be there. This country has quite a good record when it comes to consumer protection law. After all, did we not invent it in the 1970s, at the same time that we established the Office of Fair Trading? That might be a bit of an exaggeration, but we are highly regarded internationally for our consumer protection initiatives and—most pertinently in this debate—we have had an important influence on the scope of EU consumer protection legislation over the decades of our membership.

On many occasions, we have gone even further than the EU has required, as with the right to reject a product. As the consumer body Which? has pointed out, the limit is 30 days here, while the EU directive requires only 14 days. That is all very good, but as investment advisers like to warn, “Past performance is not an indicator of future results.” Many people are worried that the post-Brexit era will give us less to crow about. Certainly, many consumer bodies are worried that we could see a real watering down of consumer rights. It is not just consumer bodies that are worried: the Lords EU Justice Sub-Committee, in its ongoing inquiry on the subject, has observed that there is now a shadow hanging over consumer rights, with the Government’s approach to negotiation serving to

“cast doubt over the continued application of this significant body of EU law that protects the consumer rights of millions of people in the UK.”

Some observers have taken comfort from the European Union (Withdrawal) Bill, which will transfer all directly applicable EU law on to the UK’s statute books. But what does this guarantee? The Government’s stated intention is that there will be no loss of protection while we remain in the EU, but that only gives us until March 2019, or a little longer if transitional arrangements are made, and what happens afterwards is uncertain. Will the various protections be unpicked over the coming years, perhaps to secure favourable bilateral trade agreements with countries that value consumer protection less highly than the EU? Or will they be reduced in a misguided belief that business simply regards consumer rights as barriers to trade and red tape? We must avoid that race to the bottom at all costs.

Ministers have not made enough effort to reassure us about their long-term aims. While a business forum has been established with the likes of the British Chambers of Commerce, the Confederation of British Industry, the Institute of Directors and others, there is no such equivalent when it comes to consumers. There are many expert consumer bodies out there, including Which?, Citizens Advice and MoneySavingExpert, but they do not feel that they are being properly consulted on what is needed after Brexit. Will the Government now commit to establishing a working group with these bodies and with legal services groups such as the Law Society?

We need a real commitment to putting the consumer at the heart of the Brexit negotiations. That commitment is all the more necessary because it is a question not just of domestic rights, but of international ones, as we have heard. The critical issue for many consumers is how they will be protected when they buy goods from the EU, as they often do when they use internet sites such as

Amazon—the 1974 protection is outdated on the credit card rule for internet purchases—or when they are travelling or holidaying abroad and want to hire a car or rent a hotel room.

What are the Government doing to ensure those reciprocal and cross-border rights? There is much discussion in the EU negotiations about people’s right to live and work in the EU and the right for EU residents to live and work here, but precious little about cross-border consumer rights. We have heard about mobile phone roaming fees, which were recently capped, and the EHIC. We have to secure these rights post-Brexit. They have been hard won. We cannot lose them.

The issue of reciprocity and cross-border rights must be an absolute priority, because this is the area where there is most uncertainty. At the moment, UK citizens are protected by various EU legislative measures when buying goods and services, such as the consumer rights and ecommerce directives, but after March 2019 that protection will not be automatic. I agree that we should look at these rights. We need to ensure they are updated to face the modern world. Unless agreements are reached with the EU, there is a real risk that consumers might not be able to enforce their rights in other member states. I hope we will not return to the days when the streets of Spain were more like the wild west, peopled by timeshare cowboys. When I was at the citizens advice bureau, I had a client who had bought three timeshares, one after the other, because the sellers of the first two had assured him that the agreements were cancellable. He ended up with three timeshares, having to negotiate Spanish law.

Some of these cross-border protections will depend on the UK’s continued co-operation with Europe-wide agencies, such as the European Food Safety Authority, the European Aviation Safety Authority, as well as the CPC, which is vital in detecting and stopping illegal commercial practices. We have collaborated well in the past: problems have been highlighted and enforcement has been co-ordinated. We must ensure that UK consumers continue to benefit from, and have confidence in, the high standards guaranteed by working with them. It would be good to know what the Government are doing to ensure that such collaborative work continues and whether they are working towards establishing a mutual recognition agreement on standards.

Enforcement is the watchword. Rights are of little use unless they can be enforced. Local trading standards officers are the foot soldiers when it comes to ensuring that unsafe counterfeit goods are stopped at the point of entry, but their vital work has been greatly undermined by funding cuts, as pinpointed in last year’s National Audit Office report. EU withdrawal will naturally add even greater complexity to their work. If they have to inspect every truck coming from the EU as well as those coming from outside, there will be a complete blockade of our ports. The Government must ensure that trading standards work is properly funded and that officers can continue to work closely with their international counterparts. For example, questions remain over the future of cross-border safety alerts via Rapex, which covers dangerous non-food products, and access to the CPC, which has already been mentioned. If nothing is done, we could be facing a genuine crisis as vital surveillance and enforcement are pared back.

[Yvonne Fovargue]

As I said earlier, this country has a proud record on consumer protection law, but there is real danger that it could be weakened as we leave the EU. None of us would want to see those hard-won rights negotiated away. As the hon. Member for East Dunbartonshire (Jo Swinson) said, it is not just about ethics; it is also good economics. Consumers spend £100 billion in the UK. They are the vital ingredient of business success. If they are not confident that the contracts will be fulfilled or that they can get redress if things go wrong, they will be far less willing to enter the market in the first place. After all, who are the end beneficiaries of trade agreements and fundamental to their success? Consumers. Unless they have the confidence to buy goods and services knowing that they are protected, any trade agreement is not worth the paper it is written on.

3 pm

Luke Graham (Ochil and South Perthshire) (Con): It is a pleasure to serve under your chairmanship, Mr Streeter. I commend my hon. Friend the Member for Chelmsford (Vicky Ford) on securing this debate. I will keep my comments brief, but as this is the Brexit Parliament, I welcome this opportunity to debate this important issue.

It is entirely right that as we go through the process of exiting the EU we should legislate to protect UK consumers and consumer rights. Indeed, the UK already goes beyond the minimum standard required by the EU in a number of areas. For example, UK consumers can reject goods that do not conform to the contracted sale within 30 days and receive a refund, whereas in the EU a refund is available only after replacement or repair. That is just one example, but the principle that we hear espoused to support it is already enshrined in UK law, so we need to use that example to make sure that we continue to protect UK consumer rights.

I recognise some of the comments from my colleagues in opposition, but I think that we should try to focus on Brexit as a real opportunity to strengthen consumer rights in many areas where the UK leads the EU and leads internationally, rather than raising red flags and—I do not want to use the word “scaremongering”—always focusing on the negative things that could happen, rather than the positives that the UK could put forward by operating internationally.

A prime example is the Consumer Rights Act 2015, which I referenced earlier. Introduced by the Conservative-led Government, it resulted in a marked strengthening of consumer rights in legislation, and it provides the precedent Members may seek when looking for reassurances from Conservative-led Governments on consumer rights. Among the safeguards provided, some of which I mentioned earlier, is the increase from seven days to 14 days in which consumers can return any item bought in a shop, online or over the phone. More crucially, the Act ensured for the first time that consumers were protected on the purchase of digital content, such as online films, games and books, with the clear right to replacement or repair, which is important in an increasingly digital world. I am assured that the Government are focusing on the right policy, securing the right direction of travel and legislating accordingly to make sure that we are leading the EU, not following it.

Jo Swinson: Will the hon. Gentleman give way?

Luke Graham: I would like a few more minutes to develop my point.

The other legislative bulwark to consider is the European Union (Withdrawal) Bill. The Bill will convert all EU law into UK law wherever practicable when the UK leaves the EU. In practice, that means that wherever UK law does not already legislate beyond the existing EU minimum requirement, that minimum requirement will become UK law the moment we leave the EU. I think I speak for most of my colleagues when I say that there is little appetite for lowering standards once we leave the EU. The European Union (Withdrawal) Bill, in its current composition, is designed to provide consumers and businesses with continuity and to provide guarantees of consumer protections that are based on EU law and, as I mentioned earlier, UK law.

The UK leads not only in consumer rights and consumer protections, but in several international agreements where we are not in an official union. One example is the base erosion and profit shifting initiative that is being pursued through the OECD, where the UK has played a leading role in helping to strengthen tax avoidance measures around the globe. That proves to Opposition Members that we do not have to be in a formal union to do the right thing and promote consumer and institutional interests around the world.

Jo Swinson: I welcomed the hon. Gentleman's praise for the Consumer Rights Act, which he rightly says was introduced during the 2010 to 15 Parliament. As the Liberal Democrat Minister who introduced that measure, in a Department led by a Liberal Democrat Secretary of State, I gently say to him that it was not just a Conservative achievement.

Luke Graham: I did say Conservative-led, but quite right—the coalition did a number of good things.

Vicky Ford: I just want to point out that it is this Government who have been leading work on digital consumer rights, so we need to give some credit to the Conservative leadership during the 2015 to 17 Parliament.

Luke Graham: I thank my hon. Friend for that intervention; I always support giving praise where it is due.

I would like to end by highlighting the position of the Prime Minister and the Government. Only last week that was highlighted at the Conservative party conference, when the Prime Minister said that

“while we are in favour of free markets, we will always take action to fix them when they're broken. We will always take on monopolies and vested interests when they are holding people back.”

Furthermore, in the Conservative manifesto a specific commitment was given to make sure that markets will

“work for consumers, as well as producers—with competition keeping prices low and encouraging new product development”,

while tackling issues such as

“poor information, complex pricing and exploitative behaviour”, which prevent all markets from

“operating efficiently for the benefit of all.”

We realise that that is far from complete. To achieve that, we have set out a range of steps that we intend to take to further strengthen our consumer protection, in

addition to the progress that has already been made and which I outlined earlier. I hope to work with Ministers and colleagues across the House to ensure that, as we debate the European Union (Withdrawal) Bill, and then the substantive Bills that will follow on customs and trade, we prioritise strengthening the hands of regulators and online consumers, making terms and conditions clearer—an issue that is recognised by consumers and institutions across the United Kingdom—and strengthening the powers of consumer enforcement bodies to include fines against companies breaking consumer law, and delivering redress for wronged parties. The desire and intent to protect consumer rights is clear and we must ensure that we carry on in that manner as we go through and complete the process of leaving the EU.

3.7 pm

Darren Jones (Bristol North West) (Lab): It is a pleasure to serve under your chairmanship, Mr Streeter, and I congratulate the hon. Member for Chelmsford (Vicky Ford) on securing this debate and on her excellent opening remarks. I declare my interests, as in the Register of Members' Financial Interests: previously I was a legal counsel at BT responsible for, among other things, consumer law compliance.

The UK is a leader in consumer rights, exemplified, as the hon. Member for Ochil and South Perthshire (Luke Graham) said, by the Consumer Rights Act 2015, in which we went above and beyond European requirements, but that direction of travel has been, in my view, driven by the European Union. As we prepare for Brexit, whatever that might mean, it is vital that we protect both our current legal framework and our future policy commitments to maintain strong consumer protections in the UK. If we maintain access to the European single market, as is my preference, ensuring equivalence in consumer law in the future will be vital.

In my previous role, I attended the annual consumer law conference in Brussels, hosted by the European Commission. I was there on behalf of not only business but consumer groups and other stakeholders. It was agreed, among a very large group of stakeholders, that the consumer law framework provided by the European Union and legislated for here in the UK was pretty good. The key issue, however, was enforcement of those consumer rights. It is vital that we keep that in mind in this Parliament too, not only through the European Union (Withdrawal) Bill, but in what we do next, after the date of Brexit.

I have had the pleasure, or misfortune depending on one's viewpoint, of rewriting and simplifying consumer terms and conditions for TV, broadband, mobile services and such like, hence my declaration at the top. Having to take out liability clauses, disclaimers and warranties and trying to reach, as I did in that example, for Plain English Crystal Marks and simplifications for consumers brings us lawyers out in a bit of a cold sweat. We must call on businesses in a regulatory-friendly manner to innovate in the way they communicate with customers. We know that customers tend not to read even a short number of pages on terms and conditions, so how can we ensure that, where the law already provides, they are made aware of particularly onerous terms? I, for example, commissioned a short video explaining that in two minutes. Whether anybody watched the video, let alone read the terms and conditions, time will tell.

From my own experience, we must have two aims—first, that customers understand what it is they are signing up to, which is the law today, and secondly, that they know how to enforce their rights and that they choose to do so. Although this is an issue across many sectors, I will make some remarks today about the airline industry, which is topical because of the issues with Ryanair in recent weeks. As the hon. Member for Chelmsford said, millions of constituents across the country fly to the European Union every year. Although we must protect important safeguards on cancellations and flight delays through Brexit, we must also remember the enforcement of domestic consumer rights.

Many of our constituents suffer the annual annoyance of additional charges for printing boarding passes, booking seats, or getting a bag on to a flight when they thought those things were included. Many airlines market through comparison websites, which may require further regulation in future. They show the single fare-only price without the additional charges. So when customers think about getting the best deal for their flights, sometimes they are unaware that the airlines may be bulking out their revenues by stinging customers with additional charges at the point of service.

Additional charges in themselves are not unfair or a problem, but when many customers do not know about them until it is too late or have no idea how to enforce their rights when they have been subjected to unfair treatment, such charges become a problem. I myself have experienced that problem. On a recent flight to Iceland with WOW airlines, my wife and I were forced to pay £75 to get our on-board luggage through the departure gate. That was more than the price of the ticket itself. As a consumer rights lawyer, I said, "Don't worry; let's pay the fee. I'll complain and get a refund. I know this consumer law business." However, I faced a bit of a problem.

It transpired that the acceptable size for on-board baggage on WOW airlines is significantly smaller than for other budget airlines, but the online order journey did not make that clear. I have a penchant for terms and conditions and compliance with online order journeys and am particularly astute at watching out for such things, but I was unaware of that difference. I challenged WOW airlines when I returned from a lovely trip to Iceland, but the customer service was awful. I had copy and paste responses to my question. Clearly, other customers had challenged it because the company gave copy and paste answers. When I challenged the detail of the answer, I was told that the company would no longer speak to me.

I therefore complained to the ombudsman. The consumer ombudsman, which is a voluntary organisation for certain sectors and businesses, approached the airline, but it refused to take part in the voluntary scheme. I then drafted a letter before claim setting out in detail, on a lovely Sunday afternoon, how the airline had breached consumer law in the UK, and I sent it to the chief executive officer in Reykjavik. Normally at this point I get a response, but on this occasion I got no response. I still hold that the additional charges point on baggage, where WOW airlines does not make it clear that its size restrictions are smaller than for other budget airlines, is a breach of consumer law. I feel that I and my constituents and others are due a refund for an unenforceable charge. Having raised the issue with the

[Darren Jones]

airline's customer services team, the ombudsman, the chief executive and now Parliament, I look forward to a response.

The issue is not just about my story. In advance of this debate I posted a survey online to ask my constituents to tell me their stories, which were broadly similar. Most of the affected customers who completed my survey were annoyed about the additional baggage charges and also about seat reservations. Of those charged for their baggage, 75% had used the bag that they used for on-board storage with other airlines, and they did not know they could not use that bag on the airline that imposed the additional charge. Some 60% did not know about the charges at the point of booking, or they might have measured the suitcase. Again, these are unenforceable additional charges under consumer law.

To make matters worse, nearly 60% of complainants paid the fee, but then did not complain. A clear majority had no idea that they could go to the Civil Aviation Authority or others for support. Of all the customers in my survey who did complain, only one received a refund. Everybody else was either fobbed off or ignored.

Behind the statistics are families going on their holidays. Many of my constituents who use budget airlines and rely on other similar services save up throughout the year for a special time with their families during the summer holidays. It is a major expense in the annual budget of those consumers. The way in which the families are being treated is unacceptable.

Vicky Ford: I thank the hon. Gentleman for his passionate story about his holidays, but does he agree that it is in the consumer's interest to have choice and opportunity? Although there may have been drawbacks in some of the budget airline experiences, to be able to fly at a cost they can afford is a huge benefit to consumers. We need good consumer protection and information, but not if the cost becomes unaffordable and consumers simply cannot afford the flights.

Darren Jones: But the issue with unaffordability comes at the departure gate when customers who use comparison websites and book flights they can afford based on the ticket price alone have no choice but to take the flight and go on their summer holiday with their children or go home. That is why additional charges need to be highlighted effectively and why families need the ability to enforce their rights.

One family told me a story about when they turned up at the airport in Bristol. They had not printed their boarding passes and were told they needed to pay £70 for them to be made available. If that was not bad enough, they then realised that they needed to pay an additional £75 for their children to sit next to them because they had not paid for the seat reservations. Why should families have to pay to make sure that their children can sit next to them and pay for the printed boarding pass when it is perhaps available on their phone? Again, those customers knew nothing about the charges and were stung as a consequence of the lack of compliance with consumer law.

Some sectors are better than others in their compliance with consumer law. The best brands, as we have heard this afternoon, understand that building consumer trust

is good for businesses and that putting the customer first is therefore a sensible strategy. Under the Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013 and the Consumer Rights Act 2015, with the introduction of the concept of digital goods and services, we are making strides forward, but we must recognise that the law is already becoming out of date in the way in which the new digital economies are working.

To go to my original point, as we prepare for whatever Brexit means for the UK, it is vital that we not only protect our current framework of consumer law but that we work with our European colleagues to enhance the enforcement of consumer rights. We must continue to lead the debate as markets rapidly change and ensure that we protect our constituents not only under current law and in current markets but in future. I look to the Government to help us deliver that.

3.18 pm

Mike Amesbury (Weaver Vale) (Lab): I thank you, Mr Streeter, and the hon. Member for Chelmsford (Vicky Ford) for giving me the opportunity to contribute to the debate.

When it comes to Brexit, discussions here and in the media have tended to focus on high-level questions on trade deals, investment or diplomatic treaties. Important as the Brexit questions are, and the consequences will of course ultimately be significant, they are questions that can sometimes seem a little removed from the day-to-day life of many of our constituents. Today's debate matters because it concerns something that has an immediate and constant relationship with almost everything that individuals, families and businesses do in my constituency of Weaver Vale and elsewhere. There is little more important in day-to-day life than having confidence in the quality of the food we eat, the effectiveness of the medicines we rely on, or the safety of the toys our children play with.

I want to pay particular tribute to the work that one of our north-west MEPs, Theresa Griffin, has been doing on this issue. Theresa and colleagues work every day on the detail that matters—in stark contrast to what we heard only yesterday from the Prime Minister, who made it clear that, 15 months on, the Government are no further forward in dealing with the detail that every hon. Member requires. Indeed, I should acknowledge the work that the hon. Member for Chelmsford did on these matters as a Member of the European Parliament.

Of course this debate is vital not just for consumers, but for businesses. One of the many fantastic features of my constituency is the range of its economy and industry—things that affect everyone. The logistics and distribution companies in Weaver Vale need certainty about what Brexit means for cross-border transport of the parcels and goods that they deliver. Household names in the pharmaceutical industry rely on the research and innovation work at Daresbury, and their success and prosperity is dependent on consumers having confidence in their products. I have every confidence that the famous Roberts Bakery will continue to produce some of the best bread anyone will taste, but to continue to be successful it will, like every food manufacturer, need certainty about the frameworks that it is working with.

As to one of the biggest challenges—the safety and value of data in the digital age—my constituency is affected at almost every level. At one end of the spectrum, many individual householders in Weaver Vale are currently locked in dispute with broadband providers about the quality of their service—or in some cases the complete lack of it. The EU is committed to achieving speeds of 1 gigabit per second by 2025. By contrast, the UK's ambition is a mere 10 megabits per second—a hundredth of that speed. We are told by some members of the Government that we need to be “ambitious” about Brexit, but my constituents are being given 1% of what they might otherwise have been entitled to.

Vicky Ford: On the point about inadequate broadband—and, indeed, the mis-selling of broadband—perhaps I may bring to the hon. Gentleman's attention the fact that during negotiations on the telecoms directive the Brits pushed for stronger regulation, to make it against the law for anyone to mis-sell broadband and promise higher speeds than they could get. The Europeans refused to introduce that measure. Brexit gives us an opportunity to take new measures on behalf of consumers, especially on issues such as broadband.

Mr Gary Streeter (in the Chair): Order. Interventions should be brief.

Mike Amesbury: Of course, my point was about speed; I sincerely hope that we will go beyond the current Government's snail's pace ambition and not only match but, in time, exceed the ambition of the EU. On that point the hon. Lady and I probably agree.

I was talking about my constituents getting only 1% of what they were entitled to, but at the other end of the spectrum my constituency is also at the digital forefront. For example, Sci-Tech Daresbury is the home of the Hartree Centre, an initiative leading on the application of high-performance computing and big data. It also houses many leading digital and tech companies. Its ambition is to expand the data storage/archive capability at Hartree. Those organisations have made it clear to me that the UK cannot significantly differ from the EU in terms of future data protection laws while maintaining any kind of working relationship. It is welcome that the Government appear committed to incorporating the general data protection regulation into UK law. The lesson must be how that important aspect of EU law can be expanded into other protections. However, the risks to the UK's position as the digital hub of Europe, from leaving the EU, remain profound. I will work closely with Daresbury and the many tech organisations based there to make sure that any adverse effects of Brexit on the services developed and provided there will be minimised.

My party is supportive of a Brexit that puts jobs first and protects the rights of workers and consumers. It is therefore vital that the Government take the issue seriously, every step of the way. It is comforting that the hon. Lady obtained the debate, as that shows that some members of the governing party realise how crucial the issue is. I commend her on doing so, and hope that her colleagues in government will respond appropriately. The safety and quality of the services and products consumed by my constituents in Weaver Vale depend on it.

3.25 pm

Patricia Gibson (North Ayrshire and Arran) (SNP): I want to echo the thanks that the hon. Member for Weaver Vale (Mike Amesbury) expressed to the hon. Member for Chelmsford (Vicky Ford) for obtaining the debate. We must not underestimate, among the various aspects of Brexit, the importance of consumer protection. That vital matter is so wound around and ingrained into our daily lives that there is a danger that we may take the protections for granted but, as the hon. Member for Makerfield (Yvonne Fovargue) has pointed out, that must not happen.

Currently, the rights of consumers are enshrined in EU law, so naturally there is bound to be concern and uncertainty about what will become of those rights and the responsibilities of businesses post-Brexit. We need clarity. At the moment, the UK has to comply with EU consumer policy and law, which is estimated to affect about 90 pieces of legislation, making a body of EU law designed to protect consumers. However, the European Union (Withdrawal) Bill currently progressing through Parliament would repeal the European Communities Act 1972 and copy all EU legislation into UK law. The concern is that repeals, amendments and revisions could then be made to consumer law by any Government as they saw fit.

The lack of clarity and the uncertainty about Brexit is a cause of great concern, since we simply do not know what leaving the EU will mean for consumers or businesses. Will the UK stay in the single market? It looks as if that will not happen, so the rights of consumers in the UK will not be enhanced or keep pace with the rights of consumers in the EU. That could leave them exposed and lacking protection. Consumers are already feeling the Brexit pinch even though we have not yet left the EU. The devalued pound is pushing up inflation, and that alone has reduced purchasing power. Most consumers do not think too much about consumer protection until they need it. We need only look at the recent cancellation of Ryanair flights to find a good example of why consumers benefit from being part of the EU single market, and from sharing rights and protections across the EU. The personal example given by the hon. Member for Chelmsford brought that point home strongly. The hon. Member for Bristol North West (Darren Jones) also touched on the issue, and outlined various sharp practices indulged in by some airlines.

Fundamentally, a lot of minds would be put at rest by an end to the uncertainty—by the knowledge on the part of consumers that the UK Government are willing absolutely to guarantee that consumer rights and protections will not be watered down post-Brexit, and to provide specific assurances of that in the European Union (Withdrawal) Bill. We need a cast-iron guarantee that current protections derived from EU legislation will remain in force. I fully understand the Government's position that they do not want a

“black hole in our statute book”

and that they will convert EU laws into UK laws. However, no one can predict the longer-term impact of Brexit on consumers, since we do not know what the UK's future relationship with the EU will look like, or even whether the UK will retain any access to the single market.

What can be said is that following our withdrawal from the European Union, EU consumer protection

[Patricia Gibson]

legislation and that of the UK are likely to drift apart over time. I fully concur with the hon. Member for Bristol North West and the hon. Member for Chelmsford, who discussed the evolution of consumer law. Even if the UK adopts autonomously all EU legislation in the field of consumer protection, the interpretation of such legislation will vary, as UK courts will not be subordinate to the European Court of Justice, despite what the hon. Member for Ochil and South Perthshire (Luke Graham) said. We do not know what kind of divergence will take place.

Luke Graham: Does the hon. Lady recognise that the example that I used showed the UK going above and beyond what the EU was putting forward? If she would like to be “Stronger for Scotland”, perhaps she would begin by engaging positively with those details and looking at the opportunities we have, rather than always looking at the negative and trying to do the UK down.

Patricia Gibson: I listened very carefully to what the hon. Gentleman said, because I had this point in my head. He cannot negate the legitimate concerns that I have raised by simply saying, “We’ll always go one better.” I will give him a concrete example. There are fears in some quarters of a race to the bottom—for example, on food safety. The Secretary of State for International Trade has said that he is completely relaxed about a diminution in food safety. People cannot simply hide all the time behind the notion that the UK will always do something better than anything that is offered by the EU. That is asking us to take too much on trust.

Luke Graham: Will the hon. Lady give way?

Patricia Gibson: I will press on if the hon. Gentleman will permit me.

Consumers in the UK spend £1,160 billion each year on goods and services, and about £14.8 billion is the estimated value of consumer detriment that needs to be tackled by consumer protection bodies. That is with the current protections; diminution of any of those protections can only increase consumer detriment and undermine consumer confidence.

With increasingly complex and wide-ranging threats—in particular, a rise in e-commerce and scams—consumer protection needs to be as robust and match-fit for the modern world as it possibly can. The UK consumer cannot be left behind post-Brexit. I contend that remaining a member of the single market would guarantee that UK consumer protection law moved in line with that of the rest of the EU and would certainly reassure consumers and businesses that the current framework would continue to keep pace.

Regardless of what the future relations between the UK and the EU finally look like, the laws governing relations between consumers and businesses are vital to the future success of the UK as a whole. Consumers must have confidence in the purchases that they make, be confident about safety, and be confident of redress if anything goes wrong with the goods that they purchase; they must be confident that their rights as consumers are enforceable. My concern in relation to the uncertainty surrounding those rights, which will be subject to the whim of the Government of the day, is that the rights

may be diluted or eroded over time as the EU moves ahead in this area, leaving the UK consumer rights agenda behind the curve, looking outdated and not fit for purpose in the modern world.

I hope that the Minister can provide cast-iron assurances that protecting and maintaining consumer rights is firmly on the Government’s agenda as Brexit unfolds, because consumers have a right to expect nothing less.

3.33 pm

Gill Furniss (Sheffield, Brightside and Hillsborough) (Lab): It is a pleasure to serve under your chairpersonship, Mr Streeter. I congratulate the hon. Member for Chelmsford (Vicky Ford) on securing this important debate and particularly her eloquence and passion in introducing it. I also thank hon. Members present for their thoughtful and constructive contributions, which have vividly highlighted the importance of consumers to the UK economy, but also raised serious questions about what Brexit means for consumers and consumer protections.

Each month, consumers in the UK spend £100 billion in the economy, supporting local businesses, our manufacturing services and employees. Many of the consumer rights that we enjoy are embedded in EU legislation and institutional arrangements. I am disappointed by the Government’s approach to consumer concerns and by their refusal to set out the foundations of consumer protections post-Brexit.

The Government failed to mention consumer protection in their Brexit White Paper in February. They did not dedicate one of their 12 negotiating principles to consumers and consumer rights, and that barely had a mention in the Prime Minister’s 5,357-word speech in Florence. In addition, the Government continue to threaten that “no deal is better than a bad deal”, which could mean the UK crashing out of the EU and being forced to accept World Trade Organisation rules, which dictate tariffs on food of up to 62%—that is for beef—and on other goods such as cars. It will come as no shock that one third of consumers think that they will not be represented in the Brexit negotiations.

The Minister will say that the UK has played an important role in consumer protections, and I agree. The UK has often been a beacon for consumer protections in the EU and also globally, with countries across the world looking to us for our consumer protection laws, and we should be proud of that. However, consumers have been left with little assurance about whether, beyond Brexit, they will continue to enjoy the same rights and protections, or what the Government’s Brexit agenda will mean in this regard. Constituents across the country are asking, “Will it result in the UK being forced to accept chlorinated chicken from the US? What will be the overall impact on food and safety standards? What enforcement structures will be in place to support consumer protections?” There is much more they are asking about, as they do not have any clarity on those critical issues.

To begin with, there is deep concern about the current drafting of the Government’s key legislation, the European Union (Withdrawal) Bill. That Bill—in particular, clause 7—goes beyond the ability of Ministers to make technical changes and enters the murky waters of giving Ministers carte blanche powers to “prevent, remedy or mitigate” any “deficiency” in EU law, with no clear criteria about what that means. In effect, they can make whatever changes they see fit behind closed doors without

proper parliamentary scrutiny. If left unchanged, that could have a devastating impact on consumer protections, with Ministers effectively able to bring about wide-ranging change on consumer issues such as food, product safety standards, approval systems and oversight of financial services. The uncertainty about the direction of consumer protections after Brexit leaves consumers in limbo about their rights and protections. This is not a question of simply copying and pasting the legislation from the EU into UK law; it is far more complicated with regard to how we apply the law.

Once we leave the EU, the Government maintain, we will be leaving all the EU bodies, so from the point of our departure, the consumer protection legislation of the EU and that of the UK are likely to drift apart, as interpretations of such legislation will differ. As a result, there is little clarity about questions of jurisdiction, conflict of laws and enforceability after Brexit, with the Government making no effort to clarify those issues.

For example, it is crucial that we maintain cross-border consumer protection so that consumers have the confidence and security that the products they are purchasing are safe. Consumers no longer operate within geographical boundaries, so a key tenet of the Brexit negotiations should be to maintain current protections but also to maintain co-operation agreements to maintain the existing rights when people are dealing with companies based in other EU member states.

As the head of consumer policy at Citizens Advice said in evidence to the Justice Sub-Committee of the House of Lords Select Committee on the European Union,

“It is one thing to say that the rule of law applies, but if there is no right to compensation when travelling abroad, or purchasing from an EU trader, if the cross-border agreements are not there to back it up it is not worth as much as it would suggest.”

We have still not heard anything from the Government about what cross-border co-operation post-Brexit will look like. Will the Minister lay out the Government's position? Furthermore, the current UK consumer protection regime is under severe strain after seven years of Tory budget cuts to local councils. For example, the current domestic products safety regime is not fit for purpose and needs urgent reform, yet at every opportunity the Government have dismissed calls for such changes. The Government's working group report into product safety, published on 20 July, was disappointing and refused to acknowledge that real change was needed in the product safety regime. It offered no serious proposal to ensure that proper enforcement mechanisms were in place to remove faulty goods from the market. That raises serious questions about the robustness of current enforcement regimes and their ability to withstand the pressures from the weight of EU consumer rights laws, which would be transferred into UK law. We have had no clarity from the Government about what agencies they intend to establish, how much funding that will require, or what their roles and powers will be when breaches of consumer law are found.

Warm words will not cut it. We cannot trust this Government's vague assurances that consumer protections will be safeguarded when they will not even properly engage with consumer groups. When I asked the Secretary of State for Exiting the European Union how many times he had invited and met consumer groups to discuss negotiations on the UK leaving the

EU and their implications for the consumer in the UK, his response was that Ministers and officials have met with consumer organisations such as Which?, MoneySavingExpert and Citizens Advice, and that they have plans to host a roundtable with consumer groups. All of those organisations have expressed frustration to me about the difference between engagement with businesses and with the consumer side, with the latter receiving very little attention from senior Government figures. Lip service has been paid to consumers, but there have not been any tangible outcomes in action from the Government, as no consumer and Secretary of State level roundtable or working group has been established. Finally, 16 months after the EU referendum we have yet to see a detailed plan about when this consumer roundtable, which the Secretary of State mentioned in his reply to my parliamentary question, will be held. I look forward to the Minister's response.

Mr Gary Streeter (in the Chair): Order. I call the Minister to respond. If she could leave two to three minutes for the initiator of the debate to wind up, that would be great.

3.42 pm

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Margot James): It is a pleasure to serve under your chairmanship, Mr Streeter. I am pleased to have the opportunity to discuss the impact of the UK's exit from the European Union on consumers.

First of all, I congratulate my hon. Friend the Member for Chelmsford (Vicky Ford) on tabling a debate on this very important issue. As the Prime Minister has made clear, most recently in her speech in Florence last month, the UK's vote to leave the EU was not a vote to abandon our relationship with the EU. We want to maintain our deep and special partnership with it. We are leaving its institutions, but we remain a close ally, and we are committed to working with it to secure the best outcomes and to maintain strong consumer protections.

As hon. Members have made clear, consumers are crucial for UK prosperity. Household expenditure accounts for around 60% of our economy. In 2016, 83% of UK consumers used the internet to order goods or services, and 23% used it to order goods or services from another EU country. Engaged, confident consumers stimulate competition in markets and drive responsible business practices, benefiting businesses and consumers alike. This is crucial to ensuring that our economy works for everyone, which is a key objective of our industrial strategy, which will put the UK in a strong position for the future.

British people do not want shoddy goods or services and we will ensure consumers are protected from dangerous products and unfair trading practices. Making sure consumers are protected, wherever and however they purchase goods and services, is a top priority. As the hon. Member for Makerfield (Yvonne Fovargue) pointed out, the UK has a strong history in its own right of protecting consumers. The Consumer Rights Act 2015 updated the laws governing every business selling directly to consumers and gave consumers clear rights. UK consumers have also relied on domestic laws in advance of EU legislation; for example, laws outlawed unreasonable contract terms almost 20 years before the EU legislated to ban them.

[Margot James]

We have demonstrated our commitment to high standards for consumers by going beyond EU minimum standards in a number of other areas. For example, the UK led the way in protecting consumers purchasing digital content in the 2015 Act, before the Commission brought forward its proposals on digital content later that year. That point was made by my hon. Friend the Member for Chelmsford, who played a key role in the development of that consumer protection framework as chair of the European Parliament's Committee on Internal Market and Consumer Protection. Her scrutiny of EU proposals has been crucial to ensuring the law works for citizens and businesses alike. As she knows, the UK has worked closely with the European Commission, and in the Council, to develop a robust regime.

While we remain an EU member, we are continuing to fulfil our obligations fully and in good faith. We are setting the agenda where we can, to ensure that our legislation remains fit for purpose in the digital age. For example, the Digital Economy Act 2017 includes important measures to protect consumers and the UK's position as a world leader in the digital economy. It includes protections against spam mail, and against children easily accessing online pornography, just as protections exist offline.

At EU level, we have secured general approaches in the Council on two pieces of consumer legislation this year: the digital content directive and the consumer protection co-operation regulation. Both files will increase consumers' protection when buying online and set clear obligations for traders and businesses. Those are just two examples of how we have achieved robust protections. We will seek to continue working closely with the European Union on issues such as information sharing and enforcement co-operation.

We have a proud history of protecting consumers, but I agree with hon. Members that that should not make us complacent, following our exit from the European Union. I turn to our plans to protect UK consumers through the European Union (Withdrawal) Bill. The Bill will ensure that we exit the EU with maximum stability and provide certainty for businesses and consumers. It will ensure that UK consumer protections based on EU legislation are clearly retained, and that when a consumer buys from a trader based in the UK after exit, they can rely on the same rights that they currently enjoy. The way consumer protections apply internationally in the future is a matter for negotiations. However, our starting point is that we must continue to have effective protection for consumers, particularly those buying across borders, and we will work with the EU to secure the best possible deal for consumers in that respect.

Hon. Members have raised the question of how well we are working with stakeholders. I am disappointed to hear that, according to the shadow Minister, the hon. Member for Sheffield, Brightside and Hillsborough (Gill Furniss), stakeholders have been frustrated in their desire for ministerial attention, and I can assure her that I will do my best to put that right. It is essential that we work with stakeholders to understand the impacts on consumers of the UK's exit from the EU. As the hon. Lady pointed out, Ministers and officials have met a range of stakeholders, including Money Saving Expert, Citizens Advice and Which?, and in April 2017, when

he was in post, Lord Bridges of Headley opened the National Consumer Federation's consumer congress, which explored how we can secure the best outcomes for consumers after Brexit. I am pleased that Which? has been conducting an in-depth analysis of the range of impacts that EU exit will have on citizens.

My hon. Friend the Member for Chelmsford mentioned some important areas for consumers, showing what a wide-ranging and integral issue this is. Flights, data roaming, insurance: it is vital that we have the complete picture of consumer concerns. That is why I agree that talking to consumer groups and businesses is vital. I have invited consumer groups and the devolved Administrations to meet me and the Secretary of State for Exiting the European Union, so that we can hear their views and discuss key EU-exit issues. I look forward to continuing that engagement.

A number of other issues were raised concerning travel protections. Consumer protection for flights based on EU law will be retained in the EU withdrawal Bill, meaning that British consumers will be able to rely on the same rights after we leave the EU as they have now. On advance booking, it is a high priority to identify new arrangements at least 12 months before we formally leave the EU, to ensure legal certainty for consumers.

More broadly, maintaining liberal access to EU markets is a high priority for the Government. We recognise the importance of air services to the health of the economy. The hon. Member for Bristol North West (Darren Jones) spoke with great knowledge about that subject and others relevant to this debate, reminding us that we must ensure that our post-Brexit consumer protection is fit for the future. I hope that his justifiable complaint against WOW Air is resolved.

The hon. Member for Makerfield raised a valid point about the future of our connection with the Rapex rapid alert system for dangerous non-food products. Intelligence sharing will remain vital post-Brexit, and we are working already with the EU to explore options for maintaining information sharing across borders. I agree with her that it is vital.

Various hon. Members mentioned product safety. Maintaining high standards for product safety is a high priority for the Government. I was asked specifically about the state of discussions on whether the British Standards Institution will continue to be involved in European standards setting. The BSI, the UK's national standards body, is independent of Government, but we are working with it to ensure that our future relationship with the European standard-setting bodies continues to support a productive and open competitive business environment in the UK. They are assisting us as we roll out improvements to the product safety and withdrawal regime. The European standard-setting bodies, such as the European Committee for Standardisation, are not EU bodies, although they have a special status in the EU.

We remain committed to securing the best deal for UK citizens during the Brexit negotiations. That is as true for citizens as consumers as it is of any other aspect of their lives. As I said, the UK's framework already sets high standards, and the EU withdrawal Bill will ensure that EU-derived protections are enshrined in existing UK law. Our aim is no reduction in protections for UK consumers after EU exit. It behoves us all, and certainly me while I am responsible for consumer protection, to work hard after EU exit to ensure that our consumer

protection regime continues to be an example to the rest of the world. That will be a responsibility for future parliamentarians, but I certainly sense from the remarks made in this debate that we are all concerned not only to put in place a regime that is as good as it has been throughout our membership of the European Union, but to work to continue to improve it and ensure that it is fit for the future environment.

We recognise that for protections that rely on co-operation with, or action by, EU member states, negotiation is needed, and we enter those negotiations with ambition and some optimism. We start from a strong position of trust in one other's institutions, and a spirit of co-operation stretching back many decades. Through open and honest dialogue with our European partners, we remain committed to achieving strong outcomes for consumers through the Brexit negotiations, and to continued co-operation with EU consumer protection sources of information, and to sharing, post-Brexit. With that, I hand over to my hon. Friend the Member for Chelmsford.

3.54 pm

Vicky Ford: I thank all colleagues who have taken part in this debate, and especially the Minister for answering it. The UK has a strong history of consumer protection, and I am delighted that she has committed to its continuation with no reduction in consumer protection. I am also delighted to hear that we will continue to share intelligence with our neighbours to ensure that consumers are protected, and that we are committed to very high standards.

In this debate, food and animal welfare standards in particular were raised numerous times. Those are, of course, competencies of the Department for Environment, Food and Rural Affairs. The first time this Parliament when the Secretary of State for Environment, Food and Rural Affairs took questions from the House, I was honoured to be drawn to ask the first question. My question was whether we would maintain high standards for food and animal welfare post-Brexit; he said yes. It is a key part of consumer protection that we do not mislead our consumers. We should not mislead our voters. This Government are committed to maintaining high standards for consumer protection, animal welfare and food. I thank the Minister again for saying that those would remain priorities.

Question put and agreed to.

Resolved,

That this House has considered the effect of the UK leaving the EU on consumers and consumer protection.

Mr Gary Streeter (in the Chair): We now move on to our next debate, as I see that the protagonists are here. Would Members leaving please do so quietly? This is a half-hour debate, which seems to be extremely popular; fortunately, I am not chairing it. If colleagues will take their positions, we will move swiftly on.

Supported Housing Funding

3.57 pm

Peter Aldous (Waveney) (Con): I beg to move,

That this House has considered future funding of supported housing.

It is a pleasure to serve under your chairmanship, Mr Streeter. I am pleased to have secured this debate, which comes at an appropriate time, ahead of the Government's publication of their response to the consultation that finished in February. I am aware that many colleagues want to take part in this debate. I shall do my best to accommodate them by taking interventions, but the pressure of time may mean that I have to disappoint some people, for which I apologise. Their presence, even if they do not get an opportunity to speak, says it all and sends out the right message. I confirm that I will support any application to the Backbench Business Committee for a longer debate.

[SIR EDWARD LEIGH *in the Chair*]

This debate provides an opportunity to re-emphasise the vital importance of putting funding for the sector on a sustainable long-term footing and of the Minister providing a progress report on how the Government are getting on in formulating their plans. That is essential if we are not to let down a vulnerable group of people, whether they are elderly, young, physically disabled, fleeing domestic violence or facing mental health challenges. It is appropriate that this debate is taking place on World Mental Health Day. Housing is essential to securing parity of esteem with physical health treatment.

The case for supported housing is compelling. Demand is rising for care and support as a result of an ageing population and increased levels of mental illness and learning disabilities. Supported housing enables older people to retain their independence, allows young people to live securely and get their lives back on track and ensures that victims of domestic violence can find emergency refuge and stabilise their lives. It helps homeless people with complex and multiple needs make the transition from living on the street to having a settled home and providing education and training to prepare them for work. It ensures that those with mental health needs can stabilise their lives and live more independently. Supported housing assists ex-servicemen and women who are experiencing difficulties in readjusting to civilian life. It ensures that people with learning disabilities can maximise their independence and exercise choice and control over their lives. Investment in supported housing provides an alternative to more expensive residential care settings such as care and nursing homes. In that respect, it provides good value for money.

Helen Hayes (Dulwich and West Norwood) (Lab): I congratulate the hon. Gentleman on securing this debate. In April, the Communities and Local Government Committee and the Work and Pensions Committee published the report of our joint inquiry into the future of supported housing. It detailed the evidence—some of which he has mentioned—of the value of supported housing to those who live in it. It also sets out the devastating impact that uncertainty about Government funding for supported housing is having on the sector. Subsequent research has confirmed that 85% of new

[Helen Hayes]

supported housing schemes have been put on hold. We are now more than 18 months on from the Government's announcement that they would review funding arrangements for supported housing, but there is still no clarity or certainty. Does he join me—

Sir Edward Leigh (in the Chair): Order. This is only a half-hour debate. Speeches may be made only by permission of the mover and the Minister, and interventions should be as short as possible.

Peter Aldous: The hon. Member for Dulwich and West Norwood (Helen Hayes) refers to the joint Select Committee report, which I will address in some length. It is part of the valuable work that Parliament has done.

Mr Mark Prisk (Hertford and Stortford) (Con): I will be brief. I strongly support my hon. Friend's leadership in this area. Does he agree that many faith-based organisations such as the YMCA, the Salvation Army and Emmaus need to know from the Minister that the system will be flexible enough to accommodate not just the need for shelter but the personal support that those organisations provide?

Peter Aldous: The three charities that my hon. Friend mentions have made that point to me. It is well made.

Mr George Howarth (Knowsley) (Lab): The hon. Gentleman is being generous in giving way. He made the point that if supported housing becomes unsustainable—as many people say it already is—the cost of people going into residential care will be exponentially higher?

Peter Aldous: I agree. I hope to get to that point later.

Several hon. Members rose—

Peter Aldous: I will take one more intervention.

Nic Dakin (Scunthorpe) (Lab): The hon. Gentleman has secured this debate at a timely moment. Does he agree that the lack of clarity from the Government is leading to a lack of investment in supported housing? The longer that goes on, the bigger the crisis will be in the future.

Peter Aldous: There is a need for the Government to come forward with their proposals and plans. My point is that Government, Parliament and the sector, working together, all have a role in addressing this problem.

Let me move on. The vital role that supported housing plays is recognised by all, as is the need for a sustainable long-term solution, not a short-term sticking plaster. This is not a straightforward challenge; it is vital for Government, Parliament and all those involved in the sector to work together to put in place the right funding framework. There are encouraging signs that that is happening, but there is still a great deal of work to do.

The Government made the correct first move by carrying out the first evidence review for 20 years. Its findings were published on 21 November last year—the same day the Government launched their consultation on their preliminary proposals, setting up four task and finish groups to address specific challenges. The preliminary proposals were announced on 15 September 2016 by my

right hon. Friend the Member for Ashford (Damian Green), the then Secretary of State for Work and Pensions. In brief, they provide for people living in supported accommodation to have their core rent and service charges funded through housing benefit or universal credit up to the local housing allowance rate, and for costs above that rate to be distributed by local authorities from ring-fenced top-up funding provided by the Government.

Emma Hardy (Kingston upon Hull West and Hessle) (Lab): The hon. Gentleman mentions the top-up on the local supported housing allowance. In Hull, that would be only £69.73—well below the needs of the organisations that the hon. Member for Hertford and Stortford (Mr Prisk) mentioned, such as Emmaus and the Salvation Army. My fear is that the money coming from the local authority will not be ring-fenced, sustained or available beyond a certain period. Those organisations are seriously at risk of falling dramatically below the level of funding that they need to keep going and stay open.

Peter Aldous: I hope I can answer the hon. Lady's question straight away. Two concerns have been expressed to me about these proposals. First, is a one-size-fits-all LHA rate an appropriate starting point for a new funding mechanism? Secondly, providers are concerned that discretionary local top-ups do not provide the long-term stability needed for investment in new facilities.

Stephen Timms (East Ham) (Lab): I agree with the hon. Gentleman. Is it his understanding, as it is mine, that there is no correlation between LHA rates and the cost of providing supported housing across the country?

Peter Aldous: The right hon. Gentleman is spot on. There is a real worry that if we do not get this right, we will be creating a postcode lottery. The Communities and Local Government Committee and the Work and Pensions Committee published a unanimous joint report on 1 May in which they made three recommendations to complement the Government's proposals. For the sake of timeliness, I will not outline them. I sense from the hon. Member for Sheffield South East (Mr Betts), who chairs the Communities and Local Government Committee, that we know the answer.

The work by Government and by Parliament's Select Committees provides the foundation stone for a new long-term funding framework in which housing associations, charities and social enterprises can invest and take up the significant amount of funding that the Government have made available over the past five years.

Ms Marie Rimmer (St Helens South and Whiston) (Lab): Is the hon. Gentleman aware that the funding that was incorporated in the revenue support grant in 2011—taken away from a specific grant—has decreased by 53% in just one part of my constituency?

Peter Aldous: I was not aware of that, but it illustrates the concern that if we do not get this right, we could have a postcode lottery.

Mr Clive Betts (Sheffield South East) (Lab): I thank the hon. Gentleman for his comments about the joint report by the two Select Committees, which were chaired by my hon. Friend the Member for Dulwich and West Norwood (Helen Hayes) and the hon. Member for

Gloucester (Richard Graham). Since then, five housing associations, in a meeting chaired by Lord Richard Best, have come forward with a proposal for small regional variations in a specific grant with small top-ups that would meet the Select Committees' proposals and cost the Government no more money. Should not the Government carefully consider that?

Peter Aldous: The hon. Gentleman is stealing my thunder, because I will come to that point in my recommendations, but I accept that he has done the hard graft and I am just a mouthpiece.

In the month before this debate, I received many representations that confirmed not only a willingness to engage with Government and Parliament but a worry that the proposals in their current form do not achieve their objective. I am happy to share all those representations with the Minister. The National Housing Federation, which represents English housing associations, has expressed concerns. The Chartered Institute of Housing has emphasised that the stakes are very high and that if we get this wrong, the implications for the public purse—not to mention life chances—are frightening.

Tim Farron (Westmorland and Lonsdale) (LD): From my experience of the supported housing provided for constituents with autism and learning difficulties, I know that the LHA rent cap will mean that they simply will not be able to afford the support that they get in their current setting. They will end up in institutions or hospitals, which will actually cost the taxpayer far more money.

Peter Aldous: The hon. Gentleman makes a good point.

One Housing, a major provider of affordable housing in London and the south-east, is extremely concerned about the plan for a cap on the housing benefit to the level of the local housing allowance. It believes that it will have a dramatic impact on older people's housing with care schemes and could reduce new supply. The Home Group, which is active in the north-east, Cornwall and East Anglia, including in Lowestoft in my constituency, is concerned that reliance on LHA rates could lead to a postcode lottery. It has put on hold the development of 1,842 units across the country while it awaits clarification on the proposed system.

Jo Platt (Leigh) (Lab/Co-op): In my own constituency, one housing provider—Riverside—has informed me that all but one of its residents will be affected by these proposals, with the average resident's rent at one project more than £100 per week above the proposed cap. Does the hon. Gentleman agree that the proposed arbitrary cap will cause undue stress and anxiety to residents who may be forced to rely on the top-up funds?

Peter Aldous: I thank the hon. Member for that intervention. It is quite clear from the feedback from organisations around the country such as Riverside—I have met Riverside staff—that there are serious problems.

Richard Graham (Gloucester) (Con): The report that my hon. Friend referred to, which the hon. Member for Dulwich and West Norwood (Helen Hayes) and I co-chaired, made recommendations that would deal with two or three of the comments that have been made by Members so far, particularly by having a new supported

housing allowance with four relatively modestly differentiated regional bands, which would deal with the point about not needing local authority top-ups. Does he agree that, if the Government were to go ahead and accept those recommendations, it is also important that they hold to account housing associations and others to ensure that the provision is of a consistent quality throughout the country?

Peter Aldous: I agree with that point and I also thank my hon. Friend, because I am aware that he played a key role in the report from the joint Select Committees.

The Associated Retired Community Operators, which is the main trade body representing the retirement community sector, has also expressed concerns.

Gerald Jones (Merthyr Tydfil and Rhymney) (Lab): Will the hon. Gentleman also acknowledge the concerns of Community Housing Cymru, on behalf of housing associations in Wales, about the level of funding to be devolved under the new arrangements and the length of time that it is taking for the Green Paper to be published?

Peter Aldous: I thank the hon. Gentleman for that intervention. A lot of my emphasis has been on what is happening in England, but it is important that we remember the requirements of the devolved national Administrations; his point is well made in that respect.

Leonard Cheshire Disability has also expressed a concern to me. Rethink Mental Illness and Mencap have similar concerns. They highlight the important role played by supported housing in helping people affected by mental illness to recover, move on and live independently. They stress the need to think outside departmental silos and to engage with NHS England. It is worth bearing it in mind that a 30-day delayed discharge from a secure ward costs £16,890 and the same delay from an acute setting equates to £13,170. That compares with the cost of the most expensive forms of mental health supported housing, with added support costs, of around £2,000 per month.

Mike Hill (Hartlepool) (Lab): One of the providers in my constituency says that the shortfall in local health authority funding will be around £3.3 million, leaving the most vulnerable people without a roof over their heads. Does the hon. Gentleman agree that that is an intolerable situation for people to be in?

Peter Aldous: I thank the hon. Gentleman for that intervention. It is quite clear from the research I have done that there are significant funding gaps. In fact, the YMCA, which is the largest charitable provider of supported housing for younger people, estimates that under the current arrangements there will be only 65% of the total funding that currently goes towards providing its 10,000 beds, which would leave the YMCA with an estimated £27 million funding gap.

Supported housing also has a vital role to play in ending rough sleeping, as St Mungo's has highlighted in its "Save Hostels Rebuild Lives" report, which was also published last month. The Salvation Army has expressed concern that its 60 Lighthouses across the UK could be put at risk and it is calling on the Government to delay the introduction of any new funding system until 2022.

Yasmin Qureshi (Bolton South East) (Lab): Bolton at Home supports 600 households, as well as providing

[Yasmin Qureshi]

2,500 sheltered places. It says that the extra money it receives is used to provide support, assistance and advice to many elderly people who have a lot to deal with, such as mental health issues. In the long term, providing such housing saves loads of money as well. So, when money is being considered, Bolton at Home would like those things to be taken into account, too.

Peter Aldous: I thank the hon. Member for that intervention; she is illustrating that this is a nationwide problem.

Peter Kyle (Hove) (Lab) *rose—*

Peter Aldous: I am conscious that my colleague to my right, my hon. Friend the Member for Rochford and Southend East (James Duddridge), wishes to intervene. I will allow him to intervene and then I will give way again to the hon. Gentleman.

James Duddridge (Rochford and Southend East) (Con): I thank my hon. Friend for giving way. I wanted to make a narrow point about Estuary Housing Association, as my constituency is affected by it. However, is he aware that, since he started his speech and said that half an hour for this debate was inadequate, about 60 or 70 Members have arrived, chairs have had to be brought in at the back and here on the Conservative Benches I am joined by the hon. Member for Westmorland and Lonsdale (Tim Farron), the leader of the Liberal Democrats, or Labour as we now call them—[*Interruption.*]

Clearly, this issue has brought us all together. Can we say in the strongest possible terms to the Minister that we really need to sort this out, and if it is not sorted out we need to come back to the House and go into a lot more detail in another debate, in which I would like to make a speech in favour of Estuary Housing Association?

Peter Aldous: I thank my hon. Friend for that intervention; his points are well made.

Sir Edward Leigh (in the Chair): Order. I have to say that the hon. Member has now been speaking for more than 15 minutes, so we now have less than 15 minutes left. These Adjournment debates are supposed to be a dialogue between the mover and the Minister, and not just a monologue interrupted by other Back Benchers. I know that the hon. Member will leave plenty of time for the Minister, because it is important that he replies on behalf of the Government.

Peter Aldous: I am grateful, Sir Edward, for that timely advice. I will now move on to my three suggestions for ways forward.

My first proposal is that the Government should give full and serious consideration to adopting the recommendations made by the Communities and Local Government and the Work and Pensions joint Select Committee; it has made its case well. Under the auspices of Lord Best, Housing and Care 21, Riverside, the Home Group and Hanover Housing have analysed data from approximately 43,000 supported housing and older people's tenancies across the UK, and concluded that a supported housing allowance proposal represents a viable and workable approach. Although I recognise that the Government have to study that analysis closely, this proposal could be a sensible way forward.

Secondly, it is important that the Government examine very closely the impact of universal credit on the supported housing sector, particularly as the rollout is due to be ramped up in the next few weeks. Universal credit in its current form is in many respects incompatible with supported housing. The local housing allowance rate was designed for the private rental sector and bears no relation to costs in the supported housing sector. It also introduces levels of variation in funding through the benefits system across the country, which are greater than the variation in costs of delivering supported housing. This could leave parts of the country particularly exposed and it could skew development towards areas with higher funding rather than highest need.

Thirdly, there is a need for the Government to provide a revised timetable for working up the new funding framework with providers, road-testing it, carrying out an impact assessment and then introducing it. The general election has thrown the previous timetable somewhat off course. I anticipate that the Minister will advise us as to when the Government will respond to the consultation that closed in February, and whether they are still intending to introduce the new system on 1 April 2019. An early statement is required to address the concerns I have outlined, which have been echoed all across the Chamber, and to set out a clear direction of travel. It would be helpful to receive some indication as to whether a pilot or a shadow year—as the Under-Secretary of State for the Cabinet Office, my hon. Friend the Member for Romsey and Southampton North (Caroline Nokes), suggested when she was Under-Secretary of State for Work and Pensions—might also be considered.

In conclusion, Sir Edward, I am grateful to you for bearing with me. It is important that we get this matter right, as the lives of many vulnerable members of society depend on it. I acknowledge that this is not a straightforward task, but I sense that, by working together, a partnership of Government, Parliament and the supported housing sector can put in place a long-lasting framework that will provide dignity, peace of mind and hope to residents. They deserve no less.

4.19 pm

The Parliamentary Under-Secretary of State for Communities and Local Government (Mr Marcus Jones): I am grateful, Sir Edward, for the opportunity to speak. It is a pleasure to serve under your chairmanship.

I will begin my response to the debate by thanking my hon. Friend the Member for Waveney (Peter Aldous) for securing this important debate and for granting me the opportunity to outline the significance that the Government attach to supported housing. I know that he has been following the issue extremely closely and has been a great advocate for the sector and the people it supports. The importance of supported housing to right hon. and hon. Members is demonstrated by the number of them here in the Chamber today.

Supported housing plays an invaluable role in our society, helping some of our country's most vulnerable people to live as independently as possible. Supported housing serves as an important lifeline for vulnerable older people, individuals with learning disabilities and physical impairments, those at risk of domestic abuse and many other vulnerable people. It is also an investment—a point made by my hon. Friend the Member for Waveney—that brings savings to other parts of the

public sector, such as health and social care. It is essential, therefore, that we introduce the funding model for supported housing and make sure that it is on a sustainable footing, ensuring that it works for providers, commissioners and vulnerable tenants, as well as for the taxpayer.

Peter Kyle: Will the Minister give way?

Mr Jones: I will make some more progress and then, bearing in mind that I do not have long to respond, I will see how many interventions I can take.

We recognise the value of local strategic planning, partnership working, commissioning and oversight, and we are keen to encourage local government, providers of supported housing and the wider public sector to continue to develop a joined-up, strategic, holistic approach with a greater local focus very much on outcomes, oversight and value for money.

As my hon. Friend the Member for Waveney knows, our consultation on supported housing concluded earlier this year. We welcomed all the responses, of which there was a significant number—592—and we have been careful in taking stock of the views from the sector, local government, other stakeholders and Members of this House. We also welcomed the joint Committee inquiry, and its subsequent report, into the future funding of supported housing, and we have been considering its recommendations. I thank Members who served on that Committee for their work and their input into the process.

Let me assure the House that we have been taking all of this thoughtful and reflective input into account as we continue to develop our plans. This matter is a priority for the Government, and we will announce the next steps shortly—later this autumn. I believe that when those proposals are introduced, they will show that we have listened and have understood the important issues at hand and the important situation. What is at stake is helping and supporting some of the most vulnerable people in our society.

Peter Kyle: I am extremely grateful to the Minister for giving way. I want to place on record how first-rate the opening speech, by the hon. Member for Waveney (Peter Aldous), was. The Minister mentioned sustainable funding. If such funding is set at a very low level, does he not accept what the YMCA, whose supported housing I have visited in my constituency, believes? That organisation believes that reform could lead to a two-thirds reduction in its funding, and that, although it might be secure, it would be completely unsustainable and would lead to destitution for the people who need this kind of supported living the most.

Mr Jones: I entirely agree that we need to ensure that this is a sustainable source of funding, on which the YMCA and many other organisations that provide support and assistance to the most vulnerable in our society can rely to deliver their services. My hon. Friend the Member for Waveney mentioned short-term accommodation, and I will address that very point in a moment.

We want the design of the reformed funding model to be flexible. We also want it to be responsive enough to meet the various demands placed on it by a diverse sector and client base. We have therefore been working closely across Government to understand and consider

the needs of individuals who require long-term supported accommodation, such as people with learning disabilities, physical and sensory disabilities and mental health problems, and disabled older people. That is why we want to commit to supporting the most vulnerable in our society with £400 million of capital funding to deliver new specialist affordable homes, particularly for the elderly and people with learning disabilities.

Several hon. Members rose—

Mr Jones: I will take just two more interventions so that I can then respond to the comments made by my hon. Friend the Member for Waveney.

John Healey (Wentworth and Dearne) (Lab): I am grateful to the Minister. I have counted 53 Members in the Chamber today, not including the Minister and his Parliamentary Private Secretary. That number is unprecedented, in my experience, for a half-hour debate. The Minister talks about the “we” in Government. Will he press that fact, and the concern here in this room, to the Secretary of State for Work and Pensions and the Chancellor? Will he also press the point that the hon. Member for Waveney (Peter Aldous) made, that there is a real job for Parliament, the sector and the Government to find—together—a good solution for the long term? Will he now get the Government to step up to do just that?

Mr Jones: I do not disagree with the right hon. Gentleman’s sentiment, but I can assure him that we are working across government, across the Departments that he mentions, because we want a sustainable funding solution to support the extremely vulnerable groups we all want to see supported in our society.

Kevin Hollinrake (Thirsk and Malton) (Con): I am grateful to the Minister for giving way, and I congratulate my hon. Friend the Member for Waveney on securing the debate and on his excellent opening remarks. Will the Minister confirm that he has read the report from Riverside, which was mentioned earlier, which builds on the Select Committees’ recommendations about a banded scheme and seems to solve the problem without it costing the Government extra money?

Mr Jones: Indeed I have, and I have met Riverside and a whole host of providers in the sector, including last week at the Conservative party conference, where I was involved in a roundtable event held by Reform. Although there were not as many seats around the table as we have here, there was a waiting list, which demonstrates the importance of the issue and of the Government’s getting it right.

I would now like to pick up the points that my hon. Friend the Member for Waveney made. Both he and other Members mentioned the work done by Lord Best and my hon. Friend the Member for Gloucester (Richard Graham), and I have had sight of their proposal, which is about developing a bespoke supported housing allowance. I am most grateful for their recommendations and for the suggestion about maintaining funding from the welfare system and testing and developing a banding system to provide cost controls that reflect the costs of provision in a particular area and for a particular type of supported housing. That is something we are considering very carefully.

Richard Graham: Will the Minister say something about the timing of the Government response?

Mr Jones: I thank my hon. Friend for his question from a sedentary position. In relation to our response to the consultation, the issue of timing is not lost on us and we expect to come forward with further proposals during the autumn.

Mr Betts: Sure.

Mr Jones: I can assure the Chairman of the Select Committee of that.

In relation to the point that my hon. Friend the Member for Waveney made about piloting and further consultations, we will work closely with the sector and listen to what is being said during consultation. There may well be a case for testing proposals in some way, and we expect to set out further details about how we will go about introducing our proposals. What I underline, again, is that we are listening to the sector.

Sir Edward, I think you are going to pull me up very soon for running out of time, so I would just like to reassure right hon. and hon. Members that the Government have considered the consultation very carefully and have considered the proposals—

Motion lapsed (Standing Order No. 10(6)).

Education Funding (South Liverpool)

4.31 pm

Maria Eagle (Garston and Halewood) (Lab): I beg to move,

That this House has considered education funding in south Liverpool.

I am grateful to have obtained this debate about education funding in south Liverpool. I intend to discuss a situation in my part of the Liverpool City Council area and in Halewood, which is in the Garston and Halewood constituency but falls within the Knowsley Metropolitan Borough Council area. Some of my Liverpool and Knowsley colleagues will talk a little about the experience of schools in their bits of south Liverpool, and I welcome the fact that they are here to do so.

In February, I began receiving correspondence from headteachers in my constituency about the dire financial situation they face. I sought to get a broader picture by contacting headteachers to see whether the complaints I was receiving were representative of all or most schools, and it soon became clear to me that the budgetary crunch of which those headteachers complained was a widespread concern for headteachers across my constituency. I have been seeking a meeting with Education Ministers to discuss this since the beginning of March, and I am grateful to say that I was finally granted my half-hour meeting with the Minister earlier today—well over seven months later. It took his Department 10 weeks even to reply to my request for a meeting, which I think is rather too long for an MP to have to wait to see a Minister about an urgent problem, although I am glad to see that he has decided to respond to this debate himself. I welcome him to his place.

Following the Conservative election victory in 2015, the then Chancellor decided to cut the schools budget as part of the never-ending policy of austerity and public expenditure cuts, which he was left with as a result of his failure to meet the Lib Dem-Tory coalition Government's deficit reduction targets, and he duly did so. Despite assurances that core school budgets would be protected, figures showed a planned 8% real-terms reduction in per-pupil spending between 2015 and 2020, and the National Audit Office found that school budgets have been cut by more than £2.7 billion since then. The cost pressures that schools face in addition to those cuts were and are considerable. They include the removal of the education support grant, the introduction of the apprenticeship levy, increases to employer national insurance and pension contributions, the requirement to fund pay awards to staff without additional funds, and the prospect of having to pay for shared services and support services, which local authorities previously provided for free.

Cuts to local authority funding have hit particularly disadvantaged areas such as south Liverpool hard when it comes to shared services and support services for schools, because they have been much larger than those in more affluent parts of the country. Furthermore, the number of pupils who need such services is much higher in areas such as mine. Between 2010 and 2020, Liverpool City Council will have had to face a 68% cut to its available resource, and it still has to find a further £90 million from its already denuded budget over the current spending review period. That is a considerable challenge. Meanwhile, Knowsley's budget will be slashed

by 56% between 2010 and 2020, and it has to find a further £17 million in cuts over the current spending review period. That means that both authorities have been forced either to cut back completely or to charge schools for services and support that used to be provided for free. Unsurprisingly, schools have generally not budgeted for those charges in advance.

On top of those challenges, which were already causing headteachers to worry, there are the Government's changes to the national funding formula. Although they have the stated aim of making funding fairer—I am sure the Minister will explain how they do that when he gets his chance to speak—they seem to disadvantage the vast majority of schools in my constituency.

Dan Carden (Liverpool, Walton) (Lab): I congratulate my hon. Friend on securing this debate. As she is outlining, this is a funding attack on schools not just in south Liverpool, but across our city and beyond. The education unions have calculated that, after the last revision of the funding formula and the extra money announced before recess, my constituency alone will lose £4 million, or £300 per pupil, by 2020. I hope she will push the Minister for a response to that.

Maria Eagle: I will indeed—and I think my hon. Friend has himself just pushed the Minister for a response. I am sure the Minister will want to make some points in reply and set out his understanding of the impact of the national funding formula, which seems not to advantage schools in our area as much as I would like.

Liverpool City Council told me that, according to its calculations, the Garston and Halewood constituency will lose £390 per pupil—a cut of more than £4.5 million between 2015 and 2020—which is not dissimilar to what my hon. Friend said is happening in his area. That is the equivalent of a cut of 125 teaching jobs. The local authority told me that across Liverpool as a whole the loss is £487 per pupil, or a 9% cut overall, and a cut of almost £28.5 million between 2015 and 2020, equivalent to 778 teaching jobs.

The Minister may well say that the revisions that were made to the national funding formula in July and September, with the finding of savings from his Department and the raiding of various capital budgets for £1.3 billion, will make a difference to that, but many of the schools in my constituency have reported to me that they have or are planning to cut teaching and support staff posts. One headteacher of a local primary school, which the Minister's letter tells me will see an increase of 0.9%, told me that

“the current staffing levels are unsustainable due to the differentials between school income and school expenditure on staff... The Governors are currently planning a staffing review to identify how we can reduce staffing costs by making teachers and teaching assistants redundant. We need to lose three teachers by 2019 if we are to manage our school budget without going into deficit. This will mean we will not have a qualified teacher in each class, which by law we must have. We are looking ahead at troubled times in schools.”

That is not the only school to have told me it is planning staffing reductions. One school, which has already seen a significant cut in teaching and support staff and a narrowing of the breadth of its curriculum as a result, is now contemplating further reductions to the curriculum, to pastoral staffing and to the length of the school day and the school week.

Some of my schools have been hit particularly hard, according to Liverpool City Council figures. Springwood Heath Primary School in Allerton is a unique school. It is a mainstream primary with enhanced provision places, which integrates children with significant physical and medical needs into its community. The city council projects that it will lose more than £719 per pupil—a 14% cut. Although that may be ameliorated by the changes to the national funding formula, which the Minister will no doubt tell us about later, it is already losing teachers and support staff, and to lose support staff at Springwood Heath is to put at risk the ability of some pupils to continue to attend because they depend on those support staff, who enable them to attend that mainstream school. That would be a particular concern to me. It might be said, “Well, so you lose a few support staff,” but if those staff are ensuring that severely disabled children can attend a mainstream school, that is more than simply losing support staff; it is losing a richness and quality of education that no other school offers. If the Minister comes to Liverpool, which I invite him to do, I hope he visits Springwood Heath Primary School. Then he could tell me whether in his experience there is another school like it. I am not sure that there is.

Mr George Howarth (Knowsley) (Lab): A few moments ago my hon. Friend made the point that the evidence is that the funding formula adjustments announced in the summer have not really resolved the problems in south Liverpool. As she is aware, my information is that all but three of the schools in Knowsley—so this affects her constituency as well—will have either no change or further reduction to their funding. The sort of situations that she described in that one important school will then be played out across Knowsley, to the detriment of the education of the children concerned.

Maria Eagle: My right hon. Friend is correct. He and I, as representatives of the borough, know that there is an issue of attainment in Knowsley schools. It is a long-standing one, which we continue to try to tackle, as Governments of all stripes have tried to do. It is certainly not ameliorated and improved by taking money away from schools. That will just deepen and worsen the attainment gap that is already there. If that were to happen, it would be a very great worry.

Liverpool City Council figures also tell me that Stockton Wood Primary School in Speke, one of the most deprived wards in the country, will lose £659 per pupil, which is a 13% cut; Garston Church of England Primary School will lose £616 per pupil, a 12% cut; and Childwall Valley Primary School, in Belle Vale, will lose 12% or £671 per pupil.

Lest the Minister believe that only schools in the most deprived wards are being hit, I can tell him that St Julie's Catholic High School in Woolton is facing a £555 per pupil cut, which is a 10% cut, and St Francis Xavier's College—the school that first contacted me to express worries and about which I wrote to his Department in February—is facing a cut of £508 per pupil, or 10%. Given that the school told me at the time that its financial situation was unsustainable and that it has made 13 staff redundant, with a further six posts unfilled, I wonder what the Minister thinks will be the impact on it of the revision to the national funding formula. The revised figures from the National Education Union suggest that SFX will still lose 5% per pupil. His letter

[*Maria Eagle*]

tells me that the school will have an increase, but since the new figures were produced no one has told me—certainly not the headteacher, to whom I have spoken—that it will be able to avoid painful decisions about what to do in respect of its provision.

I note that the Minister sent me a letter—as I am sure he did to many other Members—dated 14 September about the impact of his revisions to the national funding formula on schools in my constituency. For the life of me, I cannot work out how he has come to the conclusion that he came to, which is that every school on the list will have an increase in its funding. The Minister's letter refers to “illustrative figures”, stressing that they are “not actual allocations”, which might provide some clue as to what is going on. There is also an assumption that the new formula is being implemented in full this financial year, without any transition. The baseline figure is from a year subsequent to the one in which the £2.7 billion cuts were implemented, so it is not clear how realistic the figures produced are. All that sounds like a way of saying that the table the Minister has produced contains fantasy figures that bear no relation to what is happening, and that those figures are all mysteriously going up, even though schools and headteachers still tell me that they are facing budget shortfalls that necessitate their cutting teachers and having to consider other painful decisions in order to balance their budgets.

The National Education Union has revised its own list of the impact of the new funding formula to take into account the extra, recycled £1.3 billion of Department for Education money that the Secretary of State announced in July she had found and expanded upon in her statement in September. The NEU figures at least have the merit of setting out their methodology in full: based on the core schools budget, which represents 75% of school spending, and using block funding allocations for 2015-16 as the baseline, the NEU figures compare the 2019-20 amounts for schools in the Government's NFF document, apply the Office for Budget Responsibility estimate for inflation, and take pupil numbers from the most up-to-date school census. On that basis, 29 of the 31 schools in my constituency lose out, some seeing a cut of up to 12% and many of those with the highest number of pupils receiving free school meals losing the most.

To my mind, that is one of the most pernicious effects of the Government's new way of funding schools. How can it be right that Middlefield Community Primary School, where 68% of pupils are entitled to free school meals, is set to lose £558 per pupil, a cut of 10%, and that even Enterprise South Liverpool Academy, where 81% of pupils are entitled to free school meals, is losing £61 per pupil, a cut of 1%? I do not call that fair funding; I call that hitting the most deprived communities the hardest.

Providing a good and rounded education for all citizens is one of our society's greatest benefits and achievements. It also has the merit of being a great leveller, enabling people to make their way in life, to succeed and to make the most effective contribution they possibly can to our society, no matter what the circumstances of their birth. I want all my constituents to be able to benefit from an excellent education. That must start, however, by enabling those born with disadvantages to overcome them and to flourish.

In many of the schools I visit in my constituency, I see teachers and staff striving to deliver those life chances to children and young people who face significant barriers to learning. However, I increasingly see disadvantage being reinforced rather than eliminated. That is being exacerbated by the policies being implemented by this Government. In the Knowsley Metropolitan Borough Council area no academic A-level provision is now available—none. That has happened because of funding arrangements that effectively require the same density of pupils who want to study academic A-levels in the most deprived areas as in the most affluent, when in reality there are likely to be fewer, at least until the attainment gap is closed, which in practice has proven stubbornly difficult to achieve.

Last year the last sixth form providing academic A-levels in the borough—Halewood Academy in my constituency—was closed because the school could not attract enough pupils to make it pay at a time when the forced academisation of the school meant that it had to balance its budget. I do not blame the headteacher or the governors for what happened, and I am glad that the academic achievements of the school improved this year—including, ironically, at A-level—but it is not right to make it harder for pupils from deprived areas to get easy access, in their local communities, to the opportunities that studying A-level subjects provide.

The barriers to success are already formidable, without making pupils travel out of area when they are less able to do so because of their families' financial circumstances. In addition, I do not think it right that multi-academy trusts, all based and run from outside Knowsley MBC's area, should be able in effect to choose which local pupils they wish to offer opportunities to with no accountability to local communities.

Mr Howarth: My hon. Friend is generous in giving way again. She, my hon. Friend the Member for St Helens South and Whiston (Ms Rimmer) and I have been pressing the Government to provide support for sixth-form A-level provision in the borough. Does she agree that if we do not get that, the effect on other secondary schools will also be detrimental?

Maria Eagle: I believe it will be—my right hon. Friend is correct. That is essential. I hope that we can make a difference and that the Government will come through to help us get academic A-level provision back in the borough, because if that does not happen, in due course—this will not take long—young families will not locate themselves in Knowsley. They will not think it is a place to bring up their kids unless there is a good chance of their staying in a school all the way through to do their A-levels and to go on to university from there.

Where is the accountability to local parents and communities in the existing arrangement? Knowsley no longer has any community secondary schools and all the academies are controlled by different MATs, all based outside the borough. The local council still has the obligation to provide for education in its area, but it has no levers whatever to pull to affect the provision, except for persuasion. The multi-academy trusts are all controlled elsewhere and will make decisions based on factors that may or may not matter to Knowsley communities but will certainly relate to the financial circumstances of their own organisations. In addition,

when the council controlled schools, local people could vote out their councillors if they did not like developments. Now, there is no way for them to affect provision. The MATs have no accountability to the communities whose future they influence so greatly.

I worry that the school provision and funding structure developed by the Government can soon go wrong in areas where there is an attainment issue and can be hard to put right. I worry that provision is now being determined by financial considerations above all else. Communities such as those in my constituency need greater local provision to enable everyone to reach their potential, but that provision is in retreat. I worry that the phenomenon of the loss of sixth forms and academic A-level provision in Knowsley could continue to spread, and that young people soon will have less chance to go down that route if they do not live in a more affluent area that can easily meet the increasingly high numbers of pupils needed to provide academic A-levels.

I would like the Minister to assure me that he is aware of those problems and is determined to reverse those trends, so that young people from the communities of south Liverpool have no fewer chances to reach their potential than those who come from more advantaged areas. If he cannot do so, our education system will have lost one of its great features: the ability to facilitate social mobility and life chances for those whose family circumstances may not give them such opportunities. We will all be poorer for that.

4.51 pm

Stephen Twigg (Liverpool, West Derby) (Lab/Co-op): I congratulate my hon. Friend the Member for Garston and Halewood (Maria Eagle) on her excellent and powerful speech and on bringing this important issue to the House. I echo what she said about the risks to schools in Liverpool. On Saturday, we had a demonstration against school cuts in Liverpool, organised by Liverpool City Council cabinet member Nick Small, at which the shadow Secretary of State for Education, my hon. Friend the Member for Ashton-under-Lyne (Angela Rayner), spoke. The support there demonstrated the powerful sense in Liverpool that education is a priority for communities and families and that there is real concern about the impact of the proposed funding formula on Liverpool schools.

Let me talk about some of the schools in my constituency. According to schoolcuts.org, Croxteth Community Primary School stands to lose more than £100,000—£381 per pupil. Monksdown Primary School in Norris Green stands to lose £354 per pupil. St Edward's College, the alma mater of my hon. Friend the Member for Liverpool, Walton (Dan Carden), stands to lose more than £200,000. St John Bosco, a fantastic school in Croxteth, which the Minister visited with me a few years ago, stands to lose more than £200,000. It is vital that factors such as deprivation, pupil mobility and prior attainment are given due weight when a national funding formula is devised. If they are not, schools in communities such as the one that my hon. Friend the Member for Garston and Halewood and I serve in Liverpool risk losing out, which may set back the work that those schools do to improve standards.

Let me raise a separate issue, which has been raised before in this Chamber: the future of our nursery schools. Nursery schools play a critical role in early years. I am

proud to have two nursery schools in constituency: East Prescott Road and Ellergreen. They are both rated outstanding by Ofsted, as are the majority of nursery schools across the country. Last month, a Sutton Trust report stated that the Government were too focused on providing quantity over quality in early years, and that social mobility will not improve because things are being implemented at the expense of quality early years education for the most disadvantaged. Nursery schools are the very best of that quality early years education. I hope that the Minister will update us on the Government's plans for the funding of nursery schools, because that is an important part of the picture, alongside the issues that my hon. Friend rightly raised about the impact of the national funding formula.

Finally, funding is crucial, but high levels of funding—although necessary—are not sufficient to deliver improvement. That is why schools, the local authority and others in Liverpool have come together to launch the Liverpool promise, which is about how we can collaborate to raise standards. An ambition of the Liverpool promise is to provide world-class education and to improve rapidly against national performance indicators. We know, Liverpool schools know and the local authority knows that we need further improvement. A lot of work needs to be done. If we are to deliver that improvement, we need to share best practice and collaborate, and we need to understand why some schools do better than others in the basics of literacy and numeracy. That shared learning and collaboration is at the heart of why we launched the Liverpool promise.

None of us would ever argue that funding is the only solution to the challenges in our education system, but I absolutely concur with my hon. Friend's powerful point that we need reliability of funding to ensure that schools across Liverpool and, indeed, other core cities are equipped to meet future challenges. I ask the Minister to give some reassurance that the factors that I have described—deprivation, pupil mobility and prior attainment—will feature in the finally agreed funding formula. If they are given due weight, the funding formula may not have the impact on Liverpool schools that we fear it will if it remains as proposed.

4.56 pm

Mrs Louise Ellman (Liverpool, Riverside) (Lab/Co-op): I congratulate my hon. Friend the Member for Garston and Halewood (Maria Eagle) on securing this debate, and on her excellent speech. There is such a widespread onslaught on public services that it is often difficult to know which area to focus on, but it is very important that we look at education, because it is about giving young people opportunities. It matters particularly in areas of high deprivation, some of which are in my constituency.

The picture that my hon. Friend painted is reflected in my constituency, where the whole sector—nurseries, primary schools, secondary schools and the City of Liverpool College—is suffering in the same way. It is a great reflection of the ability and commitment of Liverpool City Council that, despite a 68% cut in its overall funding, it has managed to protect some of the education sector. For example, all the nursery schools have been protected, the council is running an extensive and important reading programme, and when the Government cut their building programme, the council raised its own funds to build and expand

[Mrs Louise Ellman]

schools. Indeed, only last week, I was in an extension to Bellerive FCJ Catholic College, where excellent work is being done.

I would like to add my concerns about the impact of the national funding formula on schools in my constituency. The Government claimed originally that the formula meant that areas such as Liverpool would not lose out, and that it was all about giving more help to more deprived areas. That fallacy was exposed, and the Government had to look again at the situation. Although the new formula that they have brought forward is certainly not as bad as the previous one, it does not solve the problems. Indeed, at this very moment, Liverpool City Council is analysing what it really means.

The figures that have been put forward will mean cuts in many schools, and the extent of those cuts are still being looked at. The figures that were advocated and that are now proposed are in fact for only two years; we simply do not know what will happen beyond those two years. Money will be sent away from Liverpool to more prosperous areas of the country, and the money to deal with that will come from existing budgets, including the capital budget and others that have not yet been defined. We simply do not know what impact the formula will have on Liverpool's schools, but we suspect that it will mean even more cuts.

We have had enough cuts in education; we do not want more. Education is about giving people the best chance for the future. I call on the Minister to spell out clearly what the national funding formula will mean for Liverpool's schools, including those in my constituency, and to give a commitment that there will be no real-terms funding cuts to essential education services. We owe that to the young people in our areas.

4.59 pm

Luciana Berger (Liverpool, Wavertree) (Lab/Co-op): It is a pleasure to serve under your chairmanship, Sir Edward. I congratulate my hon. Friend the Member for Garston and Halewood (Maria Eagle) on securing this important debate and setting out all the issues that our constituents face. I do not believe there is any issue more vital to the future of children in south Liverpool and constituencies such as mine than the quality of their education.

I hope we all understand that a good education, delivered by professional teachers and support staff in a safe, nurturing environment, is the key to future success and fulfilment. Education builds the ladder out of poverty and disadvantage. It provides the doorway to job opportunities, further education and training, and it is the window to a world of opportunities. The Prime Minister talks about a British dream in which each generation does better than the last; surely a decent education is vital to that, so why in our constituencies in south Liverpool is the ladder being pulled up?

In preparing for the debate, I spoke to all my primary and secondary schools about their experiences, and it is fair to say that I was deluged by responses. I visit all my schools weekly, but I was keen to get a snapshot of their current experience. The picture painted for me was alarming and distressing. I want to reflect on the responses I received from the leaders, the headteachers in my constituency. One primary school head wrote:

"My overriding concern talking to colleagues is that the education system is at breaking point. On an increasing number of occasions, it feels like we are the 'last man standing' when it comes to dealing with ever more complex social issues. I worry greatly that the whole system is in danger of collapse in the near future."

Another primary head said:

"We are continually having additional services placed as the responsibility of the school with no extra funding or staff to oversee this...The teaching profession is at an all-time low."

A third headteacher—this time of a secondary school—said:

"My school has been through two restructurings in recent years as a direct result of real-term budget cuts: in 2015 when 12 posts were cut and in 2017 when three posts were cut. We have had to cut both teaching posts and pastoral posts. We have one part-time counsellor in school whereas previously we had two. It is fair to say that we have no further capacity for reducing the number of teachers or the number of support staff without significantly compromising the education of the young people."

Reflecting on all those contributions—I have many more—I find them to be incredibly stark representations, particularly on World Mental Health Day.

Our schools are contending with increased numbers of children who are suffering from mental health conditions. We heard from the Children's Commissioner only yesterday about the experience of our young people. Our schools are really struggling. Many of us here attended a meeting of the Liverpool Association of Secondary Headteachers to hear at first hand their collective experience of trying to do the best by their students, but struggling to ensure that they are cared for and looked after. That is surely the point: the cuts are harming our children's education in real and significant ways.

I will reflect briefly on points raised by two of my schools, one primary and one secondary, about the impact of the cuts so far—I am not touching on the cuts to come—on both the breadth of curriculum and the experience of our young people. One of my primary schools has had to cut support staff hours to basic levels, which has impacted on the availability of after-school clubs and is having a significant impact on the variety of opportunities and the curriculum for our young people. Music lessons have been cut for years 5 and 6. We often talk in the House about the value of creative education and music, but in my primary schools, that provision is being cut altogether. A native French speaker who supported children in years 3 to 6 with weekly lessons has also been cut. It is all very well teaching French, but we all benefit from hearing from someone who speaks it as their native language.

One of my secondary schools has cut four A-levels, one of which is computing. As a woman who is a keen advocate for improving access to science, technology, engineering and maths, I find that disheartening. I do not have the other subjects in front of me; I am sure they are equally important, but I am particularly concerned about computing. Equally, there has been a cut in posts at that school, which is one of the best secondary schools in the country. I will not name it—I gave my schools the opportunity to speak openly, but they were concerned that their representations might affect them in the future if they were named—but it has had to cut 4.5 teachers since 2015, impacting on young people's education.

We have heard many representations about the impact of the Government's plans and the proposed cuts to education, which in Liverpool will equate to £28 million.

That is £488 per student. I will not run through the cuts to each of my schools, but they are significant and very, very worrying. As my hon. Friend the Member for Garston and Halewood outlined, those figures do not include the cuts to our local authority, which have been significant and had a massive impact on the additional services that we know make a difference, particularly in supporting schools in our area. In total, just under 4,000 primary schoolchildren in Liverpool are being taught in large classes of over 30, which is a rise of 60% since 2011. I could refer to many other elements.

That is the real picture of education in Britain today. We are seeing growing class sizes, fewer teachers, and fewer subjects on offer at A-level. Also, we are not seeing the right equipment in schools. Unbelievably, one school essentially had to sell all its sensory room equipment because it needed to raise funds. We are seeing more children taught by unqualified teachers, often—I pointed to the figures—in packed classrooms. That is what has happened to date; going forward, the national funding formula will take even more money away from the schools that need it the most—our schools are in constituencies with some of the highest levels of deprivation in the country. That is the essence of the debate.

We have seen the human cost of other Government policies in our constituencies. The bedroom tax comes to mind, and we are discussing universal credit at the moment. The national funding formula has the potential to be the latest addition to that list. We have only one chance to educate our children. My message to the Minister is: it is not too late to listen to the teachers, parents and children in our constituencies, and think again to ensure that all children in our area—and across the country—have the opportunities that will serve them well into the future.

5.7 pm

Mike Kane (Wythenshawe and Sale East) (Lab): It is a pleasure to serve under your chairmanship, Sir Edward. I congratulate my hon. Friend the Member for Garston and Halewood (Maria Eagle) on securing this timely debate and standing up for schools in Liverpool. If the Minister feels uncomfortable about the number of Labour MPs facing him, he should remember that I am a Mancunian and so just as uncomfortable.

My hon. Friend spoke eloquently about the problems facing not just south Liverpool but all schools. I also want to congratulate my hon. Friend the Member for Liverpool, West Derby (Stephen Twigg) on his excellent speech. Sir Michael Wilshaw, the former chief inspector, talked about politicians standing up for schools in their area and raising standards, and my hon. Friend has admirably led the “Liverpool challenge” over the past couple of years by chairing that.

My hon. Friend the Member for Liverpool, Riverside (Mrs Ellman) spoke passionately about education being children’s best chance in life. Those of us who represent working-class constituencies like we do know that it is the only silver bullet for advancement there is. If we deny children that, we are all worse off for it. My hon. Friend the Member for Liverpool, Wavertree (Luciana Berger) talked about testimony after testimony from school after school and the impact that cuts are having. She has led in the House admirably on issues around mental health; nobody has done more on that.

There was an intervention from my right hon. Friend the Member for Knowsley (Mr Howarth), who stood up for schools in Knowsley and its A-level provision, which is a long-running sore that was also mentioned by my hon. Friend the Member for Garston and Halewood. We want to see that addressed. There was also an intervention from the Member for Anfield—sorry, my hon. Friend the Member for Liverpool, Walton (Dan Carden). I will be keeping half an eye on the game on Saturday, even though I come from the blue half of Manchester. I welcome him to his place and also welcome his intervention.

There has been a huge, high-profile campaign by parents, trade unions, teachers and support staff to ensure that our schools are properly funded, yet the Secretary of State has made another concession on the Government’s school funding policy and found £1.3 billion over the next two years from other parts of the Department’s education budget, because unfortunately she lost her fight with the Chancellor. However, schools, teachers, parents and pupils have yet to crack open the champagne. With the Secretary of State having sneaked out her backtrack the day before recess, we have now had the opportunity to examine the detail of her announcement. The £1.3 billion that she announced is nowhere near enough to reverse the £2.8 billion of cuts that schools have suffered since 2015, and the cuts that they are having to implement now because the Government keep pushing back the funding formula and the announcement on the new budget. We also know that none of the money announced so far is actually new money for education. Will the Minister therefore confirm today, in the interests of transparency and accountability, where he plans to cut funding from other areas to fill the black hole that the Secretary of State created just before the recess?

The overall level of education funding is totally inadequate, as has been marvellously and articulately explained by Opposition Members. The devastating cuts to our schools, sixth forms and colleges just carry on and on, and the impact of the real-terms cuts to funding are there for all to see. Schools are having to cut subjects. Children are being taught in super-sized classes. Schools are cutting staff at a time when they are facing a teacher recruitment crisis, with more than 24,000 unqualified teachers working in our state sector since the right hon. Member for Surrey Heath (Michael Gove), the former Education Secretary, stopped the rule that school teachers must be qualified. We now require qualified teachers only across the local education authority system, not in free schools and the multi-academy trusts. Schools also have to support vulnerable children, as pointed out by my hon. Friend the Member for Liverpool, Wavertree, and there is not enough special educational needs provision. The strain is there to see.

There are two issues I will push on: the teacher recruitment and retention crisis, and the impact of the cuts on class sizes. It is widely accepted that falling pay levels and increased workload pressures for teachers have been causing problems in teacher recruitment and retention, and school cuts are making matters worse. The National Audit Office, for instance, has found that teacher recruitment is not keeping up. Teacher shortages are reaching crisis point, and the subjects that are vital to our country’s future, such as science and computing, are hardest hit.

[Mike Kane]

What is interesting about the statistics—I will speak more about this on behalf of the shadow education team over the autumn—is that the Government have taken 10,000 to 15,000 teaching posts out of the system since 2010, yet we are still failing to recruit enough teachers. What does that say for the management of the system? As a former teacher, I know that there is no greater investment that Government can make in education than investment in the quality of the teaching. Up to 14,000 classrooms could be without a permanent teacher in this academic year, affecting around 300,000 pupils nationally. Let me get the statistics right: vacant teaching posts have increased by 24% over the past two years, with 9% more teaching vacancies this September than in the same month in 2016. Two thirds of teachers are looking to leave their current role within the next three years. Since 2011—on this Government's watch—one quarter to one third of all teachers have left the profession since training.

Behind every good teacher is a network of teaching assistants, support staff, assistants, lunchtime organisers and more. They make the school run smoothly, giving teachers space and time for their pupils and lessons. However, the cuts that are ravaging education budgets have seen vital school support posts axed. The Minister might not value these jobs, but we know that parents and teachers do. How can schools provide a safe and secure environment for their children, prevent truancy and deal with pupil behaviour challenges with reduced staff numbers?

We have also seen the impact on class sizes. The first real-terms cuts to school budgets in a generation and reductions in teaching staff mean that pupils are being taught in super-sized classes. Analysis of overcrowding in English primary schools has revealed that more than half a million pupils are being taught in super-sized classes. The mounting pressure on school places is now starting to hit secondary schools, with figures showing an increase in the number of pupils in very large classes in the last year. The Local Government Association has shown that half of councils in England are at risk of being unable to meet the increasing demand for secondary school places within the next five years, and the Government are doing precious little about it.

The south-east and the north-west are two of the worst-hit areas, with the latest figures showing more than 90,000 primary school pupils in classes of more than 30. The number of infant schoolchildren between five and seven years of age in classes of more than 30 has almost trebled since 2010. This situation is unsustainable. If the Minister really wants to give every child the education they deserve, he needs to ensure that children are not being crammed into super-sized classes.

Our key education unions have done a magnificent job in highlighting the cuts to every school up and down the country—that has been credited with causing 750,000 people to switch their votes at the last general election. They have set out five tests for what is required for a fair funding settlement. The fact is that the Minister has failed on every one of them. School cuts have not been reversed; some 88% of schools still face real-terms budget cuts. There is no new money in the education budget, and we are yet to discover where the shortfalls will occur within the Department. High needs, early

years and post-16 education will not, as promised, be fairly funded under the new proposals. The Minister has made no long-term funding commitments, so schools are still in limbo. What happens beyond 2020? When can our schools expect the information they need about longer-term funding, so that they can plan their budgets effectively? Yet again, historic underfunding for our schools is not being addressed.

Attainment has been pointed out already. If we draw a line from the Humber estuary to the Mersey estuary, the number of kids living above it on free schools meal achieving five good GCSEs is 34%. If we look at where Labour invested—right here in the capital city, with the London Challenge—50% of kids on free school meals achieve five good GCSEs. The budget cuts are damning everybody with the same outcomes. There are more than half a million children crammed in super-sized classes and more than 24,000 unqualified teachers in schools, up 52% from 2012. While I of course support the principle that schools should receive fair funding, the answer is not to take money away from existing schools and redistribute it when budgets in other areas are being cut. There should be fairness in the funding formula, but there is nothing fair about a proposal under which funding will be cut from high-performing schools in deprived areas. The solution is to invest in education, to help every child receive an excellent education.

5.17 pm

The Minister for School Standards (Nick Gibb): It is a pleasure to serve under your chairmanship once again, Sir Edward. I congratulate the hon. Member for Garston and Halewood (Maria Eagle) on securing this important debate. As she said, we recently met to discuss in detail the funding position of schools in her constituency, and I welcome this opportunity to continue that discussion.

Debating this issue is welcome at a time when the Government have recently announced an increase in school funding, as well as the details of the historic new national funding formula. The Government want to ensure that all children, regardless of where they live, receive a world-class education. Over the past seven years, we have made significant progress: more schools than ever before are rated by Ofsted as good or outstanding, and the attainment gap between those from advantaged and disadvantaged backgrounds is beginning to close.

That progress has been made despite an unfair national funding system that has failed to take account of significant changes in the challenges faced by schools in different parts of the country. For too long, the unfair distribution of funding between schools has acted, I believe, as a brake on the progress they have been able to make. That is why it is so important that we are delivering on our promise to reform the unfair, opaque and outdated school and high-needs funding systems and introduce a national funding formula.

Mr Howarth: I think it is agreed on both sides that the existing funding formula is unfair. Part of the case that my hon. Friend the Member for Garston and Halewood (Maria Eagle) and I have made is that the recent adjustments somehow succeeded in making it even more unfair for some schools. That does not seem to be a sensible way to deal with this.

Nick Gibb: Under the recent adjustments, according to the national funding formula, all schools will gain funding: no school will lose money or face a cut in funding, despite what has been claimed by the National Education Union, and despite what hon. Members have said during the debate. In fact, funding for schools across Knowsley will increase on average by 7.1%. I did not hear the right hon. Gentleman mention that in either of his interventions.

Mrs Ellman: Will the Minister give way?

Nick Gibb: I will not give way because there is a very short amount of time left, but I will come to the hon. Lady's comments shortly.

It cannot be right that local authorities with similar needs and characteristics receive very different levels of funding from central Government. Across the country, schools teaching children with the same needs get markedly different amounts of money for no good reason. At the heart of the problem is the fact that the data used to allocate funding to local authorities are over a decade out of date, leading to manifest unfairness in how funding is distributed. This year, Nottingham, for example, will receive £555 more per pupil than Halton, despite having equal proportions of pupils eligible for free school meals.

Funding for each area has been determined by simply rolling forward the previous year's allocation, adjusting only for changes in the total number of pupils in each area and ignoring everything else. The proportion of secondary pupils eligible for free school meals in London, for example, fell from 22.4% in 2007 to 17% in 2017, compared with a decline nationally from 13.1% to 12.9%, but the funding system has paid no attention to that significant shift. That is not a rational, fair or efficient system for distributing money to our schools.

That is why the Government are reforming the existing system with the introduction of a national funding formula for schools and high needs. Informed by the consultation that we undertook, with 26,000 responses, we will introduce a national funding formula from April 2018, ending the current unfair postcode lottery system. For the first time, the funding system will deliver resources on a consistent and transparent basis, right across the country, reflecting local needs.

Last month, we published full details of both the school and high-needs national funding formulae and the impact they will have for every local authority. We have also published notional school-level allocations showing what each school would attract through the formula. It means that everyone can see what the national funding formula will mean for them and understand why. It is notional because we are taking the national funding formula as though it had been fully implemented in this financial year, 2017 to 2018, so that people and schools can see what the effects of that formula would be on their schools with those particular pupils this year. It is a very effective way of describing what will happen under the formula. The actual funding will depend on the actual pupils at that school next year, and we will make announcements nearer the time in the usual way.

To provide stability for schools through the transition to the national funding formula, for the next two years local authorities will continue to set their own local formulae in consultation with local schools and the

schools forum. That element of flexibility will allow them to respond to changes as they come through and take account of local issues.

As well as a fairer distribution of funding, the total quantum available is also important. We want schools to have the resources they need to deliver a world-class education for their pupils. We understand that, just like other public services, schools are facing cost pressures. In recognition of those facts, the Secretary of State announced in July an additional £1.3 billion for schools and high needs across 2018-19 and 2019-20, in addition to the funding confirmed at the 2015 spending review.

The additional funding will be distributed across the next two years as we implement the national funding formula. Core funding for schools and high needs will rise from nearly £41 billion this financial year—itsself a record high in school funding—to £42.4 billion in 2018-19 and to £43.5 billion in 2019-20. Overall, that means that the total schools budget will increase by over 6% between this year and 2019-20. That will mean that funding per pupil for schools and high needs will now be maintained in real terms for the remaining two years of the spending review.

The additional funding that we have announced means that we can provide a cash increase in respect of every school and every local authority area from April 2018. In the hon. Member for Garston and Halewood's constituency, once the new formula is implemented in full, there will be an extra £1.3 million for block funding—an increase of 2.4%. Belle Vale Community Primary School will not face a cut in funding; it will have a 3% increase. Enterprise South Liverpool Academy will not face a cut in spending; it will have a 5.2% increase of £179,000. Gateacre School will not face a cut; it will have a 3.5% increase. Halewood Academy will not face a cut; it will have an 8.2% increase. Middlefield Community Primary School will have a 1.2% increase. St Francis Xavier's College will have a 1% increase and Yew Tree Community Primary School will have a 5% increase in funding. None of the schools that I have not mentioned in the hon. Lady's constituency will lose money; they will all gain about 1% or more.

The hon. Member for Liverpool, Walton (Dan Carden) said that there will be cuts of £390 per pupil. In fact, in his constituency there will be a £1.1 million increase in funding, equal to 1.6%.

Dan Carden: Will the Minister give way?

Nick Gibb: I will not give way, because we are very short of time now. As I said, across the hon. Member for Garston and Halewood's constituency there will be a £3 million increase in funding. The hon. Member for Liverpool, West Derby (Stephen Twigg) talked about cuts to funding in his schools. Croxteth Community Primary School will gain a 0.9% increase; Monksdown Primary, a 0.9% increase; St Edward's College, a 1% increase; and St John Bosco Arts College—I enjoyed visiting that school—a 0.9% increase.

I can confirm that deprivation, mobility and low prior attainment are very significant factors in the funding formula. That is something that the Secretary of State was determined to have in the formula that we consulted on. Funding will increase by £0.6 million in schools in the constituency of the hon. Member for Liverpool, Riverside (Mrs Ellman)—some 1.2% according to the national funding formula.

[Nick Gibb]

The extra £1.3 billion that we are investing means we will be able to go over and above our manifesto commitment that no school should lose funding as a result of the introduction of the national funding formula. Now, every school will attract at least 0.5% more per pupil in 2018-19 and 1% more in 2019-20. That change will have a particularly positive impact in Garston and Halewood: 23 of the 32 schools will gain through the formula as a result of the decision to raise the funding floor. I trust that the hon. Member for Garston and Halewood will welcome those changes when she has a chance to consider them more reflectively.

Following the strong representations that we received during the consultation, the formula will also provide all secondary schools with minimum per-pupil funding of £4,800 in 2019-20 and all primary schools with £3,500. In 2018-19, as a step towards those minimum funding levels, secondary schools will attract at least £4,600 and primary schools will attract £3,300. That new minimum level will recognise the challenges of the very lowest funded schools, including 14 schools across Liverpool. The changes delivered by the national funding formula will mean both Liverpool and Knowsley will be among the 10 highest-funded local authorities per pupil outside London.

We are particularly focused on supporting children who face the greatest barriers to success. That is why we are also committed to reforming the funding for children and young people with high and special needs. We are finally moving towards a more rational basis for distributing funding for children and young people with high needs, taking into account an up-to-date assessment of the level of need in each area.

The additional investment we are putting in means that every local authority will see a minimum increase in high needs funding of 0.5% in 2018-19 and 1% in 2019-20, but for south Liverpool, a fair allocation of

resources means an even more significant increase in funding. Once our formula is implemented in full, Liverpool will see an increase of 17.1%, compared with their planned high needs spending in 2017-18, with Knowsley gaining 4.5%.

Moving towards this full formula allocation, local authorities will receive up to 3% per head gains a year for the next two years. As important as the fair allocation of funding is how that funding is used in practice. We are committed to helping schools improve outcomes for pupils and to promote social mobility by ensuring that they get the best value from all their resources.

In conclusion, I thank the hon. Member for Garston and Halewood and other Members from the Liverpool area for taking part in this important debate. The Government will continue to support England's schools by providing more funding than ever before, by making sure that that funding is distributed fairly and to where it is needed most and by helping schools to achieve more with that funding. That will help schools to sustain and improve the rapid progress our children and young people are making under this Government.

Introducing fair funding is an historic and necessary reform—one that previous Governments have avoided for too long. Thanks to the commitment of this Government to addressing issues of unfairness in our society, for the first time we have a clear and transparent system that matches funding to children's needs and the needs of the schools that they attend. It will help all schools to deliver the high-quality education that their pupils deserve and it will ensure that all pupils are able to fulfil their potential.

Question put and agreed to.

Resolved,

That this House has considered education funding in south Liverpool.

5.29 pm

Sitting adjourned.

Written Statements

Tuesday 10 October 2017

TREASURY

Double Taxation Convention: UK and Belarus

The Financial Secretary to the Treasury (Mel Stride): A Double Taxation Convention with Belarus was signed on 26 September 2017. The text of the convention has been deposited in the Libraries of both Houses and has been made available on HM Revenue and Customs' pages of the gov.uk website. The text will be scheduled to a draft Order in Council and laid before the House of Commons in due course.

[HCWS150]

ECOFIN and Informal ECOFIN

The Chief Secretary to the Treasury (Elizabeth Truss): A meeting of the Economic and Financial Affairs Council (ECOFIN) will be held in Luxembourg on 10 October. EU Finance Ministers will discuss the following items:
Early morning session

The Eurogroup President will brief Ministers on the outcomes of the 9 October meeting of the Eurogroup, and Ministers will discuss the current economic situation. Ministers will also discuss the European Commission's use of discretion in assessing member states' compliance with the preventive arm of the Stability and Growth Pact (SGP).

Current financial service legislative proposals

The Council presidency will provide an update on current legislative proposals in the field of financial services.

Definitive VAT system

The Commission will present their proposals for a definitive VAT system and the creation of a 'single EU VAT area'.

European semester 2017

The Council will exchange views on a report evaluating the 2017 European semester process and reflect on lessons learnt.

Preparation of the G20 meeting of Finance Ministers and Central Bank Governors and of the IMF annual meetings between 12 and 15 October in Washington

Ministers will agree the EU's G20 terms of reference and International Monetary and Financial Committee (IMFC) statement, ahead of the annual meetings in Washington.

Climate finance for COP23

The Council will agree Council conclusions on climate finance in preparation for the COP23 UN climate change conference in November.

Digital taxation

The Commission will present its communication of 21 September on 'a fair and efficient tax system in the EU for the digital single market'. As well as input from the presidency, the Commission will also provide a follow-up to the Tallinn digital summit that was held on 29 September.

Implementation of financial services legislation

Ministers will receive an update from the Commission on implementation of existing financial services legislation.

An informal meeting of The Economic and Financial Affairs Council was held in Tallinn on 15-16 September 2017. The UK was represented by my right hon. Friend the Chancellor of the Exchequer (Philip Hammond). EU Finance Ministers discussed the following items:

Working lunch—deepening the economic and monetary union (EMU) and maximising the effectiveness of EU finances

Based on the European Commission reflection papers, Ministers discussed the interlinkages between future development of the economic and monetary union and the framework on EU finances.

Working session I

Ministers were joined by Central Bank Governors for the first Working Session. Two items were discussed.

(a) Deepening of the EMU: interaction of rules and institutions

Ministers and Central Bank Governors discussed the implications of the deepening of the economic and monetary union for the EU's economic and fiscal policy framework.

(b) Capital markets union: Technological Innovation and Financial Regulation (FinTech)

Ministers and Central Bank Governors then focused on the implications of intensified technological innovations to the functioning, development and stability of banking and capital markets. The discussion drew on analysis by Bruegel and included participation from the European Parliament, the European Central Bank, the Commission, and the European Securities and Markets Authority.

Working session II

a) Corporate taxation challenges of the digital economy

Following a presentation by the Estonian presidency, Ministers discussed how to modernise the corporate income tax rules in a way that would take in to account the new business modes using digital technology. Commissioner Dombrovskis and José Ángel Gurría (Secretary-General of the OECD) also contributed to the discussion to set out their respective positions.

b) Cost efficiency and sustainability of customs IT systems

Ministers discussed the governance reform of the customs union, particularly considering customs IT infrastructure that would assure the sustainable and cost efficient electronic systems worthy of a digital single market. This builds on previous discussions regarding the development of an EU customs IT strategy and looks to proposals for a centrally developed customs IT system to be rolled out across Europe from 2025.

[HCWS149]

DEFENCE

Royal Air Force Battle Honours

The Minister of State, Ministry of Defence (Mark Lancaster): My right hon. Friend The Minister in the House of Lords (The right hon. The Earl Howe PC) has made the following written statement:

I am today announcing that Her Majesty The Queen has been graciously pleased to approve the award of Battle Honours to squadrons of Her Majesty's Royal Air Force, for their participation in Operation TELIC during the period 1 May 2003 to 22 May 2011, Operation DEFERENCE during the period 22 February 2011 to 27 February 2011 and Operation ELLAMY during the period 19 March 2011 to 31 October 2011.

Battle Honours may be "awarded to commemorate any notable battle, action or engagement in which aircrew or Royal Air Force Regiment personnel played a memorable part". There are two levels of Battle Honour within the Royal Air Force. The first is "mere entitlement, signifying only that a squadron took part in

the campaign". The second (higher) level confers the right to emblazon the Battle Honour on the Standard itself. This ultimate accolade is reserved for those squadrons which are involved in direct confrontation with an enemy, and demonstrate gallantry and spirit under fire.

Battle Honours were approved for 27 operational flying squadrons and eight Royal Air Force Regiment squadrons for their participation on Operation TELIC. Five operational flying squadrons and three Royal Air Force Regiment squadrons were awarded the highest honour of Battle Honour with Emblazonment.

For their part in Operation DEFERENCE and Operation ELLAMY, Battle Honours were approved for 13 operational flying squadrons with three being awarded the highest honour of Battle Honour with Emblazonment.

With the Right to Emblazon 'IRAQ 2003-2011' on Squadron Standards

No. 7 Squadron RAF

No. XXIV Squadron RAF

No. 33 Squadron RAF

No. 47 Squadron RAF

No. 230 Squadron RAF

No. 1 Squadron RAF Regiment

No. 26 Squadron RAF Regiment

No. 34 Squadron RAF Regiment

Without the Right to Emblazon 'IRAQ 2003-2011' on Squadron Standards

No. II (Army Co-operation) Squadron RAF

No. IX (Bomber) Squadron RAF

No. 10 Squadron RAF

No. 12 (Bomber) Squadron RAF

No. XIII Squadron RAF

No. 14 Squadron RAF

No. 18 Squadron RAF

No. 27 Squadron RAF

No. XXVIII (Army Co-operation) Squadron RAF

No. 30 Squadron RAF

No. 31 Squadron RAF

No. 32 (The Royal) Squadron RAF

No. 39 (Photographic Reconnaissance) Squadron RAF

No. 51 Squadron RAF

No. LXX Squadron RAF

No. 99 Squadron RAF

No. 101 Squadron RAF

No. 120 Squadron RAF

No. 201 Squadron RAF

No. 206 Squadron RAF

No. 216 Squadron RAF

No. 617 Squadron RAF

No. II Squadron RAF Regiment

No. 3 Squadron RAF Regiment

No. 15 Squadron RAF Regiment

No. 51 Squadron RAF Regiment

No. 63 Squadron RAF Regiment

With the Right to Emblazon 'LIBYA 2011' on Squadron Standards

No. II (Army Co-operation) Squadron

RAF No. IX (Bomber) Squadron RAF

No. 47 Squadron RAF

Without the Right to Emblazon 'LIBYA 2011' on Squadron Standards

No. 3 (Fighter) Squadron RAF

No. V (Army Co-operation) Squadron RAF

No. VIII Squadron RAF

No. XI Squadron RAF

No. 30 Squadron RAF

No. 32 (The Royal) Squadron RAF

No. 51 Squadron RAF

No. 99 Squadron RAF

No. 101 Squadron RAF

No. 216 Squadron RAF

[HCWS148]

EXITING THE EUROPEAN UNION

General Affairs Council

The Parliamentary Under-Secretary of State for Exiting the European Union (Mr Steve Baker): My right hon. Friend Baroness Anelay of St Johns DBE, Minister of State for Exiting the European Union, has made the following statement:

I represented the UK at the General Affairs Council (GAC) meeting in Brussels on Monday 25 September. This was the first meeting of the GAC under the Estonian presidency.

The main items on the agenda were: presentation of the priorities of the Estonian presidency; preparation of the European Council on 19-20 October 2017; June European Council follow-up; and legislative programming for 2018, letter of intent.

A provisional report of the meeting and the conclusions adopted can be found on the Council of the European Union's website at: <http://www.consilium.europa.eu/en/meetings/gac/2017/09/25>

Presentation of the priorities of the Estonian presidency

The presidency made a brief presentation of its priorities, namely: an open and innovative European economy; a safe and secure Europe; a digital Europe and the free movement of data; and an inclusive and sustainable Europe.

Preparation of the European Council on 19-20 October 2017

The presidency presented the draft October European Council agenda, which is due to cover migration, digital Europe, defence and external relations.

On the migration agenda item, GAC Ministers discussed external migration and returns, as well as reform of the Common European Asylum System (CEAS).

As part of the digital Europe item, delegates focused on implementation of the Digital Single Market (DSM), cyber security and digital taxation.

Regarding defence, the Council considered increasing EU autonomy, the admissions criteria for the Permanent Structured co-operation (PESCO) and EU-NATO co-operation. There were also discussions about the work on the industrial development programme and the Athena mechanism (which handles the financing of common costs relating to EU military operations under the EU's common security) and the Common Security and Defence Policy (CSDP).

Under external relations, Ministers discussed EU-Turkey relations and the Democratic People's Republic of Korea (DPRK). Some member states also asked that trade should be added to the agenda, as well as the follow-up to the June European Council.

I intervened to highlight the UK's on-going commitment to European security and reiterated our preference for counter-terrorism and internal security to be discussed at the European Council. I also welcomed the focus on the digital agenda, as well as the need to maintain momentum following the Tallinn summit on 29 September. Regarding EU-Turkey relations, I emphasised the importance of the accession process as an important tool for co-operation with Turkey. I also agreed that a unified EU position should be sought on the DPRK.

Legislative programming for 2018, letter of intent

GAC Ministers discussed the Commission's priorities for the Commission Work Programme (CWP) 2018. Vice President Timmermans asked for a final mandate on the CWP and stressed the need to focus on delivery within the limited time available. I intervened to welcome the inclusion of certain aspects in the CWP, including the Single Market and DSM. I also spoke to advocate for open and free trade.

AOB

Vice President Timmermans updated Ministers on the state of play of its dialogue with Poland on the Rule of Law. I emphasised the importance the UK placed on the Rule of Law and urged both the Commission and Poland to avoid escalation and return to substantive, sustained and constructive dialogue.

[HCWS151]

JUSTICE

Justice and Home Affairs Pre-Council Statement

The Lord Chancellor and Secretary of State for Justice (Mr David Lidington): The EU Justice and Home Affairs Council of Ministers will meet on 12 and 13 October in Luxembourg. The Minister of State for Immigration, and I will represent the UK for Justice day. The Home Secretary will represent the UK for Interior day.

Justice day (12 October) will begin with the adoption of the Council Regulation on the establishment of the European Public Prosecutor's Office (EPPO). No discussion is expected. We have always been clear that the UK will never participate in an EPPO.

This will be followed by a policy debate on the proposed Regulation on mutual recognition of freezing and confiscation orders. The focus of the discussion is expected to be on whether the scope of the legislation applies to such orders issued within the framework of criminal proceedings or criminal matters. Such a debate would have no specific impact on the UK's position and so we would not need to intervene. The UK is supportive of improved co-operation in this area and has opted into this measure.

Ministers will also discuss the proposed Regulation on the exchange of information on third country nationals and as regards the European Criminal Records Information System (ECRIS). The UK supports the inclusion of third country nationals on ECRIS, including fingerprint exchange. The focus of this debate will be on the threshold for the seriousness of the crime above which fingerprints should be taken, and whether dual nationals should be included in the centralised identification system (ECRIS-TCN). The Immigration Minister will support a low fingerprint threshold, as well as the inclusion of dual nationals in ECRIS-TCN.

The next item will be an exchange of views with the Director of the Fundamental Rights Agency, which will cover the agency's 2017 fundamental rights report and a

range of fundamental rights issues. The Council will then adopt the draft Council conclusions following the EU's annual report on the application of the EU charter on fundamental rights in 2016. The UK is content to support the Council conclusions.

There will be a working lunch discussion on the implementation of the EU General Data Protection Regulation (GDPR). This discussion will be an exchange of views on readiness for implementation. The GDPR will apply in the UK from 25 May 2018.

In the afternoon, Interior and Justice Ministers will meet for a joint session. This will include a Commission update and discussion on criminal justice in cyberspace where the presidency will update member states on the progress of ongoing discussions around e-evidence and encryption. The UK is supportive of work in these areas and has been engaged in technical discussions. The UK is keen to ensure that any proposals do not jeopardise the existing good cooperation with service providers.

Finally on Justice day, as part of the presidency's mid-term review of the JHA strategic guidelines, Ministers will be asked for their views on where progress has been made and where there are outstanding policy priorities. The Immigration Minister will highlight the UK's ongoing policy priorities, including data retention for law enforcement purposes and improving the interoperability of EU systems.

Interior day (13 October) will begin with a discussion on reform of the Schengen Borders Code to change the rules applicable to the temporary reintroduction of border controls at internal borders. As the UK is not a part of the Schengen internal border free zone, the Home Secretary will not intervene on this item.

Interior day will continue with a discussion on counter-terrorism. There will be a presentation by the Counter Terrorism Group (CTG). The CTG will report their assessment of the threat, update on recent capability developments and feedback on work to improve co-operation with the law enforcement community. The Home Secretary is likely to intervene in support of recent of the recent developments of the group.

The Council will conclude with a working lunch at which Ministers will exchange views on the state of play of the migration crisis. The presidency will focus the debate on the resettlement of refugees. In line with the request of the European Commission, the UK will submit a revised resettlement pledge by 31 October 2017.

[HCWS152]

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