

Thursday
12 October 2017

Volume 629
No. 32



**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES**

(HANSARD)

Thursday 12 October 2017

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The House met at half-past Nine o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

Oral Answers to Questions

INTERNATIONAL TRADE

The Secretary of State was asked—

Trade White Paper

1. **Mr Jim Cunningham** (Coventry South) (Lab): What plans he has to publish a White Paper on trade. [901070]

The Secretary of State for International Trade and President of the Board of Trade (Dr Liam Fox): Since he is a conscientious and committed Member of the House of Commons, the hon. Gentleman will know that the Government published a trade White Paper on Monday 9 October 2017. The trade White Paper establishes the principles that will guide future UK trade policy and sets out the preparatory steps that we are taking. The paper can be found in the Libraries of both Houses and on the gov.uk website.

Mr Cunningham: What transitional plans does the Secretary of State have for the transitional period if he cannot necessarily do the trade deals that he wants to do?

Dr Fox: If the hon. Gentleman is referring to the transitional adoption of existing EU agreements, I can tell him that we have had a very positive response from other Governments, who, like us, want to ensure that there is no disruption of trade at the point of departure from the European Union. We will want to get as many of those in place as we can. That depends partly on the willingness of partners to get that ready on time; there are obviously contingency measures available to us under the World Trade Organisation to ensure continued market access in any case.

Sir Desmond Swayne (New Forest West) (Con): Can we just declare for free trade?

Dr Fox: This Government constantly declares for free trade. In fact, as we leave the European Union and take up our independent seat on the World Trade Organisation, this country intends to champion the cause of global free trade, especially at a time when the growth in trade has been slowing down in recent years.

Tony Lloyd (Rochdale) (Lab): Does the International Trade Secretary recognise that people fear that in the event of, for example, a very right-wing, ideological Government, we could see the erosion of social standards through our trade agreements or even the erosion of our ability to protect our national health service with the wrong type of trade treaty? Will he guarantee parliamentary scrutiny of every trade deal done?

Dr Fox: I would like the Government to be judged by their actions. Therefore, as I indicated to the hon. Member for Coventry South (Mr Cunningham), as we want to transition the already agreed EU free trade agreements into UK law—which will include, for example, workers' rights and environmental standards—I hope that we will get the full support of the Opposition in doing that and in getting the legislation available to give us the powers to do so.

Mr Mark Prisk (Hertford and Stortford) (Con): The White Paper sets out a strong case for free trade: it is good for growth, and it is good for jobs—but occasionally other countries will act in unfair ways, such as through the dumping of goods. Will the Secretary of State therefore confirm that it will always be the Government's approach to respond to that in a proportionate, carefully targeted and time-limited fashion?

Dr Fox: The Government will bring forward legislation that sets out our plans for a trade remedies authority to ensure that the protections that UK business currently has—and that the UK workforce currently enjoy—are continued when we leave the European Union.

Hannah Bardell (Livingston) (SNP): White Papers are all good and well, but yesterday the Scottish Government published a report showing what is at stake for business as the UK edges closer to the Brexit cliff edge. We know that the Secretary of State has consulted the business community to find out how it will be affected, but will he commit today to publishing the findings, as called for by a range of MPs across the House, even if they show that business wants to stay in the single market and customs union? At what point will this Government stop governing in secret and publish the reality of the impact of Brexit?

Dr Fox: The Government are of course extremely concerned about any perceptions of instability. We will consult widely, particularly when it comes to new free trade agreements, but of course the greatest threat to stability, particularly in Scotland, is the insistence of the Scottish Government on threatening a second referendum on independence.

Car Exports

2. **Chris Williamson** (Derby North) (Lab): What plans he has to facilitate exports from car manufacturers after the UK leaves the EU. [901071]

The Parliamentary Under-Secretary of State for International Trade (Mark Garnier): The Secretary of State for Exiting the European Union will be leading negotiations on our trade relationship with the EU, aimed at the greatest possible tariff and barrier-free trade with our European neighbours, including for the

automotive sector. The UK will also be able to negotiate our own trade agreements around the world, and it is a high priority that we achieve the best possible deals with global partners. We are in close contact with stakeholders across the automotive industry to that end.

Chris Williamson: Last month, in a speech to the Bank of England, the Prime Minister described the free market economy as

“the greatest agent of collective human progress ever created.”

In view of the Prime Minister’s ideological objection to Government intervention, will the Minister say how the highly skilled workforce at Toyota in Derbyshire will be able to find comparable employment, in the event that of Toyota relocates thanks to the Government’s botched Brexit negotiations?

Mark Garnier: I know the hon. Gentleman stands up for those constituents of his who work at the Toyota plant, but we need to look more carefully at what Toyota is doing. It has made a £240 million investment in the Burnaston factory, to make a commitment to the UK after Brexit, and that has been supported by a further £21.5 million from the Government, who are also committed to the workers he describes in his constituency.

Andrew Bridgen (North West Leicestershire) (Con): Given that the United Kingdom imports £30 billion worth of vehicles—more than we export each year—does my hon. Friend agree that it is in the interests of not just the UK but the EU for us to have barrier and tariff-free trade on vehicles in the future?

Mark Garnier: My hon. Friend is right. We are absolutely committed to a tariff and barrier-free relationship with the European Union in the future. It is worth remembering that the European Union exports twice as many cars to Britain as we export to the EU. It is in all our interests—it is in the interests of all the workers in the European Union—for us to achieve a successful and fruitful outcome.

Kelvin Hopkins (Luton North) (Lab): Following the referendum and the subsequent depreciation of sterling, a number of car manufacturers in Britain have announced plans for further investment and an expansion of production. Nissan, in particular, says that it will expand production by 20% and invest more in the supply chain in Britain. Does that not augur well for Britain’s exports, and should we not start to look towards a time when we can export more than we import?

Mark Garnier: The hon. Gentleman is absolutely right. One of the characteristics of the UK car industry over the last few years is the fact that UK components of the supply chain now represent 42%, up from 38%. We have a great opportunity in the whole European Union automotive sector, and our Department is working incredibly hard to ensure that we take advantage of it.

Mr Philip Hollobone (Kettering) (Con): Given that this country voted to leave the European Union, is it not the duty of every Member to talk up the British economy and the chances that are available to British manufacturing to exploit the new opportunities that will be presented to it around the world?

Mark Garnier: My hon. Friend, too, is absolutely right. I travel the world—as, indeed, do all our Ministers—and meet representatives of businesses in countries around the world who see the huge value that this country has, and the great British brand that the Department is representing and selling abroad. What we have to offer is fantastic, and I am an unashamed patriot when it comes to our great exports from fabulous businesses such as Aston Martin, and any number of others. It is the duty of everyone in the House to support all those businesses, and to talk up the British Isles when they travel, not just around the world but in the United Kingdom.

Tom Brake (Carshalton and Wallington) (LD): The Secretary of State has just said that he wants the Government to be judged by their actions. Can the Minister tell us what the cost of the Nissan deal was, whether deals have been struck with other car manufacturers, and whether the Government have set aside a large budget to ensure that other sectors can continue to export successfully?

Mark Garnier: The right hon. Gentleman knows full well that, under state aid rules which apply not only to the European Union but to the World Trade Organisation, the Government cannot give subsidies to businesses to create unfair competition against other countries. However, as I said in an earlier answer, the Government have supported Toyota with a £21 million investment. Any support that is given to any businesses—in the automotive sector, and across the piece—will be fully compliant with all the rules by which we abide. Subsidies such as those from the European regional development fund are widely known about, and they are perfectly fair and perfectly legal.

Foreign Direct Investment

3. **Jeremy Quin** (Horsham) (Con): What his policy is on attracting foreign direct investment into the UK.
[901072]

The Parliamentary Under-Secretary of State for International Trade (Mark Garnier): The Department supports foreign investment in all parts of the United Kingdom through our overseas network, international events programme, bespoke sector support, online services and regional teams. We serve the whole UK by working closely with investment promotion bodies in the devolved Administrations and local enterprise partnerships in England to co-operate effectively across a range of investment support activities.

Jeremy Quin: We have already heard positive news this morning about Toyota and Nissan. Will the Minister join me in welcoming recent work by EMY Consulting which proves that the United Kingdom remains the most attractive place in Europe for foreign direct investment?

Mark Garnier: My hon. Friend is absolutely right. We have seen some truly amazing numbers coming in. Britain has a record number of inward investment projects, and it is worth bearing in mind the fact that 158,000 jobs have been created and a further 66,000 safeguarded over the past year or so as a result of foreign direct investment.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): I am very happy for the Minister to go around the world selling Britain, but will he come to see the real economy in, for instance, Huddersfield, where we have a strong manufacturing sector, or Leeds, where we have a financial sector? Not one person I meet in those sectors wants us to continue with this folly of Brexit. *[Interruption.]*

The Secretary of State for International Trade and President of the Board of Trade (Dr Liam Fox): What about the voters?

Mark Garnier: Yes, what about all those voters throughout the UK, 52% of whom voted for Brexit? I was a remainer, but we have to uphold the fundamental principle of democracy in this country, and it is the job of all of us in the Government to do our level best to embrace the opportunities—the optimistic opportunities—that Brexit presents.

Jo Churchill (Bury St Edmunds) (Con): I thank the Minister for coming to my constituency and talking to my exporters and the Port of Felixstowe, and ask him to assure me that he took on board the takeout that they want us to be oven ready with regulations and so forth as we look to move out of the common market.

Mark Garnier: It was a great pleasure to visit Muntons in my hon. Friend's constituency. Her constituency produces a huge number of ingredients that go into Scottish whisky, beer and any number of fantastic products across the country. It is absolutely right that in addressing the question of regulations going forward into a post-Brexit era we in this country maintain our incredibly high standards of regulation, including workers' rights as well as food standards.

Mr Speaker: The Minister is assuring his hon. Friend that he is indeed oven ready. That is a new one on me; the hon. Lady has very helpfully added to the collective lexicon of the House of Commons.

Sir Vince Cable (Twickenham) (LD): Why do the Government not draw a clearer distinction between inward foreign investment, which adds capacity and jobs and is welcome, and inward investment for acquisitions in devalued pounds, which often detracts from our science and technology?

Mark Garnier: The leader of the Liberal Democrats raises a very important point in respect of looking at the statistics. He is absolutely right that fresh investment that comes into this country that creates and safeguards jobs must be disaggregated from, say, stock market transactions, where there is a significant investment in that type of thing. We are looking very carefully at how to disaggregate these two types of investment to get a much clearer picture, but he raises an important point and I assure him that the Department's economists are looking at this.

Stephen Crabb (Preseli Pembrokeshire) (Con): In the 12 months since the EU referendum in 2016, 32 Israeli companies have invested in new business ventures in the UK, bringing an increase in capital investment of 32% from that country. Does that not demonstrate, first, a strong vote of confidence in the UK economy, and, secondly, that Israel should be a natural partner for any future free trade agreement?

Mark Garnier: Indeed. I have visited Israel; we do a lot of trade with it, and the investment it is making in this country is very welcome. Importantly, since the Brexit vote, a huge number of investment projects are coming to the UK, which is creating new jobs. Doom mongers like me who during the referendum were part of the "Project Fear" campaign have been proved wrong, and it is important that we stand up and say that so far we have not got this right, and that is incredibly good news for both Britain and our individual constituencies.

Bill Esterson (Sefton Central) (Lab): The Government's own figures show a 9% drop in the number of new jobs created through foreign direct investment projects and a record trade deficit in goods exports. In the real world, that means thousands of workers losing their jobs, as we have seen at BAE Systems. Does the Minister accept that it will take a fully aligned trade and industrial strategy to protect jobs in this country? The current policy of relying on a falling pound is simply not good enough.

Mark Garnier: I would refer the hon. Gentleman to the fact that we now have record numbers of people in work, record employment and record low unemployment. None the less, he raises an important point on the relationship between this Department and the Department for Business, Energy and Industrial Strategy. It is absolutely the case that in creating a pitch book for the UK, we must offer a number of different opportunities for companies around the world. Part of that is our tax regime, part of it is our tax credits regime, and part of it is our enthusiasm to legislate, for example, to allow autonomous vehicles to be tested on all British roads. This is a whole package from the entire Government working together. The hon. Gentleman is absolutely right to raise the industrial strategy as part of what we are presenting to the rest of the world, but this also involves the whole Government.

Leaving the EU: Workers' Rights and Fair Trade

4. **Thangam Debbonaire** (Bristol West) (Lab): What steps he is taking to ensure that the principles of fair trade, workers' rights and environmental protection are included in future trade agreements after the UK leaves the EU. [901073]

The Minister for Trade Policy (Greg Hands): The UK has long supported the promotion of our values globally, including successfully supporting workers' rights and environmental protections as a member of the EU, and the UK will continue to play a leading role on these as we leave the EU. We are committed to upholding the UK's high standards; our prosperity benefits from us reinforcing these high standards, not abandoning them.

Thangam Debbonaire: I am glad that the White Paper mentions respecting the role of Parliament, but to protect workers' rights, fair trade and environmental rules, will the Minister now guarantee to transfer to this House the rights that our elected representatives in the European Parliament have to scrutinise, debate, amend and vote on trade agreements?

Greg Hands: The Government have been absolutely clear on the importance of this House and this Parliament scrutinising trade agreements. There is an irony in the hon. Lady's question. Only last month, she voted against the European Union (Withdrawal) Bill, which would

write into domestic legislation 40 years of workers' rights and environmental protection coming from Europe. She did not want to see that transfer. She even whipped her own side to vote against the Bill. Today, she is calling for us to introduce European procedures. I think her actions speak louder than her words.

Leaving the EU: Trade Policy

5. **Mr Marcus Fysh** (Yeovil) (Con): What steps his Department is taking to ensure that the Government will have an effective trade policy after the UK leaves the EU. [901074]

10. **Rehman Chishti** (Gillingham and Rainham) (Con): What steps his Department is taking to ensure that the UK will have an effective trade policy after the UK leaves the EU. [901082]

The Minister for Trade Policy (Greg Hands): As the Prime Minister set out on Monday, the Government are preparing for the UK's future as an independent trading nation. We will maximise our opportunities globally by seeking a deep and special partnership with the EU and boosting our trade relationships around the world.

The trade White Paper establishes the principles that will guide future UK trade policy and sets out the preparatory steps we are taking, as my right hon. Friend the Secretary of State laid out earlier in response to Question 1.

Mr Fysh: Will my right hon. Friend confirm that it is Government policy to take full control of the UK's trade policy in services regulation, to take advantage of the free trade opportunities that are open to us as we leave the EU? Does he agree that this must not be obviated by any conditions of a period of implementation for our new arrangements with the EU?

Greg Hands: The Prime Minister has made it very clear that we want a deep and comprehensive trade agreement with the EU. We in the Department for International Trade are losing no time in preparing ourselves for our own independent trade policy in terms of transitioning existing EU FTAs, in terms of the 14 trade working groups that we have set up and in terms of transitioning trade preferences for the developing world, and that includes the ability to scope out and negotiate new trade agreements once we leave.

Rehman Chishti: Will the Minister update the House on the work that the Government are doing to engage with frontier markets, and how these are being prioritised with existing established markets?

Greg Hands: May I first congratulate my hon. Friend on becoming the Prime Minister's trade envoy to Pakistan —[HON. MEMBERS: "Hear, hear."]—which, I can tell him, went down extremely well on my visit to Islamabad last month. We are devoting resources to frontier and emerging markets through our economic horizons group. We are committed to transitioning the EU's scheme of trade preferences with those markets into a UK scheme, which will bring real economic assistance to developing countries, including Pakistan.

Jim Shannon (Strangford) (DUP): Northern Ireland will be the only part of the United Kingdom to share a land border with an EU member state after the UK leaves the EU. What discussions has the Minister had with his counterparts in Northern Ireland regarding future trade and investment opportunities and potential issues post-Brexit?

Greg Hands: The whole Government are engaging very closely with those in authority in Northern Ireland, as the hon. Gentleman knows, and also engaging with the other side of the border. I should be meeting the Irish Trade Minister tomorrow.

Helen Goodman (Bishop Auckland) (Lab): Given what the Minister says, why have the Government not responded positively to the request that Singapore made 10 months ago to revive the third country training partnership, which in their words would support global Britain's role in the Commonwealth and the Association of Southeast Asian Nations?

Greg Hands: The Government take the Commonwealth and ASEAN extremely seriously. In fact, yesterday we hosted a celebration for ASEAN's anniversary, and we actually hosted the first Commonwealth Trade Ministers' meeting ever, in March, here in London, and we are making extensive preparations for the Commonwealth Heads of Government meeting next year.

Helen Whately (Faversham and Mid Kent) (Con): Could my right hon. Friend advise what steps the Government are taking to ensure that when we leave the EU, businesses do not face a cliff edge for trade with countries that are beyond the EU but covered by trade agreements that the EU has?

Greg Hands: The Department for International Trade is devoting significant efforts to transitioning the EU's existing FTAs into a UK FTA. We are doing this in consultation with the European Union. In the majority of countries—certainly all those that we have spoken to so far—third parties are in agreement with that. Just two weeks ago I was in Peru, my right hon. Friend the Secretary of State was in Colombia, and my hon. Friend the Under-Secretary of State met the Ecuadorian Trade Minister to talk about the transition of the EU/Andean FTA—a perfect example in this space.

WTO Tariff Rate Quotas

6. **Kerry McCarthy** (Bristol East) (Lab): What recent discussions he has had with the World Trade Organisation and his US counterpart on the division of WTO tariff rate quotas between the UK and the EU after the UK leaves the EU. [901076]

The Secretary of State for International Trade and President of the Board of Trade (Dr Liam Fox): I discussed the UK's independent membership of the WTO with the US trade representative Robert Lighthizer when I visited the US in July, and I have had several productive conversations with the WTO director general Roberto Azevêdo, most recently on my visit to Geneva in July.

Kerry McCarthy: I understand that Britain and the EU have now formally informed WTO members of how they would like quotas to be split after Brexit, but the Trump Administration and seven WTO members have already rejected the proposals. What will the Secretary of State do to ensure that a deal on quotas is achieved?

Dr Fox: I am grateful to the hon. Lady for giving me the chance to explain our methodology. We decided to split the quotas that we have up to now shared with the EU on a market basis. In other words, we would not divide by 28 or by 15, but by the UK's share of a market. We did that to avoid disadvantaging exporters from other countries, as well as our own producers or consumers. That is the best route to avoid disputes in Switzerland.

Mr Peter Bone (Wellingborough) (Con): As we are talking about the WTO, if this country cannot reach a deal with the EU, what are the Department's plans if we do not get an agreement on quotas?

Dr Fox: As I have said, we first have to get our trading schedules agreed and then we have to agree free trade agreements with third countries, which involves the division of quotas. We are making good progress on that. We want a comprehensive agreement, because that is in the interests of all concerned. However, the Government are preparing contingencies should there be no agreement, which is the only responsible thing for a Government to do.

Barry Gardiner (Brent North) (Lab): The Secretary of State knows full well that a technical rectification would disadvantage other members, which is why seven member states of the WTO have written to Azevêdo specifically setting out that that is unacceptable to them. On 6 July, the Secretary of State said that he was confident that a technical rectification of WTO schedules would be

“smooth and fully understood by our trading partners.”—[*Official Report*, 6 July 2017; Vol. 626, c. 1364.]

Well, it is not. What is he going to do about that? What assessment has he made of the delays and of the impact on our businesses that will result from that?

Dr Fox: I do not anticipate that that will happen. The hon. Gentleman clearly does not understand what the process is, or what a negotiation is. It is quite clear that our first offer is not the final thing that we expect to be accepted. For example, we have no agreement yet on what will happen with unused quotas or aggregate measures of support. Those issues will be dealt with during the negotiation—[*Interruption.*] I know that the hon. Gentleman likes to multitask, but being able to speak and listen simultaneously is not among his abilities.

Topical Questions

T1. [901093] **Henry Smith** (Crawley) (Con): If he will make a statement on his departmental responsibilities.

The Secretary of State for International Trade and President of the Board of Trade (Dr Liam Fox): The Department has three tasks: promoting UK exports to support a growing economy that serves the whole country; maximising opportunities for wealth creation, including

through overseas direct investment; and negotiating the best international trading framework for the UK outside the EU.

I welcome Crawford Falconer to the Department as chief trade negotiation adviser—he brings a wealth of knowledge—and I can announce the convening of the Board of Trade today, which will ensure that the benefits of trade and investment are spread across the whole UK.

Henry Smith: The EU Commission seems hellbent on damaging the economies of the remaining member states through its Brexit negotiations, so will my right hon. Friend say what preparations are being made for no deal?

Dr Fox: The best thing for the whole of Europe is for us to reach a deep and comprehensive agreement on trade. We are committed to doing so, and we hope that our European partners will commit to move on to the second stage of negotiations as soon as possible, not least to remove any uncertainty to businesses and workers across Europe. However, if we are unable to do so, the Government have already undertaken a wide range of contingency plans.

Wera Hobhouse (Bath) (LD): Following the Bombardier tariff crisis, can the Secretary of State guarantee that Airbus in Bristol, which employs many people in my constituency, will not have new tariffs to pay once Britain leaves the EU?

Dr Fox: There are two elements to that. Of course we want to maintain a completely tariff-free trading environment in Europe, and that is what we should be able to do, given that it is the starting point—that, of course, is unique in any trade negotiation. On the Bombardier case, we have made our views very clear to the United States. I spoke to Wilbur Ross, the Secretary of Commerce, only last week.

T2. [901094] **Sir Edward Leigh** (Gainsborough) (Con): The Government's approach, based on the Florence speech, is entirely sensible and pragmatic. Of course we want a free trade deal, but it takes two to tango. May I press the Secretary of State further on earlier questions relating to what happens if there is no deal and we leave the single market at the end of March 2019? Is the Treasury giving him all the resources he needs to prepare for no deal—for schedules and making deals with other countries? That is absolutely vital.

Dr Fox: I do not really wish to trumpet this to other Departments, but our Department has a unique agreement with the Treasury: we are able to increase staffing levels when that relates to Brexit issues, and we will continue to do so. As I said, we want to ensure that we get a good deal. There is no difference between the Chancellor and me. The Chancellor says that we need to spend money only as necessary. I think that that is correct, but we also need to ensure that we spend money on all areas where contingency plans are necessary.

Mr Speaker: I call Barry Gardiner—[*Interruption.*] The hon. Gentleman looks perplexed.

Barry Gardiner (Brent North) (Lab): Are we on topicals, Mr Speaker?

Mr Speaker: We are. The hon. Gentleman must try to keep up!

Barry Gardiner: Thank you, Sir; it is always good to have you keeping me up to pace.

Recent reports suggest that Boeing provided Monarch Airlines with 45 Boeing 737 MAX jets at a cut price and that Boeing used a complex sale and leaseback deal to provide Monarch with more than £100 million in cash against a paper profit. Given the Secretary of State's earlier commitment to trade defence remedies, why has he left it to me to write to the EU Commissioners to ask them to investigate this as a matter of potential illegal dumping and anti-competitive behaviour?

The Minister for Trade Policy (Greg Hands): I am happy to look at the precise nature of the hon. Gentleman's allegation, but I have to say that the Government's response on Monarch has been exemplary. We have devoted an incredible amount of resources to getting tens of thousands of stranded British subjects abroad back to this country. The process was led incredibly well by the Department for Transport, and we should be proud of the Government's efforts in helping the victims of Monarch.

T3. [901095] **Neil Parish** (Tiverton and Honiton) (Con): Sheep farming in this country is good for the countryside, food and farming. It is important that we combine making sure that we control quotas of New Zealand lamb with maintaining exports to France. How is the Secretary of State getting on with disaggregating the EU quotas on New Zealand lamb meat?

Dr Fox: We will take the same approach to New Zealand lamb as we do to all other tariff-rate quotas: allocate them on the basis of usage. As I have already explained, that will keep the market stable and mean that we are not disadvantaging New Zealand exporters or our domestic market. That is not only the fairest thing to do, but the best way to prevent the UK from being taken to dispute at the WTO, which is again to our mutual advantage.

Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): If the EU27 do not give the two-year extension that the Prime Minister begged for in Florence, trade barriers will rise between the UK and how many other countries? Does the Department have a number?

Greg Hands: I am not sure that I fully understand the hon. Gentleman's question. If it is helpful to him, I can say that there are 27 other countries in the European Union and the EU has more than 40 FTAs around the world. As I mentioned earlier, one of the roles of our Department is to transition those into UK-only FTAs, which should avoid any cliff edge or future trade barriers at all.

T4. [901096] **James Cleverly** (Braintree) (Con): The all-party parliamentary group on trade out of poverty, which I chair, is initiating an investigation into the role that the Commonwealth can play to help developing nations to trade out of poverty. We hope that that

agenda will be taken up at the Commonwealth Heads of Government meeting in April. We have a potential leadership role, so will the Secretary of State communicate with the Commonwealth secretariat to ensure that that agenda item is taken up?

Dr Fox: We have made it clear that we see our trade policy and our developmental policy as going hand in hand. We want countries to have the power to trade their way out of poverty. That will be one of our key themes at CHOGM and we will be setting out processes by which we think that can be made more possible in the future.

David Hanson (Delyn) (Lab): Many businesses in my constituency, particularly sheep and dairy farmers, are signing contracts early in the new year for exports in 2019. What certainty can the Secretary of State give them about pricing for 2019?

Dr Fox: As I have said, our aim is to maintain market stability, but of course the good news is that the UK is continuing to export extremely well—we had an increase of about 15% in our exports in the 12 months to August 2017. We want to encourage that and to ensure that we get bigger market penetration, irrespective of what deal we get with the EU.

Mr Speaker: I call Richard Graham. Where is the feller? He is not here.

T6. [901098] **Mr Peter Bone** (Wellingborough) (Con): Will the Secretary of State publish the Department's plans for a no-deal situation before Christmas?

Dr Fox: Across the Government we will make our contingency plans, but we continue to hope that the EU will come forward with a proper commitment to entering into the second part of the trade deal, as we think that is in our mutual interest.

WOMEN AND EQUALITIES

The Minister for Women and Equalities was asked—

Domestic Violence: Police Resources

1. **Kelvin Hopkins** (Luton North) (Lab): What assessment she has made of the adequacy of police resources to support victims of domestic violence. [901055]

The Parliamentary Under-Secretary of State for the Home Department (Sarah Newton): Her Majesty's inspectorate of constabulary and fire and rescue services has noted in recent inspections that forces have protected dedicated resources to support victims of domestic abuse. The number of police referrals, prosecutions and convictions for domestic abuse has increased significantly since 2010, but this Government are not complacent. In this Session, we will introduce a landmark domestic violence and abuse Bill to better protect and support victims and to bring perpetrators to justice.

Kelvin Hopkins: According to the crime survey for England and Wales, an estimated 2 million adults aged 16 to 59, mostly women, say that they were victims of domestic abuse in the past year. Do not the Government accept that the massive cuts in police resources that they have inflicted will inevitably mean that there will be fewer arrests and fewer prosecutions for domestic violence, leaving more women in danger?

Sarah Newton: I thank the hon. Gentleman for the question, but I simply do not accept that at all. Interestingly, funding for Bedfordshire police has risen by 1.8% this year—that is £1.8 million. I hope that he will join me in congratulating his local police and crime commissioner on her personal leadership in tackling domestic violence in Bedfordshire and, in particular, on Project Emerald, which is delivering record numbers of prosecutions and protecting more women than ever before from domestic abuse.

Mr Philip Hollobone (Kettering) (Con): Which police force responds to domestic violence the best and which responds to it the worst, and will the Minister get them together in the same room at the same time, so that one can inform the other?

Sarah Newton: I thank my hon. Friend for that question. I can assure him that through the rigorous inspections of HMICFRS and the Home Secretary's leadership in bringing together Departments, we are doing everything that we can to support police officers to deliver the best possible outcomes for victims of domestic abuse and violence.

Catherine West (Hornsey and Wood Green) (Lab): The Minister said that legislation to tackle violence against women will be introduced. Will she comment on the practice of upskirting, on which a constituent of mine is leading a campaign? The practice involves individuals taking photographs underneath women's skirts. I understand that it is unlawful in Scotland, so what plans does she have to introduce some form of penalty for it here?

Sarah Newton: I thank the hon. Lady for her question. Any sort of violence against and abuse of women and girls is totally unacceptable. This Government have a very ambitious strategy to tackle violence against women and girls, and of course we are always looking to make sure that police officers and our criminal justice system have all the measures that they need to keep women and girls safe.

Kit Malthouse (North West Hampshire) (Con): Alcohol plays a significant part in the scourge of domestic violence, so will the Minister consider using the forthcoming legislation she mentioned to allow the use of alcohol abstinence monitoring orders in domestic violence cases, given that they are proving so successful with respect to other violent offences?

Sarah Newton: My hon. Friend is absolutely right to talk about the important role that, tragically, alcohol can play in cases of domestic abuse and violence. It also causes wider harms. Dealing with the abuse of alcohol is a key part of our modern crime prevention strategy,

which is why we are looking carefully at what more we can do to keep people safe, including through new measures on alcohol.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): The reluctance of victims of domestic abuse to complain, and the law's chronic failure to prevent serial abusers, are distressingly commonplace. Does the Minister agree that a domestic violence register of convicted repeat offenders would help the police to save lives?

Sarah Newton: I thank the hon. Lady for her question, but I do not accept the premise at all. Confidence in the police is higher than it has ever been, and more and more victims are feeling confident enough to come forward. We see more victims coming forward, more prosecutions and greater use of the powers that we already have to keep women safe. As I said, we are leaving no stone unturned and we are very ambitious about what more we can do to keep women and girls throughout the country safe.

Mr Speaker: I call Wera Hobhouse.

Wera Hobhouse (Bath) (LD): Will the Minister confirm—

Mr Speaker: Order. The hon. Lady needs to ask Question 2.

Leaving the EU: Equalities and Human Rights

2. **Wera Hobhouse (Bath) (LD):** What discussions she has had with the Secretary of State for Exiting the European Union on the effect of the UK leaving the EU on equalities and human rights. [901056]

The Minister for Women and Equalities (Justine Greening): I have regular discussions with Cabinet colleagues, including my right hon. Friend the Secretary of State for Exiting the European Union, on ensuring that all the protections in the Equality Act 2010, including the public sector equality duty, will continue to apply after we have left the EU.

Wera Hobhouse: I apologise for being a newbie, Mr Speaker.

Will the Minister confirm that pregnant women will not be obliged to work night shifts after we have left the EU? They currently enjoy such a protection under EU law.

Justine Greening: EU equalities law has already been overwhelmingly transposed into UK law via the Equality Act. As I said, Ministers must also comply with a public sector equality duty. On workers' rights more broadly, the Prime Minister was clear in her Lancaster House speech, which she made some time ago, that one of our key priorities will be to protect and maintain them.

Mrs Maria Miller (Basingstoke) (Con): As the Chair of the Women and Equalities Committee, may I say how heartening it is to see seven Ministers present to respond to Women and Equalities questions, which shows the importance that the Government attach to these issues?

Ministers have been consistent and clear that their policy objective with the European Union (Withdrawal) Bill is for things to stay the same after we leave the EU, with our having time to debate policy changes after that point. It is clear, however, that the removal of the charter of fundamental rights in itself creates a significant change in the underpinning of equality rights. Will my right hon. Friend meet me to discuss how we can avoid that unintended consequence?

Mr Speaker: The right hon. Lady should take it as a compliment that seven Ministers are required to cope with her.

Mr Dennis Skinner (Bolsover) (Lab): I said that first!

Justine Greening: As my right hon. Friend the Member for Basingstoke (Mrs Miller) points out, the Government are committed to this agenda, which is why so many Ministers are prepared to answer questions this morning. She raises an important point. I have been very clear that there will be no backsliding on our equalities agenda and law as we leave the EU. I know that my right hon. Friend has a meeting with the Minister of State, Ministry of Justice, my hon. Friend the Member for Esher and Walton (Dominic Raab) next week. That will be an important time to discuss how we can make sure that there will be no backsliding.

Mr Speaker: Very unusually, I had not heard the hon. Member for Bolsover (Mr Skinner), but I have now.

Jim Shannon (Strangford) (DUP): Many protections in EU law, especially equality rights, have already been written into UK law. Does the Minister therefore agree that our leaving the EU should not cause any detrimental impact on or removal of the rights and equalities that we currently enjoy, and will merely present us with the opportunity to further improve the law wherever we in the UK see fit to do so?

Justine Greening: Absolutely, and it is worth my pointing out that in several areas, UK law already goes beyond existing EU law.

Mr Peter Bone (Wellingborough) (Con): Does the excellent Secretary of State agree that one of the many advantages of coming out of the EU is the fact that this Parliament will be able to improve equalities and human rights without being restricted by the European Union?

Justine Greening: My hon. Friend is absolutely right. We have been one of those countries around the world that has constantly stood up for human rights and that has been credible because of our human rights record and our legal framework. We are determined that there will be no backsliding. I have no doubt that this Government, and future Governments, will want to continue to make progress.

Women's State Pension Age

3. **Emma Hardy** (Kingston upon Hull West and Hessle) (Lab): What recent discussions she has had with the Secretary of State for Work and Pensions on the effect of changes to the state pension age on women born in the 1950s. [901057]

The Parliamentary Under-Secretary of State for Work and Pensions (Caroline Dinenage): The Secretary of State for Work and Pensions has regular discussions with the Minister for Women and Equalities, but the Government will not be revisiting the state pension age for women born in the 1950s who are affected by the Pensions Acts 1995, 2007 and 2011.

Emma Hardy: What encouragement are the Government giving to the 1,524 women in my constituency of Hull West and Hessle who are suffering because of the lack of notice given by this Government about changes to the state pension age?

Caroline Dinenage: The Government have already introduced transitional arrangements at a cost of £1.1 billion. The cost of reversing the Acts would be in excess of £70 billion and create an inequality between women and men.

Peter Heaton-Jones (North Devon) (Con): What is the Minister's view of any proposal to change legislation that would then favour women as opposed to men in pensions legislation?

Caroline Dinenage: I thank my hon. Friend for that question. I am not a legal professional, but I think that any amendment to the current legislation that creates a new inequality between men and women would unquestionably be highly dubious as a matter of law.

8. [901063] **Patrick Grady** (Glasgow North) (SNP): Does the Minister recognise that signatures to early-day motions in this House since the general election show that there is cross-party support, and probably majority support in this House, for justice for the Women Against State Pension Inequality? If and when the WASPI question comes to the House on a Backbench Business motion or an Opposition day motion, will the Government sit on their hands like they have been doing, or will they allow the House to express its will?

Caroline Dinenage: The hon. Gentleman is very right to raise that question. Clearly, there is support on that matter across the House. However, it is also right that arrangements for the state pension system reflect welcome changes in average life expectancy and address long-standing inequalities in pension age. If we had not equalised state pension ages, women would be expected to spend more than 40% of their adult life in retirement.

Carolyn Harris (Swansea East) (Lab): Like scores of other 1950s women, I have struggled to get any information on the availability of apprenticeships that a Minister in a Westminster Hall debate on 5 July suggested were an option for struggling 1950s women. Can the Minister confirm whether she agrees with her colleague and thinks that his suggestion of an apprenticeship was really an appropriate one for tens of thousands of women currently being denied their pensions?

Caroline Dinenage: I am delighted that the hon. Lady is considering taking on an apprenticeship, because a very large number of women over the age of 60 are. I do not think that anybody should be forced to take one on, but those who want to should be practically encouraged to do so. Between August 2016 and April 2017, the number of apprenticeship starts for people aged 60 and over was 3,500, an increase on the previous year.

Discrimination Claims: Tribunal Fees

4. **Daniel Zeichner** (Cambridge) (Lab): What steps she is taking to ensure that women who were unable to pursue pregnancy and maternity discrimination claims due to the cost of employment tribunal fees are able to bring forward their cases. [901058]

The Minister of State, Ministry of Justice (Dominic Raab): Anyone who believes that they were prevented from bringing an employment tribunal claim because they could not afford to pay the fee can make an application to the tribunal for permission to bring a claim out of time. The tribunal would then consider the application and apply the relevant legal criteria.

Mr Speaker: The Minister is in a muddle. He is supposed to be grouping the question with No. 6, which was the request of his Department to my office to which I agreed, but which he appears to have forgotten.

Dominic Raab: I apologise, Mr Speaker. With permission, I would like to group questions 4 and 6, and I refer to the answer that I have just given.

6. **Justin Madders** (Ellesmere Port and Neston) (Lab): What steps she is taking to ensure that women who were unable to pursue pregnancy and maternity discrimination claims due to the cost of employment tribunal fees are able to bring forward their cases. [901060]

Daniel Zeichner: The Government's research into maternity-related discrimination shows that one in nine mothers reports that they were either dismissed, made redundant or treated so badly that they had to leave their job. Following the Supreme Court case brought by Unison, the union I used to work for, what specific action are the Government taking to identify those who could have brought claims but did not because the Government acted unlawfully?

Dominic Raab: The Supreme Court judgment was clear on fees and we immediately stopped charging fees in response. We are putting in place the detailed arrangements to ensure that those who paid fees are refunded. We will shortly announce the practical detail that the hon. Gentleman is looking for. As I indicated a moment ago, those who could not apply to the tribunal because of the fee will now have the opportunity to do so.

Justin Madders: I understand that the Government are considering how to approach the system, but will the Minister rule out any type of up-front fee to access justice in employment tribunals in the future?

Dominic Raab: We are clear that we are accepting the Supreme Court judgment. If the hon. Gentleman would like to read the judgment, he will see that it makes clear that there can be, in principle, a place for fees in the justice system. We need to strike the right balance between taxpayers subsidising the justice system and those who benefit from it making a contribution, but only when they are able to do so.

Alison Thewliss (Glasgow Central) (SNP): May I first ask the House to send our best get well wishes to our spokesperson on women and equalities, my hon. Friend the Member for Lanark and Hamilton East

(Angela Crawley), who cannot be here today because she was in a car accident last week and is recovering at home?

I was glad to see the Supreme Court rule out tribunal fees because it has been a case of justice denied for so many thousands of women over the past years. There are still barriers for women accessing tribunal fees. The March of the Mummies will take place on Tuesday 31 October to ask specifically for an extension from three to six months to allow women more time to apply for the tribunal fees. Will the Minister meet me and those campaigners on 31 October?

Dominic Raab: First, I join the hon. Lady in extending my condolences and those of the Government to her colleague.

In relation to the Supreme Court judgment, I have to correct her. It was the balance of the fees that was an issue, and the judgment made it clear that it was, in principle, possible to have fees, but I am happy to meet the hon. Lady and look at her suggestions.

Gender Pay Gap

5. **David Hanson** (Delyn) (Lab): What steps the Government are taking to tackle the gender pay gap. [901059]

The Minister for Women and Equalities (Justine Greening): The gender pay gap is the lowest it has ever been, but we can do better. We have introduced mandatory gender pay gap reporting for the first time and large employers now have six months left to report their gender pay gaps.

David Hanson: The gender pay gap remains as high as 34% in the east midlands. In my region in Wales, it is now 18%. That is largely due to the efforts of the Welsh Assembly Government in trying to support organisations in Wales, funded by the European social fund. What assessment has the Minister made of the use of that fund to help to close the gender pay gap? Will she examine this, to replicate it post-Brexit?

Justine Greening: We are of course looking at all the European funds we currently have and how we can best ensure that we continue the work that they are doing post-Brexit. We can all do a lot more on this specific issue. The right hon. Gentleman will be aware of the recent Government Equalities Office employer events, which we have done around the country; I think he attended the one in Cardiff. The key thing is that the transparency requirement now on companies will, as much as anything else, force them to be clear-cut about where their policies lie. We are already seeing that, when that light of transparency is shone on the data, companies are producing action plans that are really making a difference.

Philip Davies (Shipley) (Con): Are the Government as committed to eliminating the part-time gender pay gap as they claim to be about eliminating the full-time gender pay gap? Will the Minister set out exactly what they are doing to eliminate the part-time gender pay gap?

Justine Greening: We are absolutely committed to eliminating all the different gender pay gaps. Through the transparency work, we will ensure that companies produce clear-cut action plans that cover all their employees, whether or not they have flexible working arrangements.

Dawn Butler (Brent Central) (Lab): Two days ago, the First Secretary of State made a statement to the House on the race disparity audit. He also told the House, as a white man with privilege, that he knew more about race than me—a black women with lived experiences—and Opposition Members, who are a broad church. As there are seven Ministers here today, will the Minister for Women and Equalities highlight seven of her Government's policies, new or old, over the past seven years—seven is the magic number—that have helped to narrow the inequalities in our country?

Justine Greening: Income inequality is at its lowest level. In the Department of Education alone, we have done significant work to ensure that black and minority ethnic pupils are doing better in school. Like me, the hon. Lady is a London MP and will know that there have been dramatic improvements in educational outcomes for BME communities here in London. More young people from BME communities are going to university than before. In fact, the ethnic group that is now the least likely to go to university in the UK is that of white British males. We are taking action across the board. The important thing about the race disparity audit is that, alongside things such as gender pay gap reporting, it is about using transparency to shine a light on areas where inequalities do still exist. I would like to think that we can work together as a Parliament to tackle those inequalities.

Childcare Responsibilities

7. **Fiona Bruce** (Congleton) (Con): What steps the Government are taking to support parents with childcare responsibilities. [901062]

The Secretary of State for Education (Justine Greening): In relation to progress on childcare, we are taking unprecedented steps to support parents with caring responsibilities, whether by providing tax-free childcare or doubling the provision of free childcare from 15 to 30 hours, and nearly 80% of parents in the early-delivery areas with 30 hours reported that the extended hours had given them more flexibility in their work choices. Of course, the right to request flexible working is also helping parents to balance work and care between them in a way that works for them and their families.

Fiona Bruce: Does the Minister agree that it is important that the message goes out that mothers and fathers who choose to stay at home full time to care for their children, and who often care for those in their wider families and communities, are just as valued and appreciated for their contribution to society as those who of us who go out to work?

Justine Greening: I could not agree more with my hon. Friend. The approach in our Government policy agenda has been to give choice and to enable families to make the choices that are right for them. For many people, that will involve staying at home, and that is a

choice that we also want to support. We have taken steps to equalise the choice for those parents who want to stay in the workplace and continue with careers, so that they can do so while also bringing up a family.

Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP): Caring for a terminally ill child can be absolutely devastating for parents. Currently, however, parents in this circumstance are not able to access disability living allowance mobility payments when the child is under three, despite having to carry about often very bulky medical equipment. Will the Government overcome this anomaly and support parents in this absolutely devastating situation?

Justine Greening: Our hearts go out to any parent in what is, as the hon. Lady says, a devastating situation. We have a Minister from the Department for Work and Pensions here today, who I know will take note of what she said. More broadly, we are spending nearly £3.6 billion on carer's allowance every year. However, I think that we all recognise the responsibility we have, as a Government and a community, to support those who are carrying out such vital roles.

Topical Questions

T1. [901087] **Mohammad Yasin** (Bedford) (Lab): If she will make a statement on her departmental responsibilities.

The Secretary of State for Education (Justine Greening): Last month, I was delighted to be able to speak at the *Financial Times* Women at the Top summit, urging business leaders to fast-track their plans to address their gender pay gaps.

Similarly, on a separate matter, we will mark the centenary of voting rights being extended to women for the first time, by creating a new £5 million fund to help celebrate this landmark occasion. That will include a £1.5 million scheme specifically for projects run by local and community groups across England. We will set out plans for that shortly, and I hope that many communities will take part practically in those centenary celebrations.

I am delighted to say that the number of girls taking science, technology, engineering and maths A-levels—we saw the results this year—increased by 20% between 2010 and 2017.

Elsewhere on our policy agenda, we have now received over 100,000 responses to the nationwide survey on the views and experiences of LGBT people living in the UK.

Mohammad Yasin: The High Court judgment on Monday found that the Government's 2016 redefinition of torture for immigration purposes was unlawful. Will the Government now widen the definition of torture so that vulnerable women who have been victims of abuse and trafficking who are currently held in Yarl's Wood can be immediately released?

Justine Greening: We can be proud of this country's record on not only fighting torture abroad and improving human rights but being a sanctuary and home for asylum seekers. In relation to the court case the hon. Gentleman mentioned, I have no doubt that Ministers are looking at the judgment carefully and will want to address the issues it raises.

Mrs Maria Miller (Basingstoke) (Con): Earlier this week, we saw new information that shows that the incidence of sexual harassment and sexual violence against girls in our schools is increasing, and that is a year after the Women and Equalities Committee published its inquiry into the subject. What more will the Government do to make sure that their policies are working to keep girls and children safe in our schools?

Justine Greening: As my right hon. Friend points out, we have taken a range of steps already, but the recent report highlights again how significant an issue this is for young people now. As social media become a staple part of young people's lives to a greater and greater extent, those risks will only grow. She will be aware that we are trying to make sure that the guidance that we provide to schools remains up to date, and that sits alongside other areas of action from the Government such as updating the relationship and sex education guidance. We are clear that if schools see this happening, they should report it to children's social services or the police—it is vital that they take action.

Paula Sherriff (Dewsbury) (Lab): Schoolgirls in Yorkshire and elsewhere have had to use toilet paper and even socks stuffed into their underwear because families cannot afford sanitary protection due to poverty pay and welfare cuts. Will the Secretary of State consider matching our commitment to set aside funding to tackle period poverty and ensure that girls never miss out on their education just because they are having periods?

Justine Greening: Schools already have discretion over how they can use their funding. If they want to make sanitary products available to disadvantaged students, they are free to do so. The House will recognise that the issue goes far wider than the role of schools: it is also about making sure that parents understand the need to play their role in educating their children and, separately, the clear-cut duty that they have to comply with the law and make sure that their children are attending school.

Mike Wood (Dudley South) (Con): The Secretary of State referred to the welcome increase in the number of girls doing STEM subjects at A-level. What measures will the Government take to increase the number of girls choosing careers that require STEM subjects?

Justine Greening: The work of the Careers & Enterprise Company will be vital in making sure that employers are plugged into schools and helping to shape careers advice at a much earlier stage, including in primary schools, than in the past. It is welcome that we are now truly building that pipeline of women who will be able to go into those careers. I opened the National College for High Speed Rail earlier this week, and many girls were starting their apprenticeships there, but there is much more work to be done.

T2. [901088] **Thelma Walker** (Colne Valley) (Lab): While I welcome the Prime Minister's initiative to tackle ethnic inequality in targeted areas, including Kirklees, can the Minister explain what that will actually do to improve the lives of my constituents?

The Parliamentary Under-Secretary of State for the Cabinet Office (Caroline Nokes): I thank the hon. Lady for her question. It is important that we look closely at the findings of the racial disparity audit that was released

this week and work across the Government in every Department—including the Department for Work and Pensions and the Department for Education—to bring forward positive changes to address some of the very uncomfortable findings in the audit.

Chris Davies (Brecon and Radnorshire) (Con): We have made incredible progress since women won the right to vote, and I am especially proud of my female colleagues and Ministers and, of course, our second female Prime Minister. What more will the Minister do to increase the number of women in Parliament?

The Minister for Apprenticeships and Skills (Anne Milton): I thank my hon. Friend for that question. Interestingly, for all political parties—much of this is down to political parties—it is about the pipeline. Only 17% of council leaders are women; only one third of councillors are women; and, shockingly, of the board members of combined authorities, only 4% are women. Next year represents a fantastic opportunity not only to celebrate the centenary, but for all elected representatives to encourage more women to enter public life.

Mr Speaker: I call Catherine West to ask her topical question. Get in there—go for it!

Catherine West (Hornsey and Wood Green) (Lab): Sorry, Mr Speaker, but I asked my question earlier; it was about upskirting.

Mr Speaker: Yes, but the hon. Lady is No. 3 at topicals, and therefore if she is fizzing with a further inquiry with which she wishes to favour the House, she is welcome to do so. It is not compulsory.

T3. [901089] **Catherine West:** May I therefore press the Minister on the period question, because I find her attitude a little harsh and I wonder whether she will review it in the light of what has been said today? I think the matter needs a second look. I think her approach is a little harsh in terms of, first, schools having to stump up money for sanitary pads and, secondly, blaming parents. Periods are just one of those things; we cannot blame parents for periods.

Mr Speaker: The hon. Lady is really getting going now. She required only a modest encouragement.

Justine Greening: As I said, this is clearly an important area, but we have to recognise that we need to allow schools some discretion about how they deal with this alongside a range of other specific issues that the pupils that they teach may face. I do not agree with the hon. Lady; I do think that parents have a responsibility to play their role in making sure that children understand how to approach adult life.

Mr Philip Hollobone (Kettering) (Con): The publication of this week's racial disparity audit contained many interesting findings, including that Chinese pupils do particularly well at school and that white British males are under-represented in university applications. How will the Minister promote and replicate the first issue and tackle the second?

Justine Greening: My hon. Friend is quite right. He will be aware that our opportunity area work—bearing in mind the communities in which it is being done—is doing a lot to address those issues. We have excellent data in the Department for Education to enable us to look at where we are doing well at improving outcomes for white working-class boys, but we absolutely have to do a lot better. That is why we are taking a much more place-based approach to our education delivery.

Mr Speaker: Seema Malhotra? Not here.

T5. [901091] **Melanie Onn** (Great Grimsby) (Lab): What discussions has the Minister had with colleagues in the Ministry of Justice about adding misogyny to the list of hate crimes?

The Minister of State, Ministry of Justice (Dominic Raab): We keep all public order offences under constant review. If the hon. Lady would like to make a submission in relation to that, I would be happy to look at it.

Lucy Frazer (South East Cambridgeshire) (Con): It is important to ensure that our girls, as well as our boys, get a good education, and the best way to do that is to ensure that we have good teachers. What is the Minister doing to ensure that more girls, as well as boys, go into teaching?

The Minister for Equalities (Nick Gibb): We are determined to increase the number of high-quality graduates coming into teaching, whether they are male or female. We have a series of generous tax-free bursaries of up to £28,000 to encourage the best graduates to come into teaching. We have a very strong economy, so we are competing with industry and commerce for those graduates, but we are doing everything we can to get more good people into teaching.

T6. [901092] **Kelvin Hopkins** (Luton North) (Lab): Can Ministers say what more can be done to eliminate the cruel and barbaric practice of female genital mutilation?

Justine Greening: As the hon. Gentleman knows, I have campaigned on this for many years, and we can be proud of the role that the UK has played in helping to tackle this atrocious practice overseas as well as at home. We have introduced FGM protection orders, and most recently the Girl summit was co-hosted by the Department for International Development, of which I was Secretary of State at the time, and by the then Home Secretary, who is now the Prime Minister. There is much more work to be done, but we are more on track than we have ever been in the past. We are, importantly, working with communities on the ground to change cultural attitudes.

Mr Speaker: We are out of time, but I am going to take a question from one more hon. Member who missed out earlier—Gerard Killen.

Gerard Killen (Rutherglen and Hamilton West) (Lab/Co-op): Thank you, Mr Speaker. Following yesterday's High Court decision to allow a full judicial review of the Government's policy, does the Minister agree that it is time for the UK to join countries such as Ireland and Australia in issuing gender-neutral passports?

Justine Greening: I know that the Home Office will be studying the Court ruling carefully. The Office for National Statistics is also looking generally at how we approach data in relation to gender. I simply say that, although we need to reflect the modern world in which we live, I hope that a bit of common sense can be brought to the matter.

Prisons Policy/HMP Long Lartin

10.39 am

Richard Burgon (Leeds East) (Lab) (*Urgent Question*): To ask the Secretary of State for Justice if he will make a statement on prisons policy and the recent disturbance in Her Majesty's Prison Long Lartin.

The Parliamentary Under-Secretary of State for Justice (Mr Sam Gyimah): I can confirm that there was an incident at HMP Long Lartin last night and that it has now been resolved without injury to staff or prisoners. The incident is of course of concern, and we will need to investigate properly what drove the actions of a relatively small number of individuals. It will take a number of weeks to ensure that all the intelligence is properly examined and that we learn lessons and apply them to prevent any reoccurrence.

We cannot speculate on the cause of this incident, but we know that the prison was running a full regime and that this was not linked to any shortfalls in prison officer staffing levels. Its last inspection report found the prison to be "calm and controlled" and that, although there were improvements to be made, it was "both competent and effective."

The incident remained contained on a single wing of the prison, and it involved 81 prisoners. I want to commend the actions of the staff, who acted swiftly in response to the incident. They locked down the wing, ensured the rest of prison remained settled and prevented any public protection issues or escalation. Our specialist staff were deployed to the prison from across the country. They swiftly resolved the incident in just over an hour, securing all prisoners without injury. Once again, they demonstrated their bravery and professionalism, for which we should all be very grateful.

We do not tolerate violence in our prisons, and we are clear that those responsible will be referred to the police and could spend longer behind bars.

Richard Burgon: I thank the Minister for his remarks. It is unfortunate that the Secretary of State has more pressing problems than prison disturbances and the axing of Conservative manifesto prisons policy, which I shall come on to shortly.

Last night's disturbance at HMP Long Lartin marks another low point in the prisons policy of this Government. The House will no doubt recall the frightening scenes on our televisions from HMP Birmingham last year. That was no one-off, with many other disturbances in recent months, but when it involves a high-security prison housing some of our most dangerous prisoners, it is especially concerning. Does the Minister believe that forcing through hundreds of millions of pounds of budget cuts to our prisons in recent years has left our prisons more safe or less safe?

Seven in 10 of our prisons are now overcrowded, and the situation is getting worse. The former director general of the Prison Service has warned that the recent surge in numbers is adding to the pressures on a prison system that he says is

"already woefully short of space".

Does the Minister believe that prisoners spending more and more time locked in their cells is making our prisons more safe or less safe?

Government cuts have seen over 6,000 frontline prison officers cut. Despite recent Government boasting about new recruits, one in three of our prisons has lost frontline staff this year alone. Does the Minister believe that fewer and fewer staff dealing with more and more dangerous prisoners leaves prisons more safe or less safe?

Yesterday, the head of the Prison Service ruled out shutting down and selling off dilapidated Victorian jails across England and Wales. This amounts to shelving a 2017 Conservative general election manifesto promise. Does the Minister believe that housing more and more people in Victorian conditions will leave our prisons more safe or less safe? Finally, will the Government apologise to the country for yet another broken manifesto promise?

Mr Gyimah: Let us be clear about what happened yesterday and remind ourselves that we are dealing with category A prisoners in Long Lartin, which contains some of the most challenging and difficult prisoners within the estate. Prison staff work incredibly hard to deal with these prisoners—many of them are extremely difficult individuals—and to manage them successfully on a day-to-day basis.

Last night's disturbance was an incredibly rare occurrence, as the hon. Gentleman mentioned. Inevitably, the nature of our business is such that the situation can become volatile. This situation was isolated—isolated to one wing—and, as I have said, the prison was running a full regime. When situations become volatile, staff in prisons sometimes need extra support, and in this situation our specialist trained prison staff were needed to support the staff in the prison to resolve the incident. They did that very quickly, without harm to staff or prisoners.

In response to the questions about staffing, the shadow spokesperson will be aware that we are investing in our staff in prisons. We are investing £100 million to add 2,500 prison officers by the end of next year. We are on track to deliver that commitment. This year alone we have added a net 868 new prison officers.

The hon. Gentleman is very aware, from his conversations with the chief inspector of prisons and a number of prison governors, that the long-standing challenges facing our prisons are not just about staffing, but new psychoactive substances that the prison ombudsman himself has described as a game-changer for the security and stability of our prisons. We know that staffing would make a huge difference, which is why we are making huge efforts to increase not just the number of staff but the ratio of staff to prisoners, so that one prison officer has a caseload of six prisoners to help with rehabilitation.

The hon. Gentleman asked about our commitment to close old Victorian prisons and add new prison places within the course of this Parliament. Our first priority is to ensure public protection and provide accommodation for all those sentenced by the courts, but that commitment very much remains.

Nigel Huddleston (Mid Worcestershire) (Con): Long Lartin prison is in my constituency. I thank the prisons Minister for keeping me up to date on developments throughout the night and for his comments about the professionalism of prison staff. I am relieved that nobody appears to have been seriously injured in this incident and I am very pleased by the speed at which the incident was dealt with. May I ask the Minister for reassurance that the incident will be properly investigated and that any appropriate action will be taken?

Mr Gyimah: I can give my hon. Friend an assurance that there will be a full and proper investigation. There is no point in speculating today on the exact causes of the incident, but there will be a full investigation and lessons learnt. When incidents happen, it is important that we not only deal with them but learn lessons for the future, and we will be doing that.

Joanna Cherry (Edinburgh South West) (SNP): This is not the first time in recent years that the Government have been called to account in this Chamber for trouble in prisons in England. I note that the Prison Governors Association expressed concern about the fact that this trouble took place in a high security prison and reminded the Government that it had called for an independent public inquiry into the state of prisons in England due to cuts.

In Scotland, we have been fortunate to avoid such problems due to record investment in modernising and improving the prison estate, with the Scottish National party Government spending almost twice as much as the previous Labour-Liberal Democrat Administration on modernising the prison estate. Will the Minister accept an invitation to visit prisons in Scotland to see the good work being done there to avoid this sort of trouble?

Mr Gyimah: I will almost certainly accept the invitation to visit prisons in Scotland. We should always learn from best practice, wherever it is. That is not to say that what is happening in Scotland is necessarily best practice, but I have an open mind. I reiterate that we have a £1.3 billion commitment to modernise our prison estate in England and Wales over the course of this Parliament.

Robert Neill (Bromley and Chislehurst) (Con): It is good to see twice as many Ministers on the Treasury Bench as there are spokesmen on the Opposition Front Bench. I thank the Minister for his statement and observe that this is a prison that was described by Her Majesty's chief inspector as calm and well-controlled. That indicates an underlying issue about the volatility of the prison population. Will the Minister confirm that he is prepared to revisit some of the recommendations made in the Justice Committee's report on prison safety in the previous Parliament? Will he look again at the way we handle security and mental health, and how we sentence and treat vulnerable offenders who go into the prison population?

Mr Gyimah: I hold the recommendations of the Justice Committee very dearly to my heart. We will of course look at all its recommendations. The Chair of the Select Committee makes a very important point about the prison population. We not only hold some very difficult individuals, but some very troubled individuals. Dealing with issues such as mental health is a key part of dealing with the security and stability of our prisons. It is not just about security solutions.

David Hanson (Delyn) (Lab): Two of the three murders in the prison system last year were at Long Lartin. Last week, two individuals were convicted of the murder of a prisoner committed in June in Long Lartin. In the last four years, there have been four murders in Long Lartin. Why does Long Lartin seem to have more murders than any other prison in the country?

Mr Gyimah: The right hon. Gentleman, a former Prisons Minister, will be aware that Long Lartin holds some of the most difficult individuals. It is a category A prison holding some of the most notorious prisoners this country has ever incarcerated. The prisons ombudsman investigates every death, and referring to its report will be the best way to understand what has occurred.

Andrew Selous (South West Bedfordshire) (Con): I am sure the whole House will want to thank the Tornado team that restored order at Long Lartin last night. I think there is considerable support on both sides of the House and among the public for our taking yet further action on returning foreign national offenders. If the Minister did that, he would create headroom to allow that extra calm that the prison system needs at the moment. I know the numbers have improved, but will he say what further action we can take in that area?

Mr Gyimah: I thank my hon. Friend, a former Prisons Minister, for his question. Yes, the number of foreign national offenders returned to their home countries has increased. I think the number is about 6,000, but I will confirm the exact number in writing. It is the highest figure in recent years, but we continue to redouble our efforts. A cross-Government group comprising the Policing Minister and the Immigration Minister, as well as Ministers from the Home Office and the Foreign Office, is working actively with foreign Governments to increase the rate at which foreign national offenders are returned to their home country.

Jenny Chapman (Darlington) (Lab): While it is reassuring to hear the Minister say that no staff were physically hurt during the disturbance, these events are not supposed to happen and can be terrifying for the staff present. Will he make sure that staff receive the support they might need in the coming weeks to deal with what happened and that no staff member is forced to come back to work before they are ready?

Mr Gyimah: The staff were brilliant last night and are brilliant today. We also have an excellent governor, to whom I have conveyed my full support. Yes, we need to give them all the support they need, and I will put it on the record again that we owe them a huge debt of gratitude for managing on a day-to-day basis not just isolated incidences such as last night's, but a very difficult and challenging situation in our prisons.

Victoria Prentis (Banbury) (Con): I am grateful for the Minister's confirmation that this was an isolated incident confined to one section of the prison and that the public were not at risk. Will he also confirm that the staffing level in that section of the prison was as normal?

Mr Gyimah: I can confirm not only that there was a full regime but that the number of prison officer staff on the wing was as normal.

Sir Edward Davey (Kingston and Surbiton) (LD): Andrea Albutt, president of the Prison Governors Association, said this week that our prisons were full to bursting. In the lowest-category prisons, will the Minister consider trying to deal with this overcrowding and reduce prison numbers safely and sensibly by introducing a presumption against short sentences, as has been successively implemented in Scotland?

Mr Gyimah: That is a very interesting question. As a former Minister, the right hon. Gentleman will be aware that it is not for the Minister to pronounce on sentencing policy at the Dispatch Box. Of course, we want to reduce the prison population, but one of the best ways to do that is to reduce reoffending rates and to end the conveyor belt into crime by intervening before people end up in custody. That is more effective than arbitrarily letting people out of prison.

Philip Davies (Shipley) (Con): If the Minister wants a zero-tolerance approach, may I suggest he change the law so that anybody involved in riots in prisons or assaults or attacks on prison officers is no longer eligible for early release but has to serve the full sentence handed down by the courts? That would give prison officers some of the support they deserve and would perhaps act as a deterrent to these appalling kinds of behaviour.

Mr Gyimah: My hon. Friend has asked this question of me a number of times. He will be aware that a prisoner who is a perpetrator of a crime in prison will be prosecuted for that specific crime and, if convicted, will serve that sentence, and that has certainly happened in the case of the perpetrators of the Birmingham riots last year. That is a fair and just way to deal with this kind of situation.

Mr Speaker: There is of course no procedural barrier to repeat questions, which many people regard as an example of dogged and insistent campaigning.

Alex Cunningham (Stockton North) (Lab): That was a really interesting answer, because the heroin dealer Ian Paul Manuel beat up prison officer Adam Jackson at Kirklevington prison in Stockton, and the courts gave him a conditional discharge and ordered him to pay £20 compensation to the officer. Does the Minister agree that such a slap on the wrist is totally inadequate, that it offers no deterrent at all to the thugs who turn on prison officers and that it is time the courts were given clear advice that they, too, have a responsibility to protect prison officers?

Mr Gyimah: Absolutely: our prison officers do a very difficult and challenging job, and when they are assaulted or threatened at work, we should follow the course of the law to its full extent. To do that—[*Interruption*—if the hon. Gentleman would listen—there are a number of things we need to get right, such as collecting evidence, making sure that the local police force is on hand to investigate the crime, and then getting the courts to prosecute it as they should. We are working to ensure that those procedures are followed, so that when a prison officer is assaulted in their line of work, the full force of the law is brought to bear on whoever the perpetrator is.

Jeremy Quin (Horsham) (Con): Clearly, the background to this disturbance will be investigated, but can the Minister outline what the Government are doing to prevent the use of drones to bring contraband into prisons?

Mr Gyimah: Drones are an emerging and serious threat to our prisons, especially as they carry an increasing payload as they develop. We are working with a number of drone manufacturers to use technology to stop drones, but we are also focusing on the law enforcement aspect.

Before I became the Prisons Minister, there had been only one conviction of a person flying a drone into a prison. This year alone there have been 11 convictions of people flying drones into prison. That is because we are working with the Home Office forensics team, examining drones that fail, going after the perpetrators through the forensic work we are doing and ensuring that they face the full force of the law. It has become apparent that those involved in serious and organised crime are often behind such activity, and we are sending a signal that we will go after them.

Paul Flynn (Newport West) (Lab): Will the Minister visit Amsterdam for a relaxing weekend, to study the special prison crisis they have in Holland, which is a lack of prisoners to fill their prisons? They have had to close 19 of them down. Will he examine the contrast between the intelligent, pragmatic policies on drugs of the Dutch over the last 50 years and the harsh, unintelligent policies that we have had in this country? The Government there have shown a welcome desire to reflect on the failed drug policies here and introduce new measures that reflect the reality of the situation, in having drug houses that can be used and possibly looking again at imprisoning people for using the medicine of their choice. Is it not time we decided who has got it right over the last five years: the Netherlands or us?

Mr Gyimah: I think the Government Whips would be slightly concerned if I accepted another invitation to go abroad to visit prisons, but the substance of the hon. Gentleman's point is very interesting when it comes to dealing with people who are on drugs in prison. It is about dealing with the supply side and the demand side, but also getting people off drugs. Holland clearly has a very different approach to its prison system. As I have said in relation to Scotland, I am willing to learn from all different jurisdictions to see how we can improve what we are doing here.

Stephen Hammond (Wimbledon) (Con): Does the Minister intend to make extra resources or help available to prison governors at high-security prisons, to ensure that our prisons are calm and well controlled?

Mr Gyimah: Our high-security estate does not lack the resources that it needs for the purposes of security or maintaining a regime. In fact, such prisons have higher staffing ratios because of the difficult people with whom they deal. Of course, if situations change and they need more staff or any other resources to cope with that, such resources will always be available.

Tony Lloyd (Rochdale) (Lab): The Minister simply cannot pretend that we will not see further outbreaks of this kind of rioting in our prisons, and he cannot pretend that prisons are not in any case regularly very violent places. As long as we have overcrowded prisons and too few staff, these events will continue to take place. The Minister must look seriously at non-custodial options for the courts when it comes to low-level criminals for whom such options would be more effective, as well as being cheaper. Why is that not already being done?

Mr Gyimah: I am not suggesting for a second that such incidents will not be repeated. We try to mitigate and manage risk, but there is always a chance that something like this could happen again. As I have said,

[Mr Gyimah]

what is happening in the high-security estate is a rare occurrence. Of course, as I have also said, the level of violence in our prisons is too high, but dealing with the issues that have led to the current situation—drones, drugs and illegal mobile phones—will take time. We are investing in staff and our intelligence network; we are working on drone detection equipment; and we are working on mobile-phone blockers, but there is no silver bullet to deal with the issue in our prisons, and doing so will take time.

No one here is saying that this will not happen again. We must all be frank with ourselves: prisons are difficult places with some very difficult people to manage, and because of the particular set of circumstances that we face, it will take time to resolve the situation.

James Cartlidge (South Suffolk) (Con): Of course it is of concern that an event like this should take place at a high-security prison. However, if there is one conclusion we can draw, surely it is that the method of dealing with such events that is available to the Minister through the Tornado team is effective when tested, which, in itself, should give the public some reassurance.

Mr Gyimah: That is an excellent point. The Tornado teams are the bravest of the brave. As we saw last night, they deal with some of the most difficult situations, and the fact that they can be mobilised relatively quickly to arrive at a prison and offer support to its frontline staff is testimony to their effectiveness and professionalism. Of course we would prefer not to have to deploy them, but when there are problems and a need to protect the public and prison officers and maintain stability and order in our prisons, they are second to none.

Gavin Newlands (Paisley and Renfrewshire North) (SNP): The Minister says that the Government are investing in increasing prison officer numbers, but they are only doing so after slashing funding and causing the problem in the first place. They are only 868 officers into their 2,500 target, but in any event, given an increase of more than 1,300 in the prison population in England and Wales, is 2,500 enough?

Mr Gyimah: The 2,500 target is obviously based on careful analysis of what we need to deliver the offender management model, which means one prison officer having a six-prisoner caseload, and it should be capable of allowing us to do so.

Robert Courts (Witney) (Con): I am grateful to the Minister for mentioning the measures that have been taken to tackle drugs in prisons, which are of particular concern. Will he update the House on the measures that are being taken to deal with new psychoactive substances, which have added an extra layer to the problem?

Mr Gyimah: New psychoactive substances are a game-changer. They are particularly difficult to detect. There have been instances of letters to prisoners being impregnated with them: looking at such a letter makes it possible to inhale the drug and to suffer the adverse consequences.

We have trained 300 sniffer dogs to help us with detection, and the UK is the first jurisdiction to develop a test for such drugs. We are redoubling our efforts to deal with the supply side by increasing investment in intelligence.

We are investing £3 million, not just at establishment level but across the prison estate, so that we can deal with what is essentially a product of serious and organised crime. People want to get drugs into our prisons because they sell at a higher mark-up: 10 times the price outside.

Peter Grant (Glenrothes) (SNP): I fear the Minister might have misunderstood the situation described earlier by the right hon. Member for Kingston and Surbiton (Sir Edward Davey), because the main difference in Scottish Government policy has not been to suddenly release prisoners early; it has been to give the courts a way of sentencing and punishing low-level offenders without sending them to prison in the first place. Every Member in this House representing a Scottish constituency has seen significant community benefit work carried out in the local area by people who would otherwise have been in prison. I hope the Minister accepts the invitation to meet Scottish Ministers to talk about the investment programme, and I urge him to also speak to others involved in the justice and prison system in Scotland and find out that—although I appreciate this would be a difficult decision for a Conservative Government to take—moving to a presumption against short sentences reduces offending.

Mr Speaker: No one could accuse the hon. Gentleman of excluding any consideration that might in any way at any time to any degree be judged material in his question.

Mr Gyimah: I fully understood the question posed by the right hon. Member for Kingston and Surbiton (Sir Edward Davey). Would we rather have a situation in which interventions in the community work and people do not end up in custody? Of course, yes. Would we rather invest there before people ended up in custody? Of course, yes. In this country we have a presumption against custody, but after several repeat offences, judges have no choice but to send a person into custody. That means we have obviously got to improve the work that happens in our community, but we cannot arbitrarily let people out of prison, which is what I assume the question of the hon. Member for Glenrothes (Peter Grant) to be about.

Chris Davies (Brecon and Radnorshire) (Con): Will my hon. Friend update the House not on his aim but on the actual latest recruitment figures for prison officers and explain how that will help improve safety and security in these troublesome areas?

Mr Gyimah: The 868 net new prison officers is not an aim: these are people who have been trained, who are on the payroll and who are being deployed on wings as we speak. We are on track to deliver the target of 2,500; the commitment is do that by the end of next year. We are making rapid progress, but there is still a long way to go in bringing stability and order to our prisons overall.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): I rise as co-chair of the justice unions cross-party group. We all know that the numbers of assaults on prison staff have reached an all-time high in recent months. The Minister has sung the praises of the recruitment drive for new prison officers, but will he explain how new raw recruits are being prepared to cope with the frankly lethal results of long-term cuts in English and Welsh prisons?

Mr Gyimah: We have some excellent trainees coming into the Prison Service. For example, one trainee I met had spent seven years in the NHS and was being deployed in HMP Woodhill, a prison where there have been high rates of self-harm and also self-inflicted deaths. That person is more experienced in dealing with the problems that prison is facing today than many who have been in the Prison Service for a long time. These are not raw recruits; in some cases, they are bringing new experience to the Prison Service. In the second world war, someone could be a bomber pilot at the age of 20, so I think someone can serve in the Prison Service at the age of 21 as well.

Mr Philip Hollobone (Kettering) (Con): If we want to significantly reduce the number of foreign nationals in our prisons, we need compulsory prisoner transfer agreements in place with countries around the world, so that these people are sent back to serve their sentence in prison in their own country—rather than being sent back when they have served the sentence already in this country.

I understand that about half the foreign nationals in our prisons are EU nationals. While we are a member of the EU, we are meant to be under the prisoner transfer directive. How many EU national prisoners have been sent back to the EU countries they came from?

Mr Gyimah: I do not have that exact figure to hand but am willing to write to my hon. Friend with the answer.

Mr Paul J. Sweeney (Glasgow North East) (Lab/Co-op): This month the inspectorate reported that there was a major under-prescription of methadone at Low Moss prison near my constituency and also of the anti-overdose drug naloxone. Will the Minister consider the impact that the under-prescribing of these critical drugs may have on the safety of the prison population?

Mr Gyimah: If the hon. Gentleman is willing to write to me, I will be happy to look at that specific situation; it sounds as though it is a situation specific to that prison.

Business of the House

11.9 am

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

The Leader of the House of Commons (Andrea Leadsom): The business for the week commencing 16 October will be:

MONDAY 16 OCTOBER—Second Reading of the Nuclear Safeguards Bill.

TUESDAY 17 OCTOBER—The Chairman of Ways and Means is expected to name opposed private business for consideration followed by a debate on a motion on the persecution of the Rohingya by the Myanmar Government. The subject of this debate was nominated by the Backbench Business Committee.

WEDNESDAY 18 OCTOBER—Opposition day (2nd allotted day). There will be a debate entitled “Pause and Fix of roll-out of universal credit” on a motion in the name of the official Opposition.

THURSDAY 19 OCTOBER—Debate on a motion on the tobacco control plan, followed by a debate on a motion relating to valproate and foetal anti-convulsant syndrome. The subjects of these debates were nominated by the Backbench Business Committee.

FRIDAY 20 OCTOBER—Private Members’ Bills.

I am delighted that next week we will have the first debates from the Backbench Business Committee and the first private Members’ Bills sitting Friday, and I look forward to hearing many interesting contributions from Members right across the House. I take this opportunity to welcome all Members back after the conference recess for what I am sure will be a very busy time in the run-up to Christmas.

Several hon. Members rose—

Mr Speaker: Order. I call Dr Julian Lewis.

Dr Julian Lewis (New Forest East) (Con): As well as my weekly—*[Interruption.]*

Mr Speaker: Order. I do beg the pardon of the hon. Member for Walsall South (Valerie Vaz). I am not bothered about the right hon. Gentleman—I do not have to beg his pardon; I have known him for 34 years. It is no use his smiling beatifically at me. I call Valerie Vaz.

Valerie Vaz: I am wearing pink, Mr Speaker, so I thought you might have noticed that I was sitting here.

I thank the Leader of the House for announcing the forthcoming business. Did she really announce the Second Reading of a Bill that had its First Reading and was published yesterday? I have looked at the Bill, and it is riddled with delegated powers to Ministers. Is this an acceptable way for the Government to behave—with no scrutiny? In addition, the Leader of the House has announced only one week’s business, whereas her predecessor used to announce the business for two weeks. Are the Government in such chaos that they do not even know what is happening from one week to the next?

Mr Speaker, this is a fiasco. I think we are running out of words. There is a new lexicon for constitutional outrage—I will have to consult my thesaurus. This is terrible. It is actually quite a serious matter, because it is

[Valerie Vaz]

a contempt of the democratic process. I am trying to make light of it, to see whether we can get some movement, but we cannot.

I note there was no reference in the Leader of the House's statement to a debate on restoration and renewal. Whereas we all want the works to be done, Members on both sides of the House will be keen to see the Government's motion, particularly as, in response to a written question tabled in the other place, Lord Young of Cookham said that a motion and debate was likely "in the autumn", although he failed to say which year. Can the Leader of the House confirm that that will be autumn 2017?

Will the Leader of the House ensure that the list of ministerial responsibilities is updated? The Prime Minister confirmed ministerial appointments on 20 June 2017, and I do not know whether there is any reason—we are waiting for an announcement—why the new list cannot be published. Members need to know which Minister to write to. The last list was published in December 2016.

I want to clarify a question that was raised on Tuesday. An hon. Member asked, "Where does it say in 'Erskine May' that the Government have to vote?" Well, chapter 21 of "Erskine May" deals with debates. At the conclusion of a speech of a Member moving a motion, the Question is always proposed by you, Mr Speaker, or the Chair, and voices are called when the Question is put on every motion. The Government are either for or against a policy, and if they abstain, they have to tell the House—and the country—exactly what their position is on that policy. The hon. Member for Wellingborough (Mr Bone) made a pertinent point in Tuesday's debate when, as a true parliamentarian, he said that the Government could actually make a statement on what that policy was within a reasonable time, so they would not have needed to have done so before the conference recess.

The Prime Minister yesterday referred to the Labour party conference, but she failed to mention that when she spoke at conference, there were cries of, "F off!" Actually, that was people saying that the letter "F" had fallen off the back of the platform. Her Majesty's Labour party had no problem with our F's—ours was "For the many, not the few." Maybe our message has more stick-ability.

During Prime Minister's questions yesterday, the Prime Minister failed to answer when the Leader of the Opposition asked whether she agreed with the former Prime Minister, John Major, when he said that universal credit is

"operationally messy, socially unfair and unforgiving."

Croydon Council, which piloted the roll-out, has said that it wants a pause. Mayor Burnham has said that homelessness will increase. The National Housing Federation has expressed its concerns. Members on both sides of the House and the Work and Pensions Committee have called for a Christmas truce. Will the Leader of the House ensure that the Secretary of State for Work and Pensions actually comes to the House on next week's Opposition day with a position? People are being pushed into rent arrears and poverty.

The Government are always saying that the NHS is not being privatised, so will the Leader of the House please say why Public Health England is reviewing whether free travel vaccinations for diphtheria, tetanus, cholera, typhoid and hepatitis A should be stopped?

Does she agree that they should remain free? Their removal could pose a huge risk to the community. May we have a statement to say that those vaccinations should remain free?

It is National Libraries Week, and I would like the Chancellor's autumn Budget to provide local authorities with enough money so that South Walsall, Pheasey and Pleck libraries in my constituency can be reopened. Our children are losing out.

Yesterday was World Mental Health Day, and I will be presenting on your behalf, Mr Speaker, a Speaker's School Council Award in the 17-to-19 category to Queen Mary's Grammar School in my constituency for its "change your mind" project. The aim of the scheme is to increase awareness and discussion of potential mental health issues, particularly for those in years 6 and 7 who are making the transition to senior school, and that message has already been taken out to six primary schools.

Sunday is the last day for the old £1 coin, and David Pearce, a pupil at Queen Mary's, was the winner of the contest to design the new coin. The winner was chosen by George Osborne, who in a nice move actually telephoned David to tell him. I am sure that the House will join me in wishing headteacher Tim Swain, the teachers, the parents and, of course, the pupils for their continued success and commitment to public service.

Andrea Leadsom: I congratulate the hon. Lady on having a fantastic school in her constituency. I am sure we would all like to congratulate Queen Mary's Grammar School on its excellent work on World Mental Health Day, and we have seen work done right across the country. I also pay tribute to the excellent efforts of the parent-infant partnerships right across the UK that help families who are struggling to bond with their newborn babies. Cross-party consensus has been reached on the need for help in the earliest years. I also congratulate the school on its excellent work in contributing to the shape and design of the new £1 coin. I was not aware of that, and the House sends many congratulations.

The hon. Lady mentioned Second Reading of the Nuclear Safeguards Bill. I assure all Members that the Bill will be debated and scrutinised in absolutely the usual way. I have said many times at the Dispatch Box that I am absolutely keen to hear from Members if they have ideas about how to improve Bills or scrutiny. She also referred to the business for the week after next, but there has frequently been no such advance notice. We are hopeful for some good news from Northern Ireland that may allow for legislation to recreate the Northern Ireland Executive, and other legislation can also come up at the last minute. It is important that we provide as much notice as possible, but it is perfectly normal to announce only one week's business.

As for restoration and renewal, I can confirm that the debate will come in autumn 2017. The hon. Lady and I both sit on the House of Commons Commission, which you chair, Mr Speaker, so she will be well up to date with my determination to see some progress. I was not aware that the list of ministerial responsibilities had not been updated. I sincerely apologise to the House for that and will look into it straight after business questions.

The hon. Lady talked about F's, and I am slightly bemused by the various F's that are going on. As far as I am aware, nobody is going to "F off" and that is good

news. Whatever happened during the party conferences, the Conservative Prime Minister made some excellent policy announcements, not least the excellent proposals to reform the energy market, which is so much in the interests of this country's consumers.

The hon. Lady asked about universal credit. As she will be aware, the policy is designed to help people to get back into work. It reduces the complexity of six benefits by replacing them with one. It is incredibly important and is showing progress in helping people to get into work. We absolutely take on board the concerns: all of us as constituency MPs always have issues with individual constituents whom we need to do more to help during the implementation. Nevertheless, it is a good policy.

I take on board the hon. Lady's point about the review of vaccinations. I am not aware of that specific review of those particular vaccinations, but I am sure that the Secretary of State for Health will take her views on board.

We are all keen on National Libraries Week and we will continue to support our libraries. We thank all those volunteers who do so much to keep our libraries going. That is a great thing to be doing.

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

Dr Julian Lewis: Thank you, Mr Speaker; it is always worth waiting for a good opportunity.

As well as my perennial request for a statement about what steps the Government will take to protect our Northern Ireland service veterans from pursuit in the courts, perhaps I may ask for a good news statement about the progress made by so many schools and colleges in GCSEs and A-levels in recent weeks and months.

Andrea Leadsom: I believe that that was two questions; we are all keeping count. I congratulate my right hon. Friend on his assiduous focus on good news stories for this country. He is right to raise them and I certainly join him in congratulating all those who achieved so excellently in our schools and higher education colleges with GCSEs and A-levels, and in other forms of higher education such as apprenticeships, under this Conservative Government.

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

Well, that was a successful conference recess for the right hon. Lady and her party! They have all returned full of peace, love and understanding, all united—well, the Brexiteers are all united against the Chancellor anyway. We desperately need an urgent debate about the consequences of a no-deal hard Brexit if that lot are seriously contemplating going down that route. Already there are claims that that could cost up to £400 billion and suck 18% of GDP out of our economy. No country in history has ever considered committing economic self-harm on such a scale before. We need to know the Government's views about the costs, and the issue needs urgently to be debated.

What we do not need, Mr Speaker, is for you to have to grant any more emergency debates about the behaviour of the right hon. Lady. She needs to accept the Government's minority status in the House, obey the

democratic structures of the House and seek not to circumvent our arrangements, which protect the rights of all Back Benchers.

There has still been no statement on the situation in Catalonia. If people were getting beaten up for voting and ballot boxes were being confiscated anywhere else in the world, the Government would be indignant and a Minister would race to the Chamber. Just because the situation involves a supposed friend on mainland Europe does not excuse the Government from simply ignoring this appalling state repression.

Lastly, when are we going to see the repeal Bill? We thought that the right hon. Lady would say a bit about that today. As she knows, the Bill is still unacceptable to the Scottish Government, who are not prepared to give it a legislative consent motion. We are not prepared to have our devolution settlement undermined, or our Parliament emasculated and made subject to this unprecedented power grab. What is she doing to fix the situation?

Andrea Leadsom: The hon. Gentleman has given us a tour de force. I think he was asking about expenditure in the event of all outcomes of the negotiations to leave the EU. He should feel absolutely reassured that, as the Prime Minister said yesterday, all outcomes are being considered, assessed and prepared for, including the spending of money as necessary on contingency arrangements to ensure that, whatever the outcome of negotiations, there is a strong and secure future for the United Kingdom. It is our intention, plan and expectation that we will have a very good outcome from EU withdrawal, along with our EU friends and neighbours. That is our absolute intention.

The hon. Gentleman mentions Catalonia, and all Members were distressed, as were all people in the country, to see the level of violence there. It can never be right to inflict violence against innocent people, and that is absolutely clear. Spain is a key ally of the United Kingdom. It has a strong constitution, and it is absolutely right that it resolves this issue not only constitutionally, but in a secure way that respects the rights of individuals.

The hon. Gentleman mentioned the repeal Bill. I believe he was asking when the sittings of the Committee of the whole House will be scheduled. What I can say to all Members is that some 300 amendments and 54 new clauses have been proposed—and rightly so—by Members who have concerns about the Bill. Those proposals are being closely evaluated. That is taking a bit of time so that we give proper, thoughtful, well considered responses to them. We will, of course, be bringing forward the Committee of the whole House just as soon as we are able to do so.

Amanda Milling (Cannock Chase) (Con): In January 2016, Cannock Chase High School was rated as requiring improvement, but following a recent visit, Ofsted recognised the positive impact that has resulted from the improvements that are being made. Will my right hon. Friend join me in congratulating all the staff and pupils at the school on that progress? May I use this as another request for either a statement or debate about schools and, in particular, improving standards?

Andrea Leadsom: I am always delighted to join colleagues in congratulating a particular school, and it does sound as though this one has great news to celebrate, so I am

[*Andrea Leadsom*]

happy to echo my hon. Friend in that. All colleagues will be delighted to know that 1.8 million more children are in good and outstanding schools than was the case in 2010, when this party came into office.

Ian Mearns (Gateshead) (Lab): May I just correct my hon. Friend the shadow Leader of the House, as World Mental Health Day was on Tuesday, not yesterday? It is always on 10 October, and we should never forget that.

I thank the Leader of the House for announcing next week's businesses and, in particular, for advertising the wares of the Backbench Business Committee. On Tuesday, there is opposed private business, and I do not yet know what form this will take. I also do not know whether there will be any statements or urgent questions on that day, but we will have a heavily supported debate on the Rohingya and Myanmar. Is there any chance that the Leader of the House could protect the time for that important debate, so that as many right hon. and hon. Members as possible will have an opportunity to contribute to it?

In tune with the shadow Leader of the House, may I also ask that we get early notice of any future time for Backbench Business Committee debates? We have a list of unheard debates, and we will be making considerations next Tuesday, so will the Leader of the House let us know as soon as possible what time will be allocated to us in future weeks?

Andrea Leadsom: As I have said, I am delighted that we are having two days of Backbench Business Committee debates next week. I will always endeavour to let the hon. Gentleman know as soon as possible when Backbench Business Committee time can be given. On his point about protecting time for the incredibly important debate on the plight of the Rohingya people, I have absolutely heard his request, and I will look into it to see what can be done.

Henry Smith (Crawley) (Con): I congratulate the Government on their response to the unfortunate demise of Monarch Airlines, but I wish to call for a debate on the pension fund of former employees of that company. Many of my constituents who were employed by Monarch are deeply concerned about that.

Andrea Leadsom: I congratulate my hon. Friend on raising a really important point about Monarch workers' pensions. I am proud that the jobcentre rapid response service has looked quickly at the future for any employees made redundant from Monarch. People are naturally concerned about their pensions. The Insolvency Service can make payments out of the national insurance fund for unpaid pension contributions, subject to statutory limits, and I am sure that he will want to raise this issue at the next Work and Pensions questions.

Anna McMorrin (Cardiff North) (Lab): S4C, the Welsh language public service broadcaster based in my constituency, is undergoing a review, which was announced in August. Will the Government be making a statement on that review? When can we expect any announcement that will guarantee S4C's future as a unique and valuable broadcaster in Wales, offering quality and innovation?

Andrea Leadsom: I pay tribute to the work of the Welsh language channel, which is vital; I have come across it in previous roles and think it does a fantastic job. I do not know the answer to the hon. Lady's question, but she can certainly write to me and I will find out for her; or I am sure that Ministers from the Department for Digital, Culture, Media and Sport will be happy to answer her directly.

Douglas Ross (Moray) (Con): Does my right hon. Friend share my concern that, given the leadership vacuum in Police Scotland since the chief constable stepped aside last month and the chair of the authority resigned in June, it would now be irresponsible and reckless for the Scottish National party Scottish Government to continue with their merger of the British Transport police into Police Scotland? May we have a statement to update Members on the discussions between the UK and Scottish Governments, with particular reference to the concerns of BTP officers and staff in Scotland?

Andrea Leadsom: In his short time in the House, my hon. Friend has shown that he is a strong voice for his constituents and for Scotland. He will be aware that, under the Scotland Act 2016, the issues he raises are matters for the Scottish Parliament. Nevertheless, although they are devolved, it is important that, as the Prime Minister has said, this Parliament does not devolve and forget, so the UK Government are engaging with the Scottish Government on the transfer arrangements to make sure that the overall level of policing—including police across the border—remains as effective as it is today.

Vernon Coaker (Gedling) (Lab): I refer to my entry in the Register of Members' Financial Interests.

Next Wednesday is national Anti-Slavery Day, when there will be an event at which various awards will be given out to people, courtesy of Mr Speaker, who will also be speaking at the event, for which we are very grateful. The House is united in trying to tackle modern slavery and human trafficking. Has the Leader of the House had any indication that any member of the Government will come to the House next Wednesday to talk about the progress in tackling this horrific issue?

Andrea Leadsom: I congratulate the hon. Gentleman on his becoming the co-chair of the all-party group on human trafficking and modern slavery. I know that the issue is of great importance to him and to you, Mr Speaker. It is also of great importance to the Prime Minister, who was absolutely behind the introduction of the Modern Slavery Act 2015. It is a horrific problem that is still taking place on our streets every day, but the UK is at the forefront of tackling this evil. I am sure that the hon. Gentleman will find a way to make sure that the Government come to the House to make a statement on progress.

Mr Peter Bone (Wellingborough) (Con): You must be cheered up today, Mr Speaker; in all the time I have been in Parliament, I have never heard a Leader of the House ask Members to suggest ways to increase scrutiny. That is a triumph for the current Leader of the House, who will be so good at this. One thing that we could do urgently is to require a statement from a Minister within four weeks of the House making a decision on a substantive motion, whether it is in a Backbench Business

debate or on an Opposition day. As we go into a situation in which there will be a lot of delegated legislation under the European Union (Withdrawal) Bill, a statement about substantive motions would help to reassure the House.

Andrea Leadsom: My hon. Friend has made this suggestion several times, and I am interested in it and would like to discuss it with him further. My concern is that such a process could lead to the downgrading of the quality of debate, because it would effectively mean that the Government could just reply after the fact. Nevertheless, I am interested in what my hon. Friend has to say and would be delighted to have him buy me a drink so that we can discuss it further.

Nic Dakin (Scunthorpe) (Lab): Scunthorpe market provides around 250 local jobs and is well valued by its customers, yet its future is currently at risk because of the behaviour of North Lincolnshire Council. May we have a debate about the role of markets in local communities and councils' roles in supporting them?

Andrea Leadsom: I am grateful to the hon. Gentleman for raising this issue. Market towns, of which I have two in my constituency, are incredibly important to our communities and we should do everything we can to sustain them. I thoroughly recommend that he use the good offices of the Chairman of the Backbench Business Committee, the hon. Member for Gateshead (Ian Mearns); I am sure there would be enthusiasm across the House for such a debate.

Stephen Kerr (Stirling) (Con): Will my right hon. Friend find time for a debate on the welfare of British subjects detained in Dubai? One such individual is one of my Stirling constituents. He is currently being detained in Dubai, and, as the House will understand, there is much concern for his wellbeing and prospects.

Andrea Leadsom: My hon. Friend raises an incredibly important point. A number of our constituents are held overseas in circumstances that we as MPs become very concerned about. I think that I know the case to which he refers, and I point out to him that he might want to catch your eye, Mr Speaker, on Tuesday 17 October at Foreign Office questions, when he can raise this matter directly.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): I am sure that, as a great student of British history, the Leader of the House will know of the turbulent time in 1917 when a group of very angry Members of Parliament—they were angry that Lloyd George was not giving the right amount of importance to the co-operative movement—marched down to Westminster Hall and founded the Co-operative party, of which I and many of my hon. Friends are proud members. Can we have an early debate on the real value of co-operation—what it has done for this country and what it can do in the future—and would she like to pop into the Co-operative party's annual conference this weekend just down the road?

Andrea Leadsom: I am absolutely happy to share with the hon. Gentleman in remarking on the incredibly valuable work of the co-operative movement over a century. I thought that he was going to mention the revolution in Russia. I am glad that he did not go there, because I might not have been quite so enthusiastic.

Mr Sheerman: That was just a sideshow.

Andrea Leadsom: Yes. I am very happy to celebrate the anniversary that the hon. Gentleman mentioned and to pay tribute to all of the excellent work that has been done over many years to try to help improve the plight of people in this country.

Chris Davies (Brecon and Radnorshire) (Con): As my right hon. Friend will know from her previous role, the food and farming sector is vital to my constituents in Brecon and Radnorshire. We help to add to the 3.9 million people employed in the agricultural sector in this country and to contribute to the £108 billion to our economy. Can we have a debate on the importance of the food and farming sector in this country?

Andrea Leadsom: I certainly agree that the food and farming sector contributes massively to the success of our economy. There can never be too many debates in my book about its importance and about what more we can do, because there is huge potential for innovation, improving productivity and making more of our superb food and drink exports, which are growing rapidly. I absolutely agree with my hon. Friend and urge him to try to ensure that we do spend more time in this House debating that important issue.

Diana Johnson (Kingston upon Hull North) (Lab): Can we please have a debate on the future of the Red Arrows? For decades, the Red Arrows display team has showcased the best of British aeronautical manufacturing around the world. The Hawk trainers used by the Red Arrows and built at Brough just outside Hull had been due to go out of service in 2020. As the Prime Minister, David Cameron, said in 2014 and as the lead pilot, Squadron Leader Jim Turner, said, the jets will need to be replaced in 2018. In 2016, the current Defence Secretary said that, eventually, we will have to replace them and will start to think about that in the next year or two. In the light of the announcement from BAE Systems this week, a discussion about the future of the Red Arrows would be very timely.

Andrea Leadsom: We would all pay tribute to the excellent displays by the Red Arrows, not least of which is the one put on every year at the British Grand Prix in my constituency at Silverstone circuit, where they fly overhead. I can actually see them from my garden, and it is a fantastic sight. They do a brilliant job, and I absolutely support the hon. Lady in her request. She could speak to the Chair of the Backbench Business Committee, the hon. Member for Gateshead, as I am sure that there would be plenty of interest in such a debate.

Mr Philip Hollobone (Kettering) (Con): Mr Speaker, you were 100% right to have said in a recent speech that the House of Commons belongs to all its Members on behalf of the people and not just to those Members who happen to serve in ministerial office and that therefore this House should have the ability, in cases of emergency, to recall itself and not wait for the Government to do so. Does the Leader of the House agree, given that, as well as being a member of the Government, she is also meant to be a representative of the Members of this House to the Government? If she does, what will she do about it?

Andrea Leadsom: Mr Speaker, I found your speech yesterday very thought provoking with some extremely interesting ideas, particularly the idea that Back-Bench MPs could recall Parliament. I am sure we will hear more about that interesting idea and I shall certainly be listening.

Mr Speaker: Hmm, yes.

Tom Brake (Carshalton and Wallington) (LD): Will the Leader of the House make time available for a debate, which I suggest should be led by the Cabinet Office, to enable Ministers from different Departments to set out the costs of Brexit? They could set out, for instance, the cost of the contingency plans, the cost to the 50 different sectors set out in the sectorial reports that we are not allowed to see and the cost of the Nissan deal and any other secret deals with car manufacturers. It would also enable Ministers, like the Leader of the House, to set out exactly what they had said during the EU referendum campaign about what the cost of leaving the European Union would be for the taxpayer.

Andrea Leadsom: I absolutely disagree with most of the right hon. Gentleman's points. He is clearly seeking to fulfil the Liberal Democrats' ambition of denying the public their say in last year's referendum by trying to tie the Government up in knots talking about contingent possibilities that may or may not come to fruition. This Government, however, are getting on with the job of delivering on the democratic decision of the people of this country.

Stephen Hammond (Wimbledon) (Con): Will my right hon. Friend ask the Secretary of State for Transport to make a statement on the work of the National Infrastructure Commission and the progress of major projects—in particular, to give a timescale for the implementation of the northern hub and to say why there are such lengthy delays to Crossrail 2?

Andrea Leadsom: I am sure my hon. Friend has some specific points in mind about which he is concerned, and I urge him to raise them at Transport questions on Thursday 19 October.

Alan Brown (Kilmarnock and Loudoun) (SNP): My constituent's daughter, Amy, is a United States citizen who has lived in the United Kingdom for 10 years. She has graduated from university and has been successfully running her own business, yet she has been refused a renewal of her entrepreneurial visa. Her appeal was nothing more than a tick-box exercise. She has been visited twice by Home Office agents and her mental health is suffering as a result of the situation. Will the Leader of the House commit to getting a Minister to do a proper review of this case and see common sense about somebody who is contributing to the UK economy?

Andrea Leadsom: I commend the hon. Gentleman for taking up this case. We all have individual cases about which we are concerned because we want to ensure that justice is done and that we are fair to the person who is contributing so much as well as to our own rules and regulations. I am sure that the Home Office will be keen to look into the matter for him if he wants to take it up with the Department directly.

Rebecca Pow (Taunton Deane) (Con): The Leader of the House—and perhaps you, Mr Speaker—may not be aware that the Westminster dog of the year competition will be held in two weeks' time. Although the event may seem somewhat frivolous, there is a serious point behind it: raising the subject of good animal care and welfare. The Government take these issues seriously, recently raising the sentences for animal cruelty to five years. Will the Leader of the House join me in welcoming that move by the Government and in wishing everyone good luck in Westminster dog of the year, which helps to promote animal welfare? If she has a spare moment on 26 October, I know that the Dogs Trust would welcome a late entry. Indeed, Mr Speaker, you might think about coming along as well.

Mr Speaker: I was not proposing to enter myself and I do not have a dog. We have a cat called Order and my son has a tortoise.

Andrea Leadsom: I see you as something of a springer spaniel, Mr Speaker. I am not sure whether I would qualify because I sadly do not have a dog or even a tortoise. I would love to have both but life seems to get in the way. My hon. Friend made an important point, though. We are a nation of dog lovers. When I was Secretary of State for Environment, Food and Rural Affairs, I was totally delighted to preside over a change in puppy licensing laws, which has gone a great way towards helping in the welfare of puppies and dogs. I am also delighted with our changes to animal cruelty sentencing. I congratulate my hon. Friend on raising a point that may appear trivial but that is actually very dear to us all. I offer good luck and best wishes to every entrant.

Kelvin Hopkins (Luton North) (Lab): The national health service is under immense pressure from under-resourcing, but also from the heavy and continuing burdens arising from alcohol abuse. May we have a full debate in Government time on how the Government propose to address this serious problem?

Andrea Leadsom: The hon. Gentleman raises an incredibly important issue. Alcohol abuse is certainly enormously to the detriment of people's lives in this country, but it also adds enormously to the financial imposition on the NHS, given the burden of care involved in dealing with the ramifications of excessive alcohol abuse. The hon. Gentleman may well wish to raise this directly with the Department of Health and to look for a specific opportunity to talk about the impact of alcohol abuse on the NHS.

Clive Lewis (Norwich South) (Lab): Can the Leader of the House provide time for the Business Secretary to address the threatened closure of the Britvic and Colman's factories in Norwich, which could lead to job losses for hundreds of my constituents? I have written to the Business Secretary, and I hope the Leader of the House can assure me that he will respond. He was able to intervene in the Nissan case last year, and if he can do that for Nissan, he can do the same for my constituents. Anything less just will not cut the mustard.

Andrea Leadsom: The hon. Gentleman is absolutely right to speak up for his constituents, and I can assure him that the Business Secretary will reply—of course

he will, as the hon. Gentleman would expect. The hon. Gentleman may wish to call an Adjournment debate, and he will then have a Minister here who can directly address the issues he is concerned about.

Chris Stephens (Glasgow South West) (SNP): I am vice-chair of the all-party party parliamentary group on Show Racism the Red Card, and the Leader of the House will be aware that there is a fortnight of action, so can we have a debate or a statement in Government time on the funding of that organisation? Does she agree that it is great that the football community is in schools such as St Constantine's Primary School and Ibrox Primary School in my constituency talking to kids and encouraging anti-racism activity?

Andrea Leadsom: I think we can all agree that football has a really good part to play in providing a role model for young people, where it seeks to do that—it can also be a bit of a problem on occasion. However, the example the hon. Gentleman gives of football being used as a means to motivate and inspire young people in schools is very valuable, and if he wanted to apply for an Adjournment debate, I am sure you would look very favourably on the matter, Mr Speaker.

Rachael Maskell (York Central) (Lab/Co-op): I do not know what the Government have against the children of York, but we are going to experience real funding cuts to all the schools across the city—in fact we are going to move from being the seventh worst funded authority to the very worst funded authority. When will the Government have a debate in their time to discuss the new funding formula?

Andrea Leadsom: The hon. Lady might like to share in the genuine happiness and pleasure at the fact that 1.8 million more children are in good and outstanding schools than in 2010. Unfortunately, the Opposition always equate achievement with more money. It is just not clear to me from what the hon. Lady said that she is concerned about standards in her schools—she just talked about money in her schools. If she wants to raise the issue of standards and achievement, that would be different, but, unfortunately, the Opposition always focus on just providing more money. This Government's achievement in education has been superb. There are more children in good and outstanding schools—1.8 million of them—than ever before. It would be great if the Opposition recognised and celebrated that.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): Veterans suffering from post-traumatic stress disorder tell me that residential treatment is a lifeline for many of them and their families. Welsh veterans will be among those protesting tomorrow against the planned closure of the Combat Stress treatment centre at Audley Court in Shropshire. They fear that their nearest residential centre will be hundreds of miles away in the south of England. Could time be found for the House to debate how to ensure that all veterans with PTSD receive effective, affordable and accessible treatment that puts their needs first?

Andrea Leadsom: The hon. Lady is right to raise the issue and we would all want to pay tribute to the amazing contribution made by our armed forces, often at a high price for them personally and individually. She will be pleased to know that on 9 October the Ministry

of Defence and the Royal Foundation publicly announced their new partnership to try to reduce further the residual stigma of mental ill-health across the defence community. I know that my right hon. Friend the Secretary of State for Defence is very concerned about this issue, and the hon. Lady may want to raise her concerns about that centre directly with him.

Neil Coyle (Bermondsey and Old Southwark) (Lab): On 3 June, London Bridge and Borough Market in my constituency were attacked by terrorists, leaving eight dead and shutting the area down for 10 days at a cost of £1.4 million to local businesses. The Borough Market Trust has done a huge amount to raise public and business-to-business support; the council has provided £100,000 in rate relief; and the Mayor of London has provided £175,000 in support. Despite meetings between traders and Business and Treasury Ministers, not 1p of Government support has been provided and insurers such as Aviva have yet to make pay-outs. Will the Leader of the House re-examine what emergency support the Government offer in the aftermath of terror attacks and provide Government time to debate the publicly funded pool reinsurance system?

Andrea Leadsom: The whole House was incredibly impressed by the way the traders and communities in the London Bridge area came together after the appalling terror attack, and we all pay tribute to the work that they did. The hon. Gentleman makes the point that contributions have been made by local government, which does of course receive funding from central Government so that it can support local communities. I understand the point he makes, however, and he may wish to raise a specific issue in an Adjournment debate. The Government provide support in many ways for recovery after these horrendous attacks, and it is right that we will continue to do so.

Jim Shannon (Strangford) (DUP): Andrew Brunson, a Protestant pastor, who led a small church congregation in the western Turkish city of Izmir, was arrested in October 2016. He has faced unsubstantiated accusations in the Turkish media. Erdogan's offer of a prisoner swap for Andrew Brunson is an unfortunate confession by the Turkish president that the pastor is a pawn held hostage by Ankara. May we have a statement or debate on the suppression of human rights in Turkey, in particular for those of a Christian faith?

Andrea Leadsom: I am grateful to the hon. Gentleman for raising that case. The Government are firmly committed to protecting the right to freedom of religion and belief around the world and to being a strong voice in defence of that fundamental right. The persecution of Christians and those of any other faith is of profound concern to us and we are active in condemning any such persecutions.

Paula Sherriff (Dewsbury) (Lab): I have been made aware that constituents taking advantage of the call-back service on the universal credit helpline commonly wait at least 12 minutes to get through, which costs some £7 on a mobile, equating—as I am sure the Leader of the House is aware—to an hour's wages for some people. Universal credit is on its way to my constituency and my constituents are already contacting me because they are worried about the implications. Does the Leader of the House agree with the 55p a minute cost of calls to the helpline and may we have a debate on that specific issue?

Andrea Leadsom: I share the hon. Lady's concern that we have to do everything that we can to make claiming universal credit as easy as possible. I rang the universal credit helpline myself just before business questions to see how long it takes. Clearly, there is the facility for call-back, and if the hon. Lady has evidence that it takes too long for that to be provided, the DWP will look at it. It has made clear its commitment to ensuring that the process is fair to claimants. Of course, 99% of all universal credit claims are made online, and jobcentres have facilities for people to access digital services and be helped to make an application online.

I would just like to point out to the House that universal credit is a good policy. It is designed to help people get back into work, to reduce six benefits to one and to make the system less confusing and less capable of causing a problem.

Stewart Malcolm McDonald (Glasgow South) (SNP): May I begin by putting on the record the great sadness of many of my constituents at the recent death of Sir Teddy Taylor, who served my constituency for 15 years? It is a privilege to represent his old stomping ground, where his name looms large to this day.

During the recess, Mr Speaker, you visited two schools in my constituency, and I am quite sure that the young people there told you about their experiences of cyber-bullying and having social media platforms used against them. *[Interruption.]* I say to hon. Members who are screeching from a sedentary position that this deserves a bit more respect. There is deep confusion at what the Government are doing in this regard. The Culture Secretary yesterday said that legislating on this would be ideological and too difficult. May we have a statement from the Culture Secretary on how she intends to clamp down on companies such as Facebook being used to make a misery of young people's lives?

Andrea Leadsom: I join the hon. Gentleman in paying tribute to Sir Teddy Taylor. I do not agree that the Secretary of State for Digital, Culture, Media and Sport was at all confusing yesterday. I heard her say very clearly that, ideally, to address this issue more quickly, we will seek voluntary co-operation from social media organisations, because it takes longer to legislate. It is really important, as the hon. Gentleman quite rightly says, to explore means of reducing the appalling problem of cyber-bullying, which goes on all too frequently.

Bill Esterson (Sefton Central) (Lab): The Leader of the House spoke about universal credit just now. I have constituents who have waited more than 20 minutes, many of them more than once, to get through before they can even ask for a call-back. Will she please get a Minister to come to the House as soon as possible and announce the scrapping of the 55p charge? These people are in desperate need of money, which is the only reason why they are having to make the calls in the first place.

Andrea Leadsom: To be clear to the hon. Gentleman, the charge—I am not condoning it at all—is not a Government charge. The Government do not make money from these calls; the charge is made by phone providers, so his remedy of scrapping it is not a matter for the Government. I absolutely take on board his concern that people should not have to hold on for so long on those calls. As I said to the hon. Member for Dewsbury (Paula Sherriff), 99% of applications are

made online, and there are facilities in jobcentres to help people to log in online. It is absolutely vital that all of us, as constituency MPs, make it clear to our constituents that they can ask for a call-back, which would be free to them.

Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP): May we have the debate that has been missing for so long on the importance of the UK textile and fashion industry to the economy? The industry contributes almost £21 billion each year. There are very real concerns in the industry regarding Brexit, and it is crucial that we support this important industry.

Andrea Leadsom: I congratulate the hon. Lady on raising a subject that is, I know, very important to you, Mr Speaker, with your clear personal commitment to fashion and design. She raises a very good point, and I urge her to seek an Adjournment debate so that she can raise the importance of this industry, in which the UK is, if not leading the world, a key player in the sector. It is a growing success story for the United Kingdom.

Paul Flynn (Newport West) (Lab): May we have a debate on early-day motion 372, so that I can enjoy the lifetime first experience of congratulating the Government on an intelligent drugs policy of approving safe injecting rooms?

[That this House believes that it is the duty of the good citizen to challenge laws that oppress the sick and the powerless and deny them their medicine of choice; congratulates the United Patients Alliance for the act of mass civil disobedience in challenging the discredited, cruel and unenforceable law that criminalises thousands of seriously ill patients for using natural cannabis to relieve symptoms of severe pain and spasm; and thanks the police for its wise restraint and the Multiple Sclerosis Society, two police and crime commissioners and hon. Members for their support for a new compassionate and practical reform of medicinal cannabis use to replace the present irresponsible black market with a legal market that can be regulated, removing the threat of prosecution from those already suffering disproportionately the burdens of life's misfortunes.]

I congratulate the Multiple Sclerosis Society and the United Patients Alliance on the act of civil disobedience that was undertaken on Tuesday of this week, when a group of seriously ill patients protested against an unjust and unenforceable law. These are people who have already suffered more than their fair share of life's misfortunes, and it is wrong that they should live under the threat of prosecution for taking their medicine of choice—the only medicine that will cure them of their symptoms.

Andrea Leadsom: I congratulate the hon. Gentleman on his ten-minute rule Bill—I happened to be in the Chamber for its introduction—which seeks to address this very issue. In particular, in raising this issue he will, of course, have proper Government scrutiny over it. I wish him well in achieving his ambition.

Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op): At Prime Minister's questions yesterday, the Prime Minister had the opportunity to rule out the scrapping of the Royal Navy's entire amphibious assault capability, but she chose not to. Will the Leader of the House recognise the very genuine cross-party concern

about this latest round of Government defence cuts, and will she hold a debate in Government time to help inform the Ministry of Defence's decisions?

Andrea Leadsom: The hon. Gentleman will know that it is simply nonsense for him to talk about defence cuts. We are committed to spending 2% of GDP on defence, and that means there is increasing expenditure on all areas of defence. It is for the Ministry of Defence to look at the mix of different types of activity and the levels of expenditure that are appropriate to meet 21st-century needs.

Alison Thewliss (Glasgow Central) (SNP): It is a year to the day since I held a debate in Westminster Hall on the rape clause and the two child policy. May we please have debate on this vile policy, particularly as it has implications for women in Northern Ireland? They are being actively put in danger by this policy, because the third-party verifier is obliged by the law in Northern Ireland to report the rape to the police. There are significant implications for both women and third-party professionals, who could find themselves criminalised by this ill-thought-out and vile Government policy.

Andrea Leadsom: I am sure the hon. Lady will find ways, as she has in the past, to raise this at various departmental questions.

Mr Paul J. Sweeney (Glasgow North East) (Lab/Co-op): It is a matter of great pride in this country that the British aerospace industry is the second largest in the world, employing many thousands of highly skilled people who are paid well above the national average wage. It was therefore with great dismay that we heard this week that 2,000 jobs are being cut at BAE Systems. I have personal experience of that, having worked in the shipbuilding industry when 2,000 jobs were cut at BAE Systems back in 2013. In both cases there was a common cause: a lack of long-term industrial planning for key sovereign industrial capabilities. The national shipbuilding strategy, published just recently, in fact gave up any pretension to our having a world-class shipbuilding industry through providing the capital investment in shipbuilding infrastructure necessary for the industry to be world class. Will the Leader of the House consider holding a debate in the House on the national shipbuilding strategy and an aerospace industrial strategy to enable

us to scrutinise this properly and ensure that we maintain a world-class industrial infrastructure?

Andrea Leadsom: I must say that it is great to hear an Opposition Member speaking up for the amazing manufacturing sectors in the UK. He raises an important point about BAE Systems. He will be pleased to know that, just last month, my right hon. Friend the Defence Secretary signed a statement of intent with Qatar, committing the country to the purchase of 24 Typhoons and six Hawks from BAE. It is incredibly important to have a long-term look at the potential for industrial growth in this country, which is why the Prime Minister has set out a new industrial strategy, and this Government are absolutely behind it.

Justin Madders (Ellesmere Port and Neston) (Lab): The Grace Arms is a well-known landmark on the drive into Ellesmere Port town centre, but its existence is under threat from property developers. Many people in the area are deeply concerned by the potential loss of this much-loved community facility, so may we have debate on what more the Government can do to support local pubs?

Andrea Leadsom: I know we all go to great lengths to support our local pubs—not just by our physical presence, but in this place as well. It is right that we should do so, because they really are at the heart of all our communities. It sounds to me as though the hon. Gentleman might want to consider applying for an Adjournment debate.

Gavin Newlands (Paisley and Renfrewshire North) (SNP): The Spanish Prime Minister, Mariano Rajoy, recently spoke about the serious threat facing Spanish democracy. However, the real threat to democracy is the brutal and thuggish approach to the Catalan people as they took part in a peaceful democratic vote. In that, he is acting more like a dictator than a democratic leader. May we have a debate on the right of democratic self-determination to enable hon. Members to discuss the brutality of the Spanish state?

Andrea Leadsom: I certainly join the hon. Gentleman in being extremely disturbed by the violence against innocent citizens. However, he will appreciate that each case of self-determination needs to be addressed according to its specific circumstances, and the Spanish courts have ruled that the vote was not held within the Spanish legal and constitutional framework.

Retail Energy

12.4 pm

The Secretary of State for Business, Energy and Industrial Strategy (Greg Clark): With your permission, Mr Speaker, I would like to make a statement to the House about the draft Energy Price Cap Bill, which we are publishing today.

Over the past 15 years, energy prices have risen by over 90% in real terms. Currently, most households in Great Britain are on tariffs that penalise rather than reward loyalty. In 2014, in response to widespread concern that competition in the retail energy markets was not serving customers' best interests, the independent regulator Ofgem referred the market for investigation to the Competition and Markets Authority.

The CMA completed its investigation in 2016 and found that the retail energy market was not operating in a fully competitive way. It reported that customers of the big six pay an average of £1.4 billion a year more than they would in a truly competitive market. The CMA report said:

“Overall, our view is that the overarching feature of weak customer response gives suppliers a position of unilateral market power concerning their inactive customer base and that suppliers have the ability to exploit such a position through their pricing policies.”

Since the CMA findings, the big six energy suppliers have announced unjustified price increases in their poor value standard tariffs. Customers of these firms have seen their energy bills increase by between 7% and 10% within the past 12 months, increases on prices the CMA had already concluded were too high.

The Government want the market to thrive, and we continue to promote competition as the best driver of value and service for customers. However, as my right hon. Friend the Prime Minister said last week, the Government are prepared to act when markets are not working for all consumers. The energy market is a clear example of this, as Ofgem itself said yesterday.

The energy market is on the cusp of a major change, in which smart meters will be offered to every household and business by the end of 2020. When fully rolled out, smart meters will make it easier for consumers to reduce their energy consumption and to access competitive deals. In the meantime, however, the CMA panel recommended a number of measures to improve competition and a temporary tariff cap for those with prepayment meters until smart meters are rolled out. As the CMA said:

“our remedies will take time to implement before they start to address the features that we have identified and, in turn, reduce the detriment to domestic customers arising from them.”

The CMA was in two minds over how widely interim protection should be applied. The panel's minority opinion was that the temporary price cap should be extended to a wider group of consumers. In its words:

“They must be supplemented by a wider price control designed to give household customers adequate and timely protection from very high current levels of overcharging.”

The Government agree with that view, which is why I wrote to Ofgem in June to ask them what action they intended to take to safeguard customers on the poorest value tariffs. In response, Ofgem undertook to consult consumer groups to provide measures to protect vulnerable consumers.

We welcome Ofgem's commitment yesterday to protect a further 1 million families, meaning over 5 million families will be protected from expensive standard variable tariffs for the first time; and we welcome Ofgem's statement that suppliers must step up their efforts to get more of their customers currently on default tariffs on to better value deals. However, this does not address the scale of the detriment suffered by all consumers on expensive default tariffs and it still leaves 13 million families paying more than they would in a competitive market. These consumers are often on lower incomes, are elderly and are renters. I am determined that we will be on the side of all consumers and ensure that the market can become more effective. Our goal is to ensure a fair deal. The market is currently not delivering this, which is why the energy companies and Ofgem need to act. It is precisely for this reason that we are publishing this draft Bill today.

I have invited the Business, Energy and Industrial Strategy Committee to scrutinise the draft Bill, which provides for a price cap for domestic customers on standard variable tariffs and default tariffs. The cap will be temporary and will be set by the independent energy regulator, Ofgem. It will initially last until the end of 2020, with the potential to be extended by up to three years if needed.

The draft Bill will preserve the ability for the market to act competitively: there should be savings for customers on high-priced standard variable tariffs, but enough headroom to allow for effective competition and to give a reason for people to shop around. It is of the utmost importance that consumers are treated fairly and our priority must always be to act in their interests. The draft Bill would allow competition and innovation in tariffs between existing players and new entrants, but would ensure that the worst excesses of overcharging could not be visited on loyal and, in many cases, vulnerable consumers of energy companies. It would require Ofgem to impose the cap as soon as is practicable after legislation, but it does not stop companies acting sooner and they should do so.

To conclude, Mr Speaker, when £1.4 billion a year of detriment to British consumers is identified, following a thorough investigation, we have a duty to act. These measures are intended to safeguard the interests of consumers during the transition to a more competitive market. I commend this statement to the House.

12.9 pm

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

Just two years ago, the then Prime Minister criticised Labour's energy price cap policy, saying we wanted to live in a Marxist universe. Well, we certainly are in strange political times, that's for sure. It has taken an extraordinary amount of time to get to this stage and enormous pressure from the shadow Front-Bench team and hon. Members on both sides of the House. It is impossible, however, for the price cap to protect families this coming winter. Ofgem has indicated it would take about five months after the Bill's Royal Assent for the regulator to enact a price cap. Owing to the Government's dithering, the 4 million households in fuel poverty, almost 1 million of which include a disabled person, will now face another winter of cold homes or astronomical bills.

Will the Secretary of State explain why it has taken so long? Labour has been consistently calling for action and clarity on the Government's position since the election and for a price cap for several years, but even today several issues require further clarification.

First, will the Secretary of State confirm why the draft Bill, which I have just perused, does not provide any direction from him on his preferred cap parameters but instead passes the ball to Ofgem? Will it be a relative cap or an absolute cap? Will he direct Ofgem to implement a different cap if he is not content with the one it proposes following the review? Secondly, will he confirm how long he anticipates the Bill's passage taking and whether he will take any ancillary measures to expedite the usual scrutiny process?

Thirdly, reports this morning stated that the cap would apply to 12 million households, but the Bill is not clear on the cap parameters, as I have said, and leaves much to the discretion of Ofgem. Will the Secretary of State confirm, then, why the Government have seemingly rowed back from the commitment to knock £100 off the bills of 17 million households? Surely this should be explicit in the Bill or ancillary directions to Ofgem.

Fourthly, the Secretary of State is no doubt aware that Labour would introduce an immediate emergency price cap to ensure that the average household bill remains below £1,000 a year, which would save the average big six customers £142 a year. Had the cap been in place since 2010, the average customer would have saved more than £1,000 on their bills by now. Does he anticipate, in all this ambiguity, that the final cap will go anywhere near Labour's proposals? If not, by how much does he expect bills to be reduced, if at all?

Finally, we are discussing the need for an energy price cap in the first place only because our energy market is fundamentally broken—even the Prime Minister acknowledges that. Labour understands that the price cap is only a temporary fix and so would radically reform the market by, among other measures, creating a publicly owned, locally accountable energy supply company in every region and ensuring greater transparency and fairness in the pricing structures of the supply and wholesale energy market. Does the Secretary of State accept that a price cap, although welcome, is only a sticking plaster and that radical reform of the market is necessary?

If so, how and when does the Secretary of State propose to reform the energy market and will he direct Ofgem to do it, rather than simply calling for a review, as the draft Bill suggests? Or have we got to wait until 2020 and the outcome of such a review before we see any real action? I hope that we do see action before 2020 because the cap is only guaranteed for the next two winters. Homes and businesses up and down Britain face a bleak winter and—it seems—further ambiguity and uncertainty regarding the Government's position on the price cap mechanism and the wider reforms our energy market desperately needs.

Greg Clark: If one thing would be disastrous for consumers, taxpayers and business confidence in this country, it would be the hon. Lady and her Front-Bench colleagues' proposal for nationalised energy companies. It is not even clear how it would be paid for, but there are only three ways: taxing more, borrowing more, or expropriating assets. If that is about achieving the confidence of British business, she has a long way to go.

The hon. Lady asked about the action being taken and the required pace. I remind her that in 13 years of Labour Government not a single protection was put in place for consumers. It was the Conservative-led Government who commissioned the Competition and Markets Authority report—something that the right hon. Member for Doncaster North (Edward Miliband), when he had the opportunity, signally failed to do—as a result of which 4 million consumers will benefit this winter from a cap on prepayment meter tariffs, which again is something the previous Labour Government failed to do in their 13 years in office.

Since taking on this role, I have been absolutely clear, on the basis of the CMA's assessment, that we require nothing less than the eradication of that detriment of £1.4 billion, which is why, in response to my requirements, Ofgem has announced that a further 1 million will be protected this winter, with a further 2 million to follow. I have been clear, however, that that is not comprehensive enough, and it is because I am not satisfied that we are introducing the Bill. We published it and submitted it to the Business, Energy and Industrial Strategy Committee, which I hope will give it urgent pre-legislative scrutiny so that we can reflect what I think is a broad consensus in the House that the objectives should be an energy market that works for all and, before that, protection for the consumers currently suffering the detriment identified. I hope that there will be a consensus around that so that we can proceed with the Bill.

As I said in my statement, however, it is open now to energy companies to move people off the standard variable tariffs identified as overcharging customers. Indeed, Ofgem has made it clear that it expects them to do so. They should do so now and not wait for the Bill.

John Penrose (Weston-super-Mare) (Con): I congratulate my right hon. Friend on embracing the huge cross-party consensus on protecting 17 million households from rip-off energy bills. This is a good day. It is great that we can now move on to discuss how, rather than if, we make it happen. In the spirit of consensus, will he listen to the widespread concerns that an absolute cap would throttle competition, be out of date as soon as the wholesale price of gas changed and mean energy companies spending more time lurching their regulator than delighting their customers, whereas a relative cap would preserve competition, make the customer king and provide far wider consumer choice?

Greg Clark: I pay tribute to my hon. Friend's personal energy in this matter. He has been assiduous and tenacious in pursuing consumers' welfare. The reason for publishing the Bill for pre-legislative scrutiny was to build the consensus that I know he will participate in. Our proposal is for an absolute cap—to ensure a clear limit on what can be charged—but I know he has thoughtful views that he will want to convey during the scrutiny process.

Alan Brown (Kilmarnock and Loudoun) (SNP): I thank the Secretary of State for early sight of the statement and pay tribute to the hon. Member for Weston-super-Mare (John Penrose), the right hon. Member for Don Valley (Caroline Flint) and my hon. Friend the Member for North Ayrshire and Arran (Patricia Gibson) for the cross-party way in which they have brought this to the House. I am sure that that is what has forced Government action.

[Alan Brown]

With 18 million customers on default tariffs, today's announcement is a welcome step forward. I hope that those customers get the benefit of the savings that have been talked about. We need to make sure, however, that there is not too much equalisation or coalescing of pricing around the cap and that customer service is not affected as a consequence of companies trying to find other ways to save money. As the Secretary of State rightly said, standard variable tariffs themselves are a problem. How will the Government guarantee that people are moved off them once and for all?

The end supplier is only a small component of energy bills. What steps will the Government take to review the profits that the distant network operators make? They make up a huge cost in energy bills. Government energy policy also impacts on energy bills. I refer the Secretary of State to the Hinkley project and the fact that future auctions have been announced but onshore wind cannot bid. To keep energy prices down, clearly we must have the most cost-effective energy generation policies in place, so it must be allowed to bid in the electricity generation market. In Scotland, the First Minister has announced that a public sector supplier will be set up and allowed to bid in the markets. Does the Secretary of State welcome that and is it something that the UK Government will follow? Energy efficiency is also a key component. The Scottish Government are committed to a warm homes Bill. Will the UK Government do likewise?

Greg Clark: I hope that the hon. Gentleman will be able to stay for the statement by my hon. Friend the Minister for Climate Change and Industry.

Alan Brown *indicated assent.*

Greg Clark: He says that he will. I hope he will give a warm welcome to the proposals in the clean growth strategy, which will include something that many of his colleagues in Scotland, from all parties, have pressed for, which is the remote islands being entitled to bid in renewables auctions. I hope he will welcome that and, indeed, our leadership in renewables, not only in deployment—we are the world's leader in offshore wind—but in the jobs being created around the United Kingdom in the supply chain.

When it comes to the proposals in the retail market that we have set out, I can confirm that it is absolutely the Government's intention and requirement that competition should be preserved—indeed, extended—in this market. The Competition and Markets Authority said there was not enough of it at the moment. That is why part of its panel said that interim measures were needed while that competition comes in. That is important, and the requirement of the draft Bill is that Ofgem should take steps to ensure choice and vigorous competition as part of that.

Robert Halfon (Harlow) (Con): I welcome the changes that my right hon. Friend has made today. I have mentioned this to him before, but can he look seriously at the issue of energy companies charging people a lot more money for their domestic energy bills if they do not pay by direct debit and instead pay by cheque or through their bank or post office? It seems outrageous

that these customers have to pay a lot more when they are doing the right thing and paying on time, but not by direct debit.

Greg Clark: I am grateful to my right hon. Friend, who is always a doughty champion of consumers. It is right in a competitive market that decisions should be taken by the companies, but it is clear from the proposals that we have made that we expect responsibility to be exercised and that unfair advantage should not be taken, especially not of vulnerable consumers who are not as able to switch, for example—this may apply to payment methods, in the way that he described. That is absolutely part of the duty of the regulator to look after consumers.

Perhaps I could take this opportunity to reply to the point, which I did not respond to, that the hon. Member for Kilmarnock and Loudoun (Alan Brown) raised about the other costs on consumer bills. We have commissioned a review by the energy expert Professor Dieter Helm that will be inquiring into just such things and reporting shortly.

Edward Miliband (Doncaster North) (Lab): Given that this policy was once described from the Dispatch Box as “a con”, “a joke”, “disastrous” and “living in a Marxist universe”, it would be churlish not to welcome the Secretary of State's conversion to it today. Well done. He is very welcome to the party. However, I still think his voyage into the Marxist universe is a bit slow, if I can put it that way, because this is a draft Bill. It is four months since the general election. He said that there would be help this winter. He could have chosen to fast-track this measure with the Opposition Front Bench and get the help in now. Why so slow? Why not do it now?

Greg Clark: I certainly have not joined the Marxist universe that the right hon. Gentleman inaugurated and that has been taken up with such enthusiasm by those on the current Labour Front Bench. The problem with the proposal that he put forward—one of many problems—was that it would have frozen energy prices when prices in the wholesale market fell, so consumers would have been paying more. That is a good reason why we should act with the grain of the market rather than imposing a policy that would have been disastrous for consumers.

It is important that Ofgem has the powers and it is exercising some of them. I have been clear and candid with the House that I do not think it goes far enough, so through this Bill we would require that. We are putting that forward with immediate effect for pre-legislative scrutiny. It is important that we establish that it has the support of the House and then Ofgem can act on that, but it has been clear in its statement that, as the Bill is scrutinised, it will prepare and consult on the implementation requirements so that no time is lost.

Stephen Kerr (Stirling) (Con): I welcome the statement. Does my right hon. Friend agree with me and many of my constituents in Stirling, who are currently paying too much for their energy bills, that a fully functioning competitive market is the best long-term driver for value for customers? Will he also say when smart meters will become universal? By that I mean not supplier-specific, which I consider to be anti-competitive.

Greg Clark: My hon. Friend makes an excellent point. He is absolutely right that a fully competitive market is what we want and what we will achieve. The essence of the problem for people on standard variable tariffs is that the energy companies have more information about the habits and behaviour of consumers than is available to their competitors. They therefore know which consumers will never respond, no matter how swingeing a price increase is, but other competitors do not have access to that information to address the imbalance. That is why smart meters are being rolled out. They are moving forward from the first generation, so that they are fully rich in the information available, and that is part of the roll-out that is taking place now.

Sir Edward Davey (Kingston and Surbiton) (LD): Did the Secretary of State receive any of the advice that I did in his position that an energy price cap such as that which he is proposing could mean higher bills for the most vulnerable consumers, as seven of the eight members of the Competition and Markets Authority also feared? Will he confirm that without a cap we have seen a dramatic expansion of competition, switching numbers soaring and a sustained reduction in the number of consumers on variable tariffs? Is not the real reason he has gone for this temporary and timid price cap that he does not really believe in it?

Greg Clark: No. I have been determined from the outset to eradicate the abuse that the CMA has identified. It seems to me that if £1.4 billion of abuse has been identified, it is essential that that is eradicated. This problem is specific to modern markets—without the smart meters that will provide some relief from that—which is why it is important to provide interim measures, as the minority report of the CMA said. It is right to act on that. Everyone agrees—no one thinks that the market is fully competitive. The CMA in its majority report identified that the market was not functioning in a fully competitive way, and Ofgem said as much yesterday. As far as switching goes, in the last year only 16% of consumers switched, so 84% of the population did not. Until competition is fully established, it seems to me that people in that category deserve the Government to be on their side to ensure that they cannot be ripped off.

Rebecca Pow (Taunton Deane) (Con): I congratulate the Government on putting the consumer first. It is a shocking revelation that £1.4 billion is being overpaid by consumers on their bills, so I welcome the fact that the Government are taking this seriously. Many of those customers are in Taunton Deane and many are the most loyal customers. Does my right hon. Friend agree that the only way to deliver best value for those people is through a truly competitive market and that nationalisation would certainly not be the answer?

Greg Clark: I agree with my hon. Friend. Many consumers who are loyal to a supplier, often for many years, assume not that they will get the best deal, but that a trusted brand will respect their loyalty and not abuse it. However, as the CMA has pointed out, that is not the case, and I think it is important that the issue is addressed before competition is fully established. As Ofgem said yesterday, highly priced, poor-value standard variable tariffs have had their day, and the energy companies should act to move customers away from them.

Caroline Flint (Don Valley) (Lab): Much of what I am hearing is music to my ears, and I welcome the fantastic cross-party support. The draft Bill, however, is a vindication of Labour's warnings since the data became available in 2011 that customers were being ripped off by the big six energy companies.

The Secretary of State has finally accepted that customers were overcharged by £1.4 billion between 2012 and 2015, but will he admit that what he is proposing today will not help the many millions of customers who will need help this winter? Why does he not stop wasting time? Why does he not use the extensive powers that the Labour Government gave him in the Energy Act 2010, under which he could bring an order to the House to cap prices right now? The dithering must stop. We have had the debate. Price caps already exist for those with prepayment meters and those receiving the warm home discount, and the Secretary of State should do this for everyone else now.

Greg Clark: I welcome the support from the cross-party group of which the right hon. Lady has been part, along with my hon. Friends. However, while she talks about the data being available, she seems to have forgotten that her party was in government for 13 years. It was this Government who exposed the degree of overcharging and it is this Government who are acting on it, so it is this Government who are standing up for consumers.

The right hon. Lady asked about relief this winter. As I have said, I welcome the extra relief, although I think that Ofgem should go further. It has said that it expects energy companies to move customers off the standard variable tariffs, but we are acting to ensure that that is backed up by an instruction and a requirement.

The use of the legislation mentioned by the right hon. Lady—I have of course examined it and taken advice—would have the consequence of increasing other prices, rather than capping the overall price, which is why the backstop power in the draft Bill is necessary.

Sir Desmond Swayne (New Forest West) (Con) *rose*—

Dr Julian Lewis (New Forest East) (Con) *rose*—

Mr Deputy Speaker (Mr Lindsay Hoyle): Battle of the New Forests! I call Sir Desmond Swayne.

Sir Desmond Swayne: I want to escape this Marxist universe. We cap university fees and, lo and behold, all the universities charge the maximum. Can the Secretary of State persuade me that electricity will be any different?

Greg Clark: As my right hon. Friend will know, there is a vigorous competitive market for deals that are available through a great many new entrants, and we want to expand that market. The CMA has established that at present there is insufficient competition in the standard variable tariffs. Our aim is to expand the competitive part of the market and in the meantime provide some protection for those who are paying too much on those tariffs.

Albert Owen (Ynys Môn) (Lab): I welcome the Government's intervention on the road to Marxism. I think that—apart from one—we are all Marxists now. I want to make a serious point, but I have been banging on about this for a long time, and I have been accused of lots of things, which is why I make that statement.

[Albert Owen]

Speaking as a member of the Business, Energy and Industrial Strategy Committee, I think it is realistic to assume that the pre-legislative scrutiny will take some time. When does the Secretary of State expect the Bill to receive Royal Assent? Will that happen at the earliest opportunity, so that we can help the vulnerable people who are being ripped off? On the issue of competition, the Secretary of State mentioned a review. The energy companies said recently that the price hikes were due to transmission costs. Can we look into the uncompetitive nature of this broken energy market?

Greg Clark: As I said earlier, that is being considered as a separate exercise.

The hon. Gentleman referred to pre-legislative scrutiny by the Select Committee. I think that that is necessary so that we can establish a consensus and allow the technical scrutiny that is needed, so that once the Bill has passed that scrutiny and been introduced to the House, it can proceed with the strongest possible consensus.

Dr Julian Lewis: Given the time that will elapse before the cap is introduced, is there a danger that the energy companies will raise prices as much as possible in the hope of influencing the level at which the cap will be set? What will the Government do to prevent such a tactic from succeeding?

Greg Clark: Ofgem has powers, and that is one of the reasons why it is responsible for setting the cap. The prices must reflect the actual costs, and extensive powers are available to Ofgem to prevent that kind of abuse.

Diana Johnson (Kingston upon Hull North) (Lab): Can the Secretary of State confirm that the Bill will shave £100 from the energy bills of 17 million households, as promised by the Prime Minister?

Greg Clark: Yes. The detriment identified by the CMA was that people on standard variable tariffs were paying too much. It will be for Ofgem to determine what the level should be, but I have made it clear that I expect the whole of that detriment to be removed.

Robert Jenrick (Newark) (Con): There are still some people who believe in free markets. It is a lonely life, but I try to bear it with good grace.

I am naturally suspicious of caps, especially when they are introduced by a Conservative Government. Following the question asked by my right hon. Friend the Member for New Forest West (Sir Desmond Swayne), can the Secretary of State reassure me that the energy companies will not simply bunch up all the prices around the cap and that what little competition—imperfect competition—we see in the energy market today will not be further eroded so that more customers are put off from switching in the complacent, mistaken belief that they will get the best price, thanks to Government intervention?

Greg Clark: It is possible—and it is the practice—that companies, large and small, on the basis of their purchases in the wholesale market, can make offers to consumers in the competitive side of the market. Nothing will

change that. Companies can offer attractive deals and have the same prospects—in fact, growing prospects, as we roll out smart meters—of access to customers who are engaged with the market.

John Grogan (Keighley) (Lab): The Secretary of State has placed some emphasis on the roll-out of smart meters by 2020. How does he react to the figures published in *The Daily Telegraph* over the summer revealing that in the case of some companies, fewer than one in five consumers were accepting the offer of a smart meter?

Greg Clark: I do not recognise that figure. It is a fact that smart meters are being offered to every household in the country, and I think it is important that as they are rolled out, their benefits—not least the ability to secure lower prices—are made very clear to people.

Amanda Milling (Cannock Chase) (Con): I welcome my right hon. Friend's statement and the recognition that there are issues with the energy market, but consumer apathy is the real problem. Does he agree that more needs to be done to encourage people to switch, and to make switching easier?

Greg Clark: My hon. Friend makes a good point. One of Ofgem's responsibilities is to stop the erection of barriers to switching. It seems to me, however, that it is not unreasonable for consumers to expect to be able to trust a particular brand—a particular supplier—rather than having to change their arrangements frequently, and to be confident that they will not suffer a huge penalty as a result.

Jim Shannon (Strangford) (DUP): I thank the Secretary of State for his statement. I am not a Marxist, but everyone in the Chamber must see that this is common sense.

When the energy price cap comes into effect, what safeguards will be introduced to ensure that the big six do not switch customers to a tariff that is, in effect, a standard variable tariff under a different name?

Greg Clark: The hon. Gentleman makes an excellent point, and he will see when he looks at the Bill that there is precisely a requirement that these abusive standard variable tariffs cannot be replaced by something with just a different name.

Andrew Bowie (West Aberdeenshire and Kincardine) (Con): I know that the people of West Aberdeenshire and Kincardine—possibly, dare I say it, even more than those of Taunton Deane—will welcome my right hon. Friend's commitment today to a thriving and competitive energy market, so will he confirm that nationalising the energy companies has, unlike the Labour party's position, never been a consideration for this Government?

Greg Clark: I very happily confirm that. Not only would that be a disastrous signal to business throughout the United Kingdom but, as has been evidenced during the election campaign, it would leave a gaping black hole in the public finances, and we have had no explanation whatever about how that would be paid for.

Mr William Wragg (Hazel Grove) (Con): I hope that there is no state monopoly on Marxist metaphors. If I may paraphrase Trotsky, the ends we agree on; it is the means of getting there. In welcoming the draft Bill and urging consideration of a relative cap, will my right hon. Friend reaffirm that competition within the energy market remains crucial for consumer choice and keeping bills down?

Greg Clark: I will indeed, and that is why the proposal, in line with the recommendation of the minority report of the Competition and Markets Authority, is a temporary price cap during the period in which competition is extended. We agree very strongly that the best way for markets to serve consumers, bring down costs and promote innovation is to have vigorous competition, and that is at the heart of the obligation and the duty on the regulator.

Clean Growth Strategy

12.41 pm

The Minister for Climate Change and Industry (Claire Perry): I should like to make a statement on “The Clean Growth Strategy”, which we are publishing today. It contains 50 policies and proposals, of which 30 are brand-new announcements today. As the Prime Minister said in her foreword to the strategy:

“Clean growth is not an option, but a duty we owe to the next generation”.

My Department is dedicated to creating an economy that works for everyone through our modern industrial strategy. That means putting more money into research, development and innovation, investing in skills throughout the country and working with businesses to encourage growth in the areas where the UK has an advantage. It also means identifying and capturing the economic and industrial opportunities of the future. With the signing of the Paris climate agreement—an agreement in which UK leadership played a pivotal role—there is an unstoppable global shift toward clean technologies, infrastructure, industry and jobs. This offers UK businesses and innovators a huge opportunity to shape the future of clean growth and to capture the benefits, so we can have hundreds of thousands more good jobs right across the country.

We have already shown that action on climate change and economic growth go hand in hand. Since 1990, we in the United Kingdom have grown our economy by almost 70%, and in that time we have reduced our emissions by over 40%, which is the best performance in the G7. The latest research shows that the UK was the fastest of any country in the G20 to decarbonise in 2016. This achievement shows that a low-carbon transition can go hand in hand with economic growth, and it is our belief that the UK can lead the world in creating clean technologies, jobs and businesses. This is the core message of the clean growth strategy. It will sit at the heart of our industrial strategy and will build on the successes I have already mentioned to benefit businesses, consumers, the air we breathe, our health and the climate.

For example, it will help British businesses improve how they use their energy, by aiming to increase their energy productivity by at least 20% by 2030, worth at least £6 billion for our British businesses. As announced today, we will establish an industrial energy efficiency scheme to help large companies cut their bills, and we have also announced today a new commitment to demonstrate international leadership in carbon capture, usage and storage, including with new investment in leading-edge innovation to drive down costs. Significantly, there are only five carbon capture and storage plants operating globally that are not reliant on using the CO₂ for enhanced oil recovery. The technology can be better and the costs can be lower, and we intend to lead that challenge.

The plan announced today will also make our homes warmer and cheaper to run, as we invest about £3.6 billion to upgrade around 1 million homes through the energy company obligation and, as I announced today, extend that support out to 2028. Also today, we are setting a new ambition that every home in the country will reach an EPC—energy performance certificate—band C by 2035, where practical, cost-effective and affordable.

[*Claire Perry*]

On our roads, our strategy will help reduce air pollution by increasing the number of electric vehicles and creating the best charging infrastructure in Europe. As announced a few weeks ago—the gun was jumped—we have also now set a plan to end the sale of new petrol and diesel cars in this country by 2040.

But just having the Government making these changes is not enough on its own. We must ensure that British businesses, innovators and entrepreneurs capture the economic opportunities of this transition, both at home and abroad. There are already 430,000 jobs in low-carbon businesses and their supply chains right across the UK. The most recent research shows that the UK's low-carbon economy is growing rapidly, by between 10% and 12% a year from now until 2030, four times faster than growth in the broader economy as a whole. By that estimate, in just 13 years, we could see up to 2 million more UK jobs in this sector and increase our exports by up to £170 billion each year. We need to capture that opportunity. That is why this Government are making such a significant increase in spending on research, development and innovation—the biggest increase in 40 years—and today, for the first time, in the clean growth strategy I have shown how we are spending £2.6 billion of that innovation in supporting the transition to a low-carbon economy.

For example, through the Faraday challenge, we are investing nearly £250 million in battery technology, to guarantee that the UK leads the world in the design, development and manufacture of batteries for both electric vehicle development and distributed energy storage. The strategy announced today builds on that with new financial support for innovations in heating, energy efficiency, industrial fuels, and carbon capture and storage. I strongly believe that these are the right decisions to make and now is the right time to make them.

The success I am talking about today is built on many years of work, strongly supported by colleagues right across the House. I particularly want to highlight the contributions of the right hon. Member for Doncaster North (Edward Miliband), who is no longer in his place, and the right hon. Member for Kingston and Surbiton (Sir Edward Davey), and thank them for their efforts, both in government and opposition, which were pivotal in getting us to where we are today. I also thank the many other Members across both Houses who have doubled down and faced this challenge.

I also pay tribute to the former Prime Minister and former right hon. Member for Witney, who sustained his support for action on climate change despite the difficult economic circumstances we inherited. Maintaining a political consensus on the need for ambitious action both across Westminster and our devolved Administrations has been a critical part of the UK's success to date.

Time and again, we have shown how the United Kingdom is a world leader in tackling climate change. We were the first country in the world to set a statutory Climate Change Act, which binds us to our five-year carbon budgets and has committed us to cutting our greenhouse gas emissions by at least 80% by 2050. I set out today in the strategy how we are on track to over-deliver on our carbon budgets 1, 2 and 3 and well on track to meet our requirements for carbon budgets 4 and 5.

By putting the measures in our clean growth strategy into action, we not only continue our work in cutting emissions, but we can also cut consumer bills, drive economic growth, create high-value jobs right across the UK and improve our quality of life. It is a win-win opportunity: it is ours for the taking, and I commend this statement to the House.

12.48 pm

Dr Alan Whitehead (Southampton, Test) (Lab): I welcome the final publication—after, we have to agree, many delays—of “The Clean Growth Strategy”, and I agree with the Minister that the UK has been, as it should be, towards the front of the pack in action to decarbonise our economy. I also agree that the responsibility for getting us to that position lies with the Members to whom she has paid tribute today. I also welcome the Minister's clear position that she is fundamentally onside on the need to radically decarbonise our country to meet climate change imperatives—unlike, I have to say, many of her Back-Bench colleagues. I warmly welcome her efforts in this direction and clear commitment to the tasks we have to undertake.

I also welcome many of the additional policy directions that are contained in the document. I particularly welcome the commitment to further rounds of offshore wind to assist with the decarbonisation of the energy sector, and what I hope will be an intention to return to the development of onshore wind. These new policies and commitments, among many others, are important because it is clear that on present policies the UK is set to miss its key targets for decarbonisation, set out in the fourth and fifth carbon budgets, which this House has endorsed. That is surely the point of judgment for the efficacy of this plan: does it do what it is required by the terms of the Climate Change Act 2008:

“The Secretary of State must prepare such proposals and policies”

as

“will enable the carbon budgets that have been set...to be met”?

On that measure, it is clear from the report that the Government have failed in that task.

Even with the additional measures set out in this plan, as the report states on page 41, it is estimated that the UK will over-emit at the conclusion of the fourth carbon budget by 6% above that budget and at the conclusion of the fifth carbon budget by 9.7%. What additional proposals does the Minister have in mind to rectify that deficit—or does she consider that somehow we will get there without anything other than what is in this plan?

On getting there, does the Minister recognise just how far behind in decarbonisation we are in the heat sector? Does she consider that the funding set out for the renewable heat incentive up to 2021, which appears to be a restatement of what is already there, and of the energy company obligation, which appears to be a time extension of present funding for energy efficiency, will get us anywhere near the indicative heat decarbonisation and energy efficiency carbon reductions set out by the Committee on Climate Change in the fifth carbon budget?

The Minister will recall what emphasis the Committee on Climate Change placed on the role of carbon capture and storage. She mentioned in her statement that the Government now appear to be waking up once again to the idea that carbon capture and storage is a good thing.

While I welcome that apparent renewed interest in actually doing something about the establishment of CCS, both for energy generation and energy-intensive industries, does she consider that taking away £1 billion of funding for the development of CCS, as the Government did in 2016, and replacing it with up to £100 million of development funding in this plan will get us anywhere near the level of CCS use that the Committee on Climate Change recommends?

The Minister will be aware of how very important the traded sector is in the UK in terms of carbon emission reductions. The traded sector is kept on track by the EU emissions trading scheme. In her report, the long-term importance of the EU ETS is underlined, yet we currently have no certainty that the UK will remain within the EU ETS on Brexit, or that there will be any commitment, if not, that a substantive and internationally connected UK trading scheme will be established that can continue to keep the traded sector on target. Does she agree about the importance of the EU ETS in this sector? Can she commit today to work towards continued UK membership of the EU ETS in the future?

I agree with the Minister that a low-carbon transition can go hand-in-hand with economic growth, and she has today and on other occasions emphasised that the use of industrial strategy to drive decarbonisation, while providing for jobs, supply chains and manufacturing in the process, is a very important fundamental platform for our decarbonisation approach generally.

Labour has committed itself to attain the key mission of industrial strategy that 60% of all energy—all energy, including electricity and heat—would arise from renewable and low-carbon sources by 2030, the middle of the fifth carbon budget. That would in itself ensure that the targets of the fifth carbon budget were met. Will the Minister today endorse the setting of that target and work with the Opposition to bring it about?

Claire Perry: I thank the hon. Gentleman for his refreshingly scientific comments. It is always a pleasure to discuss this subject with him. I will try to answer some of his questions.

I welcome what I think was a compliment; of course I am very committed to this agenda, but I have to say, and he can perceive this from the fact that the Prime Minister wrote the foreword of this document, that from the Prime Minister downwards—she also mentioned this at the United Nations Assembly a few short weeks ago—and right across the Government, we are all completely committed to this agenda, because not only is it the right thing to do, but the opportunities that arise from it are enormous. I would like to reassure him about that.

I want to spend a moment on what the hon. Gentleman points out is the carbon budget page—page 41. To reassure him, some of the estimates we have for our delivery of carbon savings from the policies and proposals in the plan today are very well advanced, and we have included carbon savings from about 30% of the new proposals today. Some of them, of course, we have to continue to work to shape, particularly in the light of issues like the Hackett inquiry around the Grenfell review of building regulations and fire safety, so we will be sequencing our consultations in accordance with such work, and that will enable us to set additional reductions in carbon budgets once we have further developed those policies.

I want to reassure the hon. Gentleman, however, and I have helpfully set out on page 41 the fact that, should we have to, and with the consent of the Committee on Climate Change, we can use flexibilities. My intention is that we do not have to use them. Because we have over-delivered, and will over-deliver so substantially on current projections, up to carbon budget 3, more than enough will have been built up in terms of flexibilities to cover carbon budget 4 with more left over. My sense is that, given the ambition, the pace of change and the extraordinary changes in the cost and adaptation of new technology, we will comfortably exceed these budgets. But he is right that we have a statutory duty to report on this. This is a very good example of legislation making politicians focus on what is important, over the political cycle. I thank him for his ability to question, which enables me to confirm those points.

The hon. Gentleman discussed the EU ETS. I am actually off to Luxembourg tomorrow. The UK's piloting of the emissions trading scheme was absolutely vital in designing the scheme. We remain a very important partner, and I have been absolutely clear that we will do nothing that in any way disadvantages our own economy or that of our EU partners, as we negotiate the new terms of our relationship with Europe.

I admire the hon. Gentleman's shadow ambition for renewable energy, but I want to be clear today that when we look at new technologies, it is important that we apply the triple test. First, the technology must decarbonise sufficiently; secondly, it must be affordable—we have to see a very good cost trajectory; and thirdly, it must build capabilities that Britain can build on, so that we can export and grow our own economy.

I would be delighted to sit down over a cup of coffee and review the hon. Gentleman's plans for renewables and see whether they meet those tests. I think those are very appropriate tests, through which all technologies should be reviewed as we go forward.

Richard Benyon (Newbury) (Con): My hon. Friend the Member for Taunton Deane (Rebecca Pow) produced a series of essays for the Conservative Environment Network recently. I do not know whether the Minister got a chance to read one on the circular economy by—by me, actually. [*Laughter.*] If she does read it, she will realise why I am so happy today to see that hardwired across the Government is an understanding that resource efficiency is not just something that we require of businesses, congratulating them when they achieve it, but that we must lead, and lead not only in this country but globally. I pay great tribute to what she has produced, but we should ask ourselves, “What more can we do as a Government to encourage business and Government to manage our resources more efficiently?”

Claire Perry: Of course I always assiduously read anything written by my right hon. Friend and neighbour. Like him, I welcome the fact that as part of our 50-point policy and plans we have No. 41, which is to develop a world-leading resources and waste strategy, on which I am working closely with my right hon. Friend the Secretary of State for Environment, Food and Rural Affairs. My right hon. Friend the Member for Newbury (Richard Benyon) is absolutely right: it is right for the planet and it is right for business that we do this, so we will progress on that.

[*Claire Perry*]

I have read the excellent document produced by the Conservative Environment Network, and I want to remind the House that the first person who raised the issue of man's activities—men's and women's activities—on the impact of the climate was, of course, Mrs Thatcher, who understood the core Conservative principle that you take care of what you inherit and try to pass it on to the next generation in a better form. I am proud to be the latest person to carry that flag for Conservative environmentalism in this House.

Alan Brown (Kilmarnock and Loudoun) (SNP): It is interesting to hear that Maggie Thatcher's policy of shutting down coal mines and importing coal was down to some strategic vision about climate change. On a serious note, however, I thank the Minister for early sight of the statement and welcome the document's publication, although she will understand that I have not yet had a chance to read it from cover to cover.

The clean growth plan clearly needs to be strategic and must bind other Departments. As the shadow Minister said, it must tie in and deliver the desired outcomes of the carbon budget and our climate change commitments. That is the spirit and intention of the strategy, but the Government need to ensure that that actually happens, so Treasury commitments are necessary. Some £2.5 billion of investment was outlined in the statement, but that is in reality only a fraction of the investment that is needed to decarbonise the UK.

All future energy scenarios rely on carbon capture and storage, but the strategy both includes and dismisses the use of CCS, so I am not exactly sure about the Government's policy. We need a real commitment to delivering CCS, and the shadow Minister correctly said that pulling the £1 billion funding was farcical. Although the document states that £130 million has been spent on CCS R and D to date, that money has effectively been wasted. That was highlighted by a National Audit Office report, which said that the previous investment did not deliver any real outcomes. Investors need to have confidence in CCS, so the Government need to take a lead. The same can be said of tidal lagoons. If lagoons are to deliver, we need a much better show of commitment from the UK Government and we need it soon.

Another strategic aspect that the growth plan must link into is air quality. The strategy sets out the ambitions for ultra-low emission vehicles, but we need more than investment in charging points; we need real incentives to get people to purchase those vehicles, so a diesel scrappage scheme should be considered. The Government must also look at how they are going to tackle pollution from transport refrigeration units. A proper strategic review of infrastructure, transmission charges and energy efficiency is required, and it should consider in particular how to tackle private landlords. Onshore wind and solar are cheap, and such methods of electricity generation must be able to bid in the next round of contracts for difference. The Government need to keep an eye on this subject as the Brexit negotiations proceed and make changes as required.

Claire Perry: I thank the hon. Gentleman for an exhaustive and intelligent list of questions. I am happy to grab a cup of coffee with him and run through the document, because the strategy represents a genuinely

UK-wide set of commitments. The Scottish and Welsh Governments have produced excellent plans using their devolved powers, which we welcome and in many cases support. As we implement the policies and design new ones, we are keen to work in a cross-Government and cross-party spirit of co-operation, because that is how we will get the best outcomes. I am happy to discuss all the opportunities with the hon. Gentleman and to listen to what he and his colleagues have to say. For example, I think we both welcome the remote islands announcement, which shows that we are absolutely committed to working within the current structure of various auctions and schemes to ensure that we maximise the contribution of low-carbon and low-cost energy from wherever we can source it.

Mr William Wragg (Hazel Grove) (Con): I welcome this important strategy, but will my hon. Friend ensure that the resulting vital investment is directed at the most efficient and reliable sources of renewable energy, such as tidal power?

Claire Perry: My hon. Friend will know that we try to be technologically neutral in the auction structure to ensure that sources of energy are the lowest cost and the most effective in terms of decarbonisation, creating a strategic base upon which we can innovate and invest. The excellent policy work has been striking, and I pay tribute to some of my predecessors in the Department. For example, our work on offshore wind, which involved setting a framework, investing up front and then driving down costs, has been amazing. Those are the sorts of processes that we would like all renewables to go through. My hon. Friend mentioned water power, and we have the second-highest tidal range in the world after the bay of Fundy—I know that only because I was a geography student—and exceptional amounts of power are being generated from our coastline.

Sir Vince Cable (Twickenham) (LD): Will the Minister tell us whether the newly privatised Green Investment Bank has fully signed up to the clean growth strategy? If so, how will its business plan be adapted or enlarged as a result?

Claire Perry: To reassure the right hon. Gentleman, not only has the Green Investment Bank—it is now known as the Green Investment Group—signed up to the plan, it has joined our green finance taskforce. We have asked our leading minds and operators in financial services, insurance, risk assessment and financial regulation to come together, so that we can not only mobilise the level of private capital that we need to drive this transformation in the UK, but export that incredible professional expertise right across the world. The taskforce is already coming up with solutions, and we will again be able to lead the world by mobilising capital and investing the right amount that we need to decarbonise.

Zac Goldsmith (Richmond Park) (Con): I congratulate my hon. Friend on producing this brilliant strategy. It is brimming with ambition and full of good ideas, as we would expect from her. It is great stuff, but I just want to ask about one issue. The strategy tells us that transport emissions have been cut by 2% since 1990 compared with an average of well above 20% in all others sectors,

so if we are to hit the 2050 targets, we will need something really radical in transport. The strategy talks about banning the sale of petrol and diesel cars by 2040, and I want my hon. Friend to reassure me that that will be equal to the challenge we face.

Claire Perry: My hon. Friend will of course know that per vehicle emissions have actually dropped. Cars are now about 20% more efficient, but we are using more of them. Reducing congestion and getting cleaner air is a really important benefit of taking action, but I hear what he is saying. The ambition is accelerating all the time. We announced ending the sale of conventional petrol and diesel cars and it is interesting that the Netherlands has come out with something similar. We are all doing this together. Things are the same with unabated coal. We said that we would phase it out by 2025 and Canada has said similar things. There is a genuine, exciting ambition, and things happen when we set such ambitions.

We have been talking about ending the sale of petrol and diesel cars for years, but we set the ambition and had that conversation and then many of the major manufacturers that are producing cars in the UK brought forward their plans for electric and ultra-low emission vehicles. For example, BMW announced that it will be building the electric Mini in the UK. This country already makes one in five of the electric vehicles sold in Europe, and it is through setting ambitions and then investing in innovations such as the Faraday challenge that we can be a world leader in making such vehicles and accelerating their transformation. However, this is not only about the vehicles; we also have to be able to charge them up. It is therefore important that we accelerate the roll-out of what we want to be the world's most effective charging network, so that performance and price, not charging, are the only considerations when buying a car.

Alex Cunningham (Stockton North) (Lab): I was not there myself, but the Minister told the Tory party conference that she viewed carbon capture and storage as a vital technology for the future, and I welcome its revival on the Government's policy platform. They are certainly seeing sense. CCS is also vital for Teesside and for the jobs that the Minister talked about. Will she back the Teesside Collective project with real resources and, as she develops new initiatives, engage with the all-party parliamentary group on carbon capture and storage, which I chair?

Claire Perry: The hon. Gentleman is always welcome at the Conservative party conference. Like my hon. Friend the Member for Middlesbrough South and East Cleveland (Mr Clarke), he does a great job of affirming the commitment and energy that is demonstrated by the Teesside Collective. As we say in the strategy, Teesside is one of several areas with rapidly advancing projects, and with our renewed commitment and desire to be world leaders in this area and in new investment I would like to see such ambitions taken forward.

Colin Clark (Gordon) (Con): Does the Minister, like me, welcome new investment in exploration for gas—a lower carbon option than coal—in the North sea and onshore, helping the UK achieve its carbon targets?

Claire Perry: As we set out clearly in the document, we think that gas, particularly its lowest carbon form, absolutely has an important role to play in our energy mix. That is why a renewed focus on and investment in CCUS is important.

John Grogan (Keighley) (Lab): I welcome today's announcement about carbon capture and storage. Should I tell the regional dinner of the Yorkshire and Humber CBI, meeting in Leeds tonight, that there is fresh hope for the most ambitious carbon capture and storage project ever in this country—the White Rose pipeline project, which is backed by many in God's own county?

Claire Perry: I hope that the hon. Gentleman will take back a positive message about the opportunities for businesses in Yorkshire and the Humber from the clean growth strategy and urge those CBI members to bring forward their ideas, so that we can capture them, make the investments and create the thousands of good jobs that we need.

James Heapey (Wells) (Con): I warmly welcome the Government's clean growth strategy—an excellent document with 30 new policies among the 50 policies and plans that have been announced. I pay particular tribute to the focus on energy efficiency. Will the Minister confirm that the 10-year extension of the energy company obligation will have a fantastic effect on the supply chains that do so much for home efficiency, and within commercial premises as well?

Claire Perry: I thank my hon. Friend for highlighting the fact that there are many new initiatives, particularly to do with the energy efficiency angle—especially business energy efficiency. Yes, there is the extension for ECO. Not only does that support a brilliant supply chain, but it helps the many people who struggle with fuel poverty. We are keen to use the money effectively to help upgrade more than 1 million homes and extend support for home energy efficiency until 2028 at the current level of ECO funding.

Anna McMorris (Cardiff North) (Lab): This long-awaited strategy sets out a good story, and I welcome the sentiment that it contains. In reality, however, it makes a mockery of clean growth and does not give any certainty for business. The ability to compete in global low-carbon markets and meet our needs from clean energy is the foundation of a prosperous low-carbon economy.

At the moment, the Government are failing to give a clear steer on emissions targets, have given no answers on the Swansea Bay tidal lagoon and are not investing in any meaningful way in renewable energy or energy efficiency. Will the Minister seek to introduce legally binding targets for renewable energy, as the Welsh Labour Government announced they would earlier this month? Successful markets need a clear strategic vision and leadership, and an effective regulatory regime. This Conservative Government have neither.

Claire Perry: It is a shame; I can only assume that the hon. Lady has not read the report. I genuinely think that for the first time we have the clearest set of cross-Government ambitions, policies, initiatives and funding—*[Interruption.]* The hon. Lady should have come to

[*Claire Perry*]

the launch, where the chief executive of Siemens talked about how businesses such as his completely welcomed and supported the strategy and were investing in their supply chains on the back of it.

We have an effective, legally binding regime that operates right across the UK. It is called the Climate Change Act, introduced with cross-party support in 2008. We have to produce our carbon targets. I have set out today why I think we are on a good trajectory towards them. However, I fear that the hon. Lady wants to be one of those “command and control” Marxists who wants to predict every single thing that happens in the economy at all times. That is not how innovation works. We set out a framework for investment. We try not to pick technologies; we want the lowest carbon, the lowest cost and the most innovation. We then work with the private sector to create the most innovative ecosystems, so that we can capture the opportunities. I will be very happy to have a cup of coffee with the hon. Lady and give her a slight cheering up. There is a lot of good stuff in the report, and she should be supporting it.

Nigel Huddleston (Mid Worcestershire) (Con): I warmly welcome the clean growth strategy. How can we maintain the great momentum behind it across Departments?

Claire Perry: This is not an end point, but a stock take. Over the next few months, we will be bringing forward many of the detailed proposals that we need to deliver on these ambitions and policies. I would warmly welcome input from knowledgeable colleagues on both sides and the many stakeholders and campaigning organisations out there. We want to shape these policies for the future.

Sir Edward Davey (Kingston and Surbiton) (LD): The greenest energy is fast becoming the cheapest energy. I thank the Minister for her kind words about my role and in that spirit take an approach unusual in this House: reserving my judgment on the strategy until I have actually read it.

I want to push the Minister on the importance of energy efficiency regulations. Will she confirm that the regulation on private landlords in respect of minimum energy efficiency standards is going ahead next April and will be fully enforced? Will she revisit and overturn the bad decision by the former Chancellor to scrap the zero-carbon homes standard on new build homes?

Claire Perry: The right hon. Gentleman and I are both really pleased at what has happened in the renewables sector. He is right to focus on energy efficiency because of course that drives down people’s bills—there is a huge win there. Yes, I can confirm that we are going forward with the legislation. He and I were both heavily involved in the design of the green deal, one of the facilitating mechanisms. Clearly, it did not work out as we would have liked.

We want to consider new ways of financing that transition, which is why we are asking our green finance taskforce to focus particularly on green mortgages and see whether we can bring forward other financing mechanisms. I understand the right hon. Gentleman’s point about zero-carbon homes, but I want to make

sure that our regulations are absolutely fit for purpose, both for new homes and any additional works done. He would agree that we cannot do that work unilaterally without full reference to the Hackett review of the Grenfell fire safety issue. We intend to consider those regulations to see what more can be done, but it is right to sequence it in that matter.

Sir Desmond Swayne (New Forest West) (Con): Will my bills go up?

Claire Perry: The answer is no. Although we have all invested in some of these progressive energy investments, prices are clearly falling. Only a couple of weeks ago, I opened the first subsidy-free solar farm in the UK. As we have pushed towards this low-carbon future, my right hon. Friend’s bills have likely gone down. He will be using less energy in his home because of the LED light bulbs he has installed and all the new appliances he has bought, which are much more energy efficient.

Mr Deputy Speaker (Mr Lindsay Hoyle): If we had succinct questions, we might get succinct answers. “No” would have been helpful.

Matthew Pennycook (Greenwich and Woolwich) (Lab): The strategy rightly supports the continuing roll-out of district heating across the country. May I impress on the Minister the real risk that the environmental benefits of the technology will be overshadowed by systemic problems in the industry? There are scores of such schemes in my constituency and many more in the pipeline. In each and every case, constituents are convinced that they are not getting a fair deal on tariff pricing, standing charges, transparency on consumption and billing, and system performance. The situation cries out for effective statutory regulation. As the Minister takes the strategy forward, will she bear that issue in mind, so that we can win the confidence of consumers as the industry expands?

Claire Perry: Most certainly.

Amanda Milling (Cannock Chase) (Con): Coal-fired power generation ceased in Rugeley last year. That commercial decision on the part of the owners represented the end of an era. The Government are committed to phasing out coal-fired generation by 2025. One of the frustrations for my constituents is when they go to other countries and see coal-fired power generation. Will the Minister outline what success we have had in encouraging other countries to follow our example of committing to end such generation?

Claire Perry: To reassure my hon. Friend, I should say that, as I mentioned, Canada has agreed to end it, as has the Netherlands. China has agreed to reduce its carbon emissions by 60% to 2032 and India has said that it wants to lead the world in solar generation. All countries—with the exception, perhaps, of one big one—have woken up to the fact that the world is moving away from coal. In doing so, they are creating prosperity and jobs.

Alex Sobel (Leeds North West) (Lab/Co-op): I have spent the morning reading the clean growth strategy. On first reading, it appears mainly to be a repackaging of old announcements, with only small packets of new funding and increased existing funding being spent over

longer periods. I am glad that the Minister touched on electric vehicles. The gap with respect to the old plans that we already have is 12 megatonnes of CO₂. Today's announcement does not bridge that gap, as can be seen in the chart on page 85 of the strategy. The gap remains. The funding for electric charge points is woefully inadequate, and I call on the Minister to look again at supporting large-scale electric vehicle charging funding, working closely with local authorities to ensure that EV charging points are in commercial and residential areas, not just on major roads. I ask her to commit to a minimum level of public EV charge points per head of population or per electric vehicle. I am glad she mentioned the Netherlands, because it has one public EV charge point—

Mr Deputy Speaker (Mr Lindsay Hoyle): Order. Members are meant to ask a succinct question.

Alex Sobel: I will just get the question—

Mr Deputy Speaker: Just give it now or else you will be sitting down.

Alex Sobel: The Netherlands has a charge point for every two to seven vehicles, whereas the figure in the UK is much higher. Are we going to have the same—

Mr Deputy Speaker: I think the Minister has got the gist.

Claire Perry: I would be happy to meet the hon. Gentleman. He will be pleased to hear that in the automated and electric vehicles Bill, we will be bringing forward new powers to make sure that all these things he has talked about in terms of statutory powers are at our disposal, because we want to have the world's best rapid charging network.

Rebecca Pow (Taunton Deane) (Con): Unlike some Opposition Members, I wholeheartedly welcome this strategy, with its commitment to the low-carbon transformation. It will have enormous spin-offs not only for the environment but for business, as was so eloquently outlined by my right hon. Friend the Member for Newbury (Richard Benyon). Home energy efficiency is a key part of our drive towards our targets, so will the Minister update us on what is being done to encourage house builders to play their part in this eventual drive towards zero-carbon homes?

Claire Perry: As I have mentioned, we need to look closely at new building regulations and sequence those appropriately. My hon. Friend will see that we are keen to ensure that we phase out having houses off the gas grid, as many in my constituency are, where they currently rely on what can be high-cost fossil fuels; we will start with new homes. That is a process of working with the industry, as getting people to think about energy efficiency happens not just because someone is sitting at home, but often because a builder, architect or plumber recommends it. We therefore need to work much more closely with industry to deliver on these targets.

Darren Jones (Bristol North West) (Lab): My constituency already has onshore wind, solar generation and new battery storage technologies, but we have to seize the opportunities of tidal power, district heating from my local industrial estate of Avonmouth and the power of co-operatively owned generation, storage and distribution. Does the Minister agree that the investment that Governments make to create new markets is an important part of this policy approach? Will she confirm that her second test of affordability will not prevent this important public policy position from growing new markets and new technologies?

Claire Perry: I commend the hon. Gentleman for the efforts of his constituents and local businesses, and answer him by saying yes, absolutely; we are looking at the pathway on costing. I would be happy to have a further meeting with him to understand how this is done, because the problems that his constituents have solved are stopping many other communities taking these important steps. Perhaps we could set up a meeting.

Stephen Kerr (Stirling) (Con): I welcome this important statement. May I applaud the Minister's enthusiasm in presenting the strategy? I welcome the affirmation that action on climate and economic growth can go hand in hand, and that it is our plan to make the UK the world leader in creating clean technology jobs and businesses. Will she say whether the Treasury are considering changes to stamp duty to help energy-efficiency improvements?

Claire Perry: It is not energy but caffeine that is doing this. My hon. Friend asks an important question, and I welcome the opportunity to clear this up. We see many suggestions and all sorts of ideas about how we meet our carbon budgets, but tax matters such as stamp duty are ones for our excellent Chancellor and his Budgets. It would be a brave Minister who tried to make those points at the Dispatch Box.

Mr Simon Clarke (Middlesbrough South and East Cleveland) (Con): I echo what colleagues from across the House have said about this being an excellent announcement, and I congratulate the Minister on everything she has done to bring it about today. I echo what the hon. Member for Stockton North (Alex Cunningham) said about how this will be particularly warmly welcomed on Teesside. May I invite the Minister to agree with me that Teesside is the natural starting point for CCS in the UK, owing to its concentrated and diverse industry, proximity to north-east storage sites and optionality for future low-carbon technologies, such as hydrogen?

Claire Perry: I hope there are many pints lined up in the bars in Teesside for both my hon. Friend and the hon. Member for Stockton North (Alex Cunningham), because Teesside makes a powerful case for exactly this sort of investment. We look forward to reviewing that, along with the other proposals that we have.

Points of Order

1.24 pm

Richard Graham (Gloucester) (Con): On a point of order, Mr Deputy Speaker. Yesterday, during Prime Minister's questions, the Leader of the Opposition stated:

"Gloucester City Homes has evicted one in eight of all of its tenants because of universal credit."—[*Official Report*, 11 October 2017; Vol. 629, c. 324.]

That would imply that of its total of 5,200 tenants some 650 people in my constituency had been evicted because of universal credit. The actual figures, as Gloucester City Homes has confirmed, are that a total of eight tenants on universal credit have been evicted, and all eight had significant debt arrears before universal credit was introduced. This is not to deny that Gloucester City Homes has had issues with the introduction of universal credit—it has agreed a 13-point plan, which includes working more closely with Department for Work and Pensions staff for the benefit of tenants, not least in seeing a greater take-up of advance payments—but the key point is that the picture painted by the Leader of the Opposition yesterday was a very long way from the true situation. I have given him a copy of this point of order, and I hope he will agree that this clarifies the situation, both about Gloucester City Homes, a highly respected housing association, with which I work closely, and about the impact of universal credit.

Mr Deputy Speaker (Mr Lindsay Hoyle): As the hon. Gentleman is aware, that is not really a matter for the Chair. It is the responsibility of each Member to make things accurate when they make mistakes. Members do inadvertently make mistakes, but that has been corrected and it is certainly now on the record.

Andrew Bridgen (North West Leicestershire) (Con): On a point of order, Mr Deputy Speaker. I seek clarification on an issue of parliamentary protocol. On Monday, the Speaker felt the need to admonish me as I left the Chamber while the leader of the Scottish National party in this place was on his feet responding to the Prime Minister's statement. As I understand it, Members are allowed to leave the Chamber as long as they do not break the line of sight between the Speaker's Chair and the Member who is on their feet. As I left along the line of the Government Benches, it is difficult to see how I could have broken that rule. Therefore, I seek clarification on this, for my benefit and that of other Members who might wish to leave a crowded Chamber.

Mr Deputy Speaker: I was not in the Chair at the time and I have no idea what happened, but I am sure Mr Speaker would not get things wrong. If there was a mistake, it would have been a genuine mistake, as all these things are in the Chamber.

Leaving the EU: Data Protection

1.27 pm

The Minister for Digital (Matt Hancock): I beg to move,

That this House has considered Exiting the European Union and Data Protection.

The digital revolution through which we are living is bringing about the fastest pace of change that any generation has ever seen. With advances in technology accelerating, it is likely that this current pace of change will be the slowest that any of us will experience probably for the rest of our lives. This vast change brings with it big opportunities. We have opportunities to communicate, innovate and organise in ways that were simply inconceivable just a few short decades ago. It also brings with it challenges: to harness the technology for good; to mitigate harm; and to make sure that everyone can benefit.

Underpinning this revolution is the fact that the cost of storing and transmitting data has collapsed faster than at any time since the invention of the printing press, and perhaps at any point in history. The new technology then cut the cost of storing information from the cost of a handwritten manuscript to the cost of print, and the revolution now has cut the cost from that of print to the almost infinitesimally small cost of data storage. Data is therefore the fuel of this new digital economy, and getting the rules on data right is mission-critical for strength in the future.

As well as being fuel for change, data is a massive stimulant for our economic growth, jobs creation and innovation. The UK has Europe's largest and most dynamic digital economy, attracting approximately £28 billion in technology investment since 2011. The UK also has the largest internet economy of all G20 countries, emphasising the fact that data is rapidly transforming our lives, and creating exciting and innovative opportunities right across the world. The impact is, of course, much broader than just in the tech industry itself. Data underpins social interactions: a Skype call to a family member on the other side of the world; our cultural collaboration, as performances are broadcast across borders; and almost every other part of economic activity, and almost all trade. The importance of the digital economy as a catalyst for job creation and innovation continues to increase exponentially, so it is vital that data is kept secure. Our approach to data protection as we leave the EU is straightforward: we wish to ensure the unhindered free flow of data between countries, if that data is held securely and privacy is respected.

Stephen Timms (East Ham) (Lab): I very much agree with the points that the Minister is making and the ambition he is setting out. Will he commit to securing an adequacy agreement from the EU, so that the free flow of personal data, which he rightly says is important, can continue?

Matt Hancock: I pay tribute to the right hon. Gentleman's extensive understanding of these issues, not only from his time as a Minister but since. His understanding is so good that he has correctly anticipated the next page of my speech. That is exactly what we are seeking, because it is strongly in the mutual interests of the UK and the rest of the EU that such an arrangement is put in place.

Having just set out my punchline, perhaps I can describe the build-up to it. The goal is for data to be unhindered when security and privacy are respected. It must be unhindered, so that trade and communication can be effective and so that we can innovate in the use of information, including through advanced techniques such as machine learning and artificial intelligence. But data can be unhindered only where it is appropriate for it to go—with data held securely and privacy respected—which means where there are high standards of cyber-security and data protection.

On cyber-security, the 2017 British Chambers of Commerce digital economy survey reveals that at least one in five UK firms were subject to a cyber-attack in 2016, with larger firms more likely to be hit. As more and more citizens, and the wider economy, rely so heavily on digital technology, it is vital to keep data safe from cyber-attack. On the other side of the coin from strong cyber-security is strong data protection. The UK has been a world leader in data protection for a long time, combining privacy with support for dynamic data-driven innovation. We are determined to ensure that, after our exit from the EU, the UK remains a global leader, promoting both the flow of data internationally and high standards of data protection.

For more than a generation, the Data Protection Act 1998 has been regarded as the gold standard in the world. That Act, which was based on European rules set out in 1995, was the result of a piece of work that started under the then Conservative Government, with the legislation enacted by the subsequent Labour Government. That demonstrates the cross-party approach that has been taken to data protection in the UK. Technology marches on, however. It is almost 20 years since the 1998 Act, but the legislation needs to be kept up to date in this changing world. The Data Protection Bill, which had its Second Reading in the other place earlier this week, will modernise data protection legislation, giving citizens more rights over their data while allowing businesses to use modern data management techniques. It offers greater transparency and accountability, thus giving people more reassurance about how their personal data is used by businesses and organisations. Increased accountability and public confidence in how data is used can enhance the digital economy for the benefit of all.

To return to the point made by the right hon. Member for East Ham (Stephen Timms), the Bill will prepare Britain for Brexit. It will extend the EU's general data protection regulation—GDPR—and bring into UK law the law enforcement directive. It will extend the principles of GDPR into many areas of our domestic law, which will help to ensure that we prepare the UK for the future after we have left the EU. The implementation of the Bill will ensure that we preserve the concepts of the Data Protection Act that have served us so well. We will aim to ensure that the transition for businesses, individuals and charities is as smooth as possible, while complying with the GDPR and the law enforcement directive in full. That means we will be as well placed as possible to achieve the unhindered flow of data with the EU through something akin to the adequacy deal mentioned by the right hon. Gentleman. That is strongly in the interests of both sides in the negotiation.

Brendan O'Hara (Argyll and Bute) (SNP): The Minister said “something akin” to an adequacy deal. Will he explain what that might mean?

Matt Hancock: Yes, of course. Our future relationship with the EU will be bespoke. We want to make sure that the flow of data is unhindered, so we effectively seek an adequacy deal, but that is currently scheduled to be negotiated as part of the future relationship. Whether it is enacted through the formal EU mechanism of an adequacy deal or as part of the negotiation is, in a sense, immaterial. What matters is the unhindered free flow of data between the two regimes.

Wes Streeting (Ilford North) (Lab): No one would dispute the worthiness of the Minister's intentions, but the UK will none the less cease to be a member of the EU's safe data zone following Brexit, which will make it more difficult for banks and other businesses to transfer data between the two jurisdictions. Will the Minister give some reassurance to businesses that are having to make decisions between now and Christmas and into the first quarter of the new year that we will secure the transitional arrangements that businesses need and thereby give them certainty that they will be able to continue to operate as they do now, not only when a deal on our future relationship is signed, but in the crucial transitional period?

Matt Hancock: That is our objective, but I have one difference with the premise of the hon. Gentleman's question. He said that our leaving the EU will make things more difficult, but that is not necessarily so, because we seek a relationship that, in terms of the unhindered flow of data, is as high quality as the one we have now. We of course need to secure that as part of the negotiations, and we need to secure it as part of the transitional arrangements as well. Indeed, as we set out in a paper published in August, we are looking at an enhanced mechanism that is not just the normal adequacy deal that other third countries have, but one that enables continued technical engagement between the Information Commissioner and European bodies to ensure that our technical capabilities can continue to inform the future development of data protection standards inside the EU. I did not simply say that we seek an adequacy deal full stop, because we are looking into having a deal that not only reflects a normal third-country adequacy deal, but goes further and ensures that we have a stronger technical relationship between our regulator, the Information Commissioner and the European regulators.

Vicky Ford (Chelmsford) (Con): The UK has more than 10% of data flows, more than three quarters of which are with the EU, and more than 40% of the data centres in Europe are in the UK, so does the Minister agree that it is in the interests of European businesses to secure data adequacy—or data adequacy within a new free trade agreement—as well as in the interests of British businesses?

Matt Hancock: I agree wholeheartedly and strongly with my hon. Friend, who is an expert in these matters, having just arrived in the House from the European Parliament, where she was a rapporteur on some of the key committees that made a number of the important decisions in this policy area. She is absolutely right. The unhindered flow of data will take place between two regimes that are harmonised, because we are bringing into UK law the GDPR, which is obviously European legislation. It is in the strong interests of the UK and the EU to ensure the unhindered free flow of data after Brexit.

Tom Brake (Carshalton and Wallington) (LD): I thank the Minister for so generously giving way. I just wanted to press him on the point that he made about the engagement that will happen at a technical level. In practice, does that mean that our standards will be maintained in tandem with those in the EU, and that therefore there will be no difference between the two?

Matt Hancock: What it means is that the arrangements are harmonised right now. Should the Data Protection Bill become an Act, as I sincerely hope it will—it does have cross-party support—our existing arrangements at the point of exit will be harmonised. What happens after that will depend on the negotiation of our future relationship, with the UK being sovereign. The point is to ensure that the technical details are informed by high-quality UK technical considerations and the capability of the Information Commissioner's Office. This is, of course, subject to negotiation. We set that out as something we wanted to consider when we published the paper in the summer, but, as the right hon. Gentleman may have heard, we are not yet on to negotiating our future relationship, although we are looking forward to that happening.

During the summer, we published the future partnership paper, which sets out how we ensure the continued protection and uninterrupted exchange of personal data between the EU and the UK. The purpose of setting that out was to offer stability and confidence to businesses, public authorities, charities and individuals. My message to business in particular is very clear. We understand how important this matter is. We know that it is in the strong self-interest of the UK and the EU to get a good deal that involves the unhindered free flow of data. The new partnership should protect the privacy of individuals and respect the UK's sovereignty, including the UK's ability to protect the security of its citizens and to maintain and develop its position as a leader in data protection. Ensuring that we protect privacy while also allowing for the innovative use of big data so that the UK can be a world leader in artificial intelligence are the joint goals of the Data Protection Bill.

Darren Jones (Bristol North West) (Lab): On the point about what the general data protection regulation provides as an opportunity, does the Minister recognise that it will actually be implemented through a statutory instrument under the European Union (Withdrawal) Bill? Does he agree that we should therefore have a debate in the House on that SI when we get the opportunity?

Matt Hancock: I am sure that the Under-Secretary of State for Exiting the European Union, my hon. Friend the Member for Worcester (Mr Walker), will have heard that point—this is a bit like a return to business questions from earlier. Parliamentary procedure is a matter for that Bill, but the hon. Gentleman has made his case. It is very important that the element of the GDPR that is directly applicable and therefore not in the Data Protection Bill is brought into UK law. However, we have designed the Bill so that that can slot directly in, meaning that once we leave, the UK should have a fully consistent, full-spectrum data protection regime under our legislation.

The new relationship should also not impose unnecessary additional costs on businesses and must be based on the objective consideration of evidence. Furthermore, because many of these issues are technical, we will continue to

seek ongoing regulatory co-operation between the EU and the UK on current and future data protection issues. By doing that, we will build on the opportunity of a partnership between global leaders on data protection and continue to protect the privacy of individuals. As the paper that we published in the summer reiterates, it is important that we provide clarity and certainty for businesses and individuals as soon as possible, so that data flows are not disrupted when the UK leaves the EU. In addition, this is part of a wider global debate about the flow of data, because it is also incredibly important that we get right our data relationship with the United States, Japan and others.

Tom Brake: The Minister is being very generous with his time. I am sure that he is aware that the people of Gibraltar are concerned about the impact of the disruption of data flows. Gibraltar holds many data servers, and people there are very concerned that there might be longer-term impacts on their businesses. Can the Minister say anything about that?

Matt Hancock: Gibraltar is, and will continue to be, part of the United Kingdom. The Under-Secretary of State for Exiting the European Union leads on issues relating to Gibraltar. He will have heard those concerns and will be able to respond to them in detail. In a sense, all this shows why it is so important to get this agreement right.

Tom Brake: I thank the Minister for giving a detailed response. I just wanted to put on record my interest in relation to Gibraltar so that it is not missed.

Matt Hancock: I am glad that I gave the right hon. Gentleman the opportunity to do so.

A strong relationship on data is beneficial to citizens as it will reassure them that their personal data is subject to robust protection. Maintaining the flow is also important. Once we have left the EU, we will continue to play a leading global role in the development and promotion of appropriate data protection standards with trading partners right around the world.

Stephen Timms: I am glad that the Minister is committed to seeking this adequacy agreement. Does he recognise that one step that will make that a bit harder—perhaps significantly harder—is the fact that under the terms of the European Union (Withdrawal) Bill, article 8 of the European charter of fundamental rights will no longer be part of UK law? That creates uncertainty about how our data protection law will work. Appeal decisions frequently refer to the actual article, which is part of UK law at the moment. Will he therefore support amendment 151 to the Bill, which would oblige the Government to put back into law the clear assertion that everyone has a right that their personal data is protected?

Matt Hancock: I thought that the right hon. Gentleman might raise that. I understand his amendment and the reason behind it, which is to ensure that what we are trying to achieve is achieved. However, the removal of the charter from UK law should not affect the substantive rights of individuals when their data is processed, because the charter is not the source of the rights contained within it. The charter was intended only to catalogue rights that already exist in EU law. As he knows, there is

not a charter of fundamental rights in the same way in UK law, and it is not necessary. Although I agree with the purpose and intent of what he is trying to achieve, which is to make it as likely as possible that we achieve the adequacy deal and the high-quality arrangements that we are seeking, the amendment is not necessary because of the nature of the charter.

I hope that I have managed to answer Members' questions. Although I look forward to the debate, I think that we can see strong cross-party agreement on the importance of a high-quality data relationship with the EU once we have left, on ensuring that that works for citizens, businesses and individuals, and on ensuring that we can build on that relationship, which underpins so much in our modern economy.

1.48 pm

Kevin Brennan (Cardiff West) (Lab): First, let me apologise for my right hon. Friend the Member for Birmingham, Hodge Hill (Liam Byrne) who has recently joined our team and would normally be speaking on these matters. He is currently fulfilling a prior obligation to speak at the Council of Europe in Strasbourg. It is nice to have him on our team as we served together in the Cabinet Office in government, along with my hon. Friend the Member for West Bromwich East (Tom Watson), and we all look forward to serving in government again very soon in the Department for Digital, Culture, Media and Sport.

If I may, I will just correct the Minister, who inadvertently misinformed the House. Of course, Gibraltar is not part of the United Kingdom. It is an overseas territory. It is technically part of the European Union, although it is obviously excluded from the customs union and the common agricultural policy.

Matt Hancock: The hon. Gentleman is quite right. Of course, Gibraltar is part of the UK family. I should have been clearer about that, but I am glad that we have cleared that up.

Kevin Brennan: As ever, the Minister is modest enough to accept when he makes a mistake and correct the record.

There are few debates that are more important than those concerning trade, especially in the context of the decision of the UK to exit the European Union with all the impact that that could have on the UK economy. As the Minister quite rightly said, in the 21st century there is nothing much more important to trade than data. As we have heard, 43% of EU tech companies are based in the United Kingdom and three quarters of the UK's cross-border data flows are with other European Union countries. These data flows are essential for UK trade. Approximately half of all trade in services is enabled by digital technologies and the associated data flows.

Effective modern data protection laws that set down strong rights and protections are vital if the public are to have any trust in the use of personal information within the digital economy, the delivery of public services and the fight against crime. Ensuring that the public can trust that their data is handled safely, whether in the public or private sector, is important for us all. We need to get the Data Protection Bill right—as the Minister pointed out, the Bill has been introduced in the other place and is there as we speak—to implement the new European Union rules on data protection contained in

the general data protection regulation. If we do not get it right, people will not benefit to the fullest extent from the new digital services that are coming online all the time. I am sure that the Minister will be pleased that the Opposition welcome the Bill. We deeply regret that the Government opposed our previous attempts to strengthen data protection at the time of the passage of the Digital Economy Act 2017, just a few short months ago, but better late than never. In scrutinising the Data Protection Bill, we will ensure that it is not too little, too late.

So far, the Government have talked the talk about their commitment to unhindered, uninterrupted data flows post-Brexit, but the Data Protection Bill does not really set out fully how they plan to deliver on that promise. Even if the Bill succeeds in bringing UK law into line with the EU's data protection framework by the deadline of 25 May 2018, it does not necessarily mean that the Bill provides for the future. On leaving the EU, the Government will need to satisfy the European Commission that the UK's data protection framework provides an "adequate level of protection". The Government and the Minister today seem to be saying that achieving a positive adequacy decision will be easy, but it might not be as easy as the Minister indicated.

Under article 45 of the general data protection regulation, the European Commission is required to consider a number of issues including, among other things, existing surveillance practices. As Lord Stevenson said in the other place on Tuesday, several commentators have indicated that the current activities of British intelligence services could

"jeopardise a positive adequacy decision"

since data protection rules

"do not offer an equivalent standard of protection to that available in the rest of the EU."—[*Official Report, House of Lords*, 10 October 2017; Vol. 785, c. 129.]

Lord Stevenson asked the Government how they might square this circle, but unfortunately received no answer. I understand we will have the intense and unusual pleasure of a second contribution from the Minister in this debate—I foreshadow that by indicating to the House that I will also seek permission to respond on behalf of the Opposition in a similar fashion—so perhaps he could answer that question during his closing remarks.

The Government seem to have lost sight of the need to ensure continuity during the transition period and beyond. They must have measures in place to reassure all those businesses that have taken advantage of the UK as the gateway to Europe that they will pass the adequacy test and ensure that stability and certainty. Given that we need a new data protection regime for sharing data across the channel and the Irish sea, we may as well get this new regime right for consumers as well as businesses. At a time of increasing concern about the misuse of personal data by certain companies, is not there a need for a far more stringent regulatory structure than that contained in the Data Protection Bill?

Colleagues in the other place have already remarked that the tech giants that dominate the digital economy and the market for data have, for too long, got away with portraying themselves as purely neutral platforms. They are not, as each of their business models—not to mention their share value—is predicated on the data flows that they generate and monetise. It has become a cliché, but in a very real sense data is the new oil in the economy.

[Kevin Brennan]

We should also speak about children in the context of data protection. The Minister did not mention this part of the Government's plans in his remarks, but I hope he refers to it when he sums up. Children and young people are at the leading edge of the online world, with 75% of 10 to 12-year-olds and 96% of 13 to 18-year-olds using social media sites, with Facebook ranked at the top. Sadly, this has resulted in children and teens being treated as data assets by business, with their personal data stolen and sold without informed consent on a regular basis. That cannot be right. The Data Protection Bill represents an opportunity to right this wrong, but the current drafting of the Bill does not give us much cause for hope in that area.

The Government have chosen to derogate from the general data protection regulation, as the Minister mentioned, by setting the minimum age for a child consenting to the processing of personal data at 13 years of age, rather than 16. Why have they chosen to derogate in that fashion? As John Carr, a member of the executive board of the UK Council for Child Internet Safety, which was set up under the last Labour Government, has noted, perhaps the age of 13 was chosen because when Ireland—where the big social media companies are based—decided on 13 years of age, the UK's decision was all but irrelevant. Does the Minister agree with that? If that is not the case, what is his explanation for why the Government chose to make this derogation? They claimed in their statement of intent published in August:

“Child online safety is one of the top priorities for this government”.

If so, 16 would have been a better age, as Sonia Livingstone, professor of social psychology in the department of media and communications at the London School of Economics, has argued.

Some people might argue that a lower minimum age is good for younger people's participation in the digital world, but evidence from the regulator, Ofcom, shows quite clearly that fewer than half of 12 to 15-year-olds can identify an online-sponsored result, let alone understand how companies exploit their personal data. If the Government insist on staying the course with regard to this derogation, they must at the very least guarantee to the House today that they will ensure a significant increase in media education and digital literacy among young people. I hope that the Minister will refer to that in his response. This returns us to the responsibilities of social media and other online businesses.

While we may debate where the minimum age of consent should be fixed, the fact that the Bill does not place any requirements on these companies to prevent under-age access to their services is a glaring oversight, especially from a Government who claim that child online safety is one of their top priorities. The Leader of the House so memorably described Jane Austen in this Chamber not so long ago as

“one of our greatest living authors”—[*Official Report*, 20 July 2017; Vol. 627, c. 1004.]

To paraphrase Jane Austen, it is a truth universally acknowledged that the Government are making a complete Horlicks of the article 50 negotiations, as we saw again just this morning. At least, they have now taken up our policy.

Matt Hancock: Just on a point of English language, it is clearly not a truth universally acknowledged, because I do not acknowledge it.

Kevin Brennan: Well, at least the Minister did not claim that Jane Austen was our greatest living author—I will give him credit for that.

I give the Minister and the Government credit for taking up our policy of having a transitional period with regard to Brexit to give themselves a little more time. The price of getting data protection wrong would obviously be enormous, because so many companies rely on transmitting data across the single market.

For many years, we have talked of the four freedoms—the free movement of goods, services, capital and people—but there is a fifth freedom, because, in reality, we have created one of the world's leading regimes for data transfer, which has allowed our tech companies to grow, flourish and prosper. It would be a disaster if any division, dithering or incompetence around the Brexit negotiations now imperilled that achievement.

The Government have set themselves a very tight schedule for passing the Bill into law before the end of April 2018. As I have indicated, the Opposition will support the main principles of the Bill, but there is a great deal of work still to be done, with several areas needing to be scrutinised, and the Government need to be prepared to amend the Bill to rectify some of the inadequacies I have indicated during my remarks.

All of us in this place owe it to the public, and especially to children, to get this legislation right. We cannot afford to fail just because of the dysfunctionality at the heart of the Government, and I hope the Minister will not be complacent on that score.

2.1 pm

Robert Neill (Bromley and Chislehurst) (Con): I will not stray on to the issue of authors, living or dead, but I do want to address three issues in this important debate.

The first picks up from where the shadow Minister left off. As a London MP, one cannot but be aware of the significance of tech companies and the digital industry to our economy. That is part of what makes London the world's financial capital, and getting our position right on these issues and maintaining it is absolutely critical to our arrangements going forward.

As hon. Members know, I come at this debate as someone who rather wishes we were not in this situation, but given that we are, getting the detail right is absolutely vital. I understand and support the thrust behind the Bill and what the Minister very fairly said in his opening speech, but the detail is terribly important.

Only this week, I was at a meeting of the all-party parliamentary group on wholesale financial markets and services, where a number of representatives of the financial services sector, including Citi UK and UK Finance, raised the real issue that while we talk a great deal about the need to preserve regulatory equivalence and other means of achieving access to the single market once we have left it, data sharing is, to some degree, the elephant in the room and is often not spoken about. The director of one of London's leading accountancy and consultancy firms described it to me as a huge issue that needs to be tackled.

The Minister is right to recognise the issue, and the Bill, of itself, is right and proper, but getting the detail right will go well beyond that. When he replies, I hope he will be able to assure us that his Department and the other relevant Departments are keeping in close contact with our financial sector. There are people with massive expertise out there, and they are willing to help the Government on this, and it is critical that we get it right for the future health of the UK.

None of us wants to see London's position as the world's financial capital diminished, and that is not in the EU's interests either, because, in many respects, London, as a financial and digital capital, has been a gateway into European markets for many third-country investors. We want that to remain the case, so getting these issues right is terribly important.

My second point was highlighted by the right hon. Member for Carshalton and Wallington (Tom Brake). I agree with him about Gibraltar, and I declare an interest as the chair of the all-party parliamentary group on Gibraltar. I recently returned from Gibraltar's national day celebrations, and you are fondly remembered there as an active former member of the group and as a good friend to Gibraltar, Madam Deputy Speaker.

Cross party, members of the all-party group were struck by the importance of this issue to Gibraltar. Gibraltar has revived its economy in recent years, moving away from what was essentially a garrison-type economy to an economy that is strongly based on financial services and online digital operations of a number of kinds—they are now the most important part of the economy. As the Minister says, Gibraltar is a successful part of the British family—a self-governing British overseas territory that is entirely financially self-supporting. It is to Gibraltar's credit that it has been at pains throughout this period closely to mirror United Kingdom and European Union regulatory arrangements, and it ticks all the boxes in regulatory terms.

Robert Courts (Witney) (Con): I think I am right in saying that the UK has the largest digital economy in the G20. If that is the case—it is obviously imperative that we are able to continue that in the years ahead—the impact of these issues will be just as great on Gibraltar, if not larger.

Robert Neill: My hon. Friend is absolutely right. The two key messages that one gets on this topic from Gibraltarians across the political spectrum and from all parts of Gibraltarian society are, first, that they do not want to be left behind in any arrangements that the UK makes with the EU27—they do not want to be collateral damage in any sense—and they want to maintain the arrangements and access that we have. Secondly, they want above all to maintain the closest possible friction-free trading arrangements with the UK, where a great deal of their service business is already conducted. Getting that right is terribly important for Gibraltar. It is a small economy with little other resilience, and it really needs our support in getting the data issues right to protect what is a very successful story for the British family.

My third point relates to legal matters. I take the liberty of referring to the Justice Committee's ninth report from the 2016-17 Session of the last Parliament. As hon. Members will know, I have the honour to chair that Committee, and we issued a report on the implications of Brexit for the justice system. I hope we will soon have

a response from the Government to that report; it is one of those that is in Ministers' in-tray—or, I hope, out-tray—at the Ministry of Justice. Perhaps a gentle nudge might be delivered by those on the Treasury Bench to their right hon. Friends there.

The report is constructive and stresses the importance of information-sharing arrangements for the legal system and the justice system. Part of that relates to the UK's legal services, and that links in to what I said earlier about the financial services sector in London. The legal service sector underpins a great deal of that financial services work, so getting this issue right is critical for UK firms contracting with parties in the EU or with third parties. At the moment, a great deal of work is written in English law, and that is a great advantage to us, so getting the data sharing right around all those matters is terribly important to the firms involved.

However, the other issue in our report, which is perhaps even more strikingly important, relates to information sharing on policing and critical justice co-operation. In many respects, we have led the field in this regard, and it will certainly not be the intention of the Government or of the Prime Minister, who both as Prime Minister and as Home Secretary has stressed the importance of this issue, to lose any of that information sharing. However, again, the devil is always in the detail in these matters, and perhaps I can highlight what the Committee found.

We took a considerable amount of evidence, and it is clear that the EU offers a number of information-sharing tools. I particularly want to highlight the importance of the European criminal records information system. We are in that at the moment, and it was clear from the professionals in the field who gave evidence to us that we must do all we can to maintain access to that system. It provides access to accurate records of EU citizens' offending histories.

It is perhaps worth putting on the record a quote from the National Crime Agency. Its evidence was:

“Through ECRIS, the UK is able to exchange tens of thousands of pieces of information about criminal convictions each year that help police and other law enforcement agencies to investigate crime, protect the public and manage violent and sexual offenders.”

Tom Brake: Is the hon. Gentleman able to clarify for me whether that is one of the data exchanges that are subject to the European Court of Justice rulings to ensure safeguards for those exchanges of data? If I am correct, how does he see that relationship continuing with the UK post Brexit?

Robert Neill: My understanding is that it is likely to be subject to the ECJ, and we concluded that while we might seek to remove the direct jurisdiction of the ECJ in some matters, the idea that we will not have an ongoing relationship with the ECJ on such matters is unrealistic. That will be important.

We want to stay in ECRIS, but we noted that there are no previous examples of a non-EU member having access to it. We will have to seek a bespoke arrangement to achieve that, and I hope that Ministers regard that as a high priority.

Vicky Ford: On the subject of valuable data exchanges, does my hon. Friend agree that we also need to continue to exchange passenger name records, because that is

[Vicky Ford]

vital for our safety? The exchange of passenger name records was, of course, led through the European Parliament by a British MEP, championed by the Prime Minister and helps to keep us safe when flying.

Robert Neill: My hon. Friend is right and I pay tribute to the work that she did on this and several other issues for the United Kingdom during her time as a Member of the European Parliament.

The evidence given to the Justice Committee was clear that these are interlocking parts of a criminal justice co-operation system and we cannot cherry-pick some bits and not others. It is important that we find ways of maintaining equivalent means of access across the board on these criminal justice co-operation measures. I have mentioned ECRIS and I hope that the Minister will reassure us that finding a way to stay in it is a high priority for the Government.

We should also wish to remain in the second-generation Schengen information system as it gives the UK real-time access to all European arrest warrants. The European arrest warrant is a valuable tool and it is a great help to British law enforcement agencies. I say that as someone who worked as a barrister in criminal law for 25 years before I came to the House. That was at a time when we did not have that means of getting back from abroad villains who had committed crimes in this country. It is a great advantage that we do now have that ability, and since certain amendments were made to the way in which it operates, there are many more safeguards for UK citizens when an EAW is issued than was previously the case. It is a tool that has been refined and improved, and it would be a great advantage for us to stay in it.

SIS II—I apologise for all the acronyms—is also important because it contains, for example, alerts on missing persons. In all, it gives us access to 66 million pieces of data, which helps our justice system, and it is important that we continue to have access to it. The National Crime Agency said:

“Loss of access to SIS II would seriously inhibit the UK’s ability to identify and arrest people who pose a threat to public safety and security and make sure that they are brought to justice.”

I hope that the Minister will confirm that that, too, is a high priority for the Government.

Darren Jones: I stress my agreement with the hon. Gentleman’s remarks about these sharing systems. An example given to me by the Avon and Somerset constabulary involved the awful case of a member of the public viewing child pornography live in this country. Through data-sharing with the continent, the police services in Spain were able to raid the person delivering the data and bring to an end the crimes being committed here and in Europe. Such data sharing must continue, to protect our constituents and our friends on the continent.

Robert Neill: The hon. Gentleman is right, and that was the tenor of the evidence that we heard from all the law enforcement agencies. The benefits of data have also meant that crime has been internationalised in a raft of ways, including of course classic cyber-crime, but also in international fraud, organised crime and, sadly, sexual offences through the internet. Having a full range of measures to deal with those issues is critical.

Tom Brake: I wonder whether the hon. Gentleman’s excellent Committee had an opportunity to look at the contingency plans that would be necessary for all the valuable databases he has set out, should the UK crash out of the EU in March 2019.

Robert Neill: The clear evidence given to us was that the only viable contingency plan would be a significant transitional period. It would not be possible to replicate those systems in the event of a supposed clean-break arrangement, and it would be necessary to have transitional measures. The evidence did suggest that those could vary from sector to sector, in terms of the length of time required and the amount of detailed work to be done, but it would be a serious setback for us to leave the European Union and the current data-sharing arrangements without something being put in place to bridge us over the leaving period for implementation or a clear end state for our ongoing relationship in the areas of data sharing and criminal justice co-operation. It is in everybody’s interests that we achieve that and it is an important issue to bear in mind.

We concluded that data sharing is not an area in which we can take a risk. Indeed, we concluded that these matters are so important that one would ideally wish to see them decoupled from the rest of the Brexit negotiations. Divorce bills or otherwise, public safety and security work for our interests and for every one of the citizens of the EU27, too. The right hon. Gentleman makes an important point and I agree with him.

I have talked about two key systems and I want to highlight their interrelated and technical nature because it is important to put that on the record. As well as those two systems, we also have access to Prüm, a regime for exchanging biometric information and vehicle registration data. It reduces the time taken to find matches from tens of days to 15 minutes when fully in place. We have recently gone into Prüm, and the chairman of the Criminal Bar Association, Francis FitzGibbon QC made the point to us that—and I shall quote his stark words in full to highlight their significance—

“if someone lets off a bomb in Berlin and makes his way to London, the police will be able to get hold of the fingerprints of the chap they arrest for double parking, or whatever it is, instantaneously.”

That gives us the swift ability to track down serious threats to our safety across the continent. We have not yet implemented Prüm, but we have signed up to do so and I hope that we will make it clear that we will implement it while we remain in the EU and we will seek to continue in it once we leave.

Our concern was that both Norway and Iceland—which are not members of the EU, although they are Council of Europe countries and have association arrangements with Interpol and others—have waited some years to have access to Prüm. We have started from a closer position and it would be a tragedy if we went back to the same place in the queue as them, giving away something that we are already moving into. I hope that the Minister will reassure us that the Government will attend closely to those specific points during the negotiations.

Our conclusion was that all these matters, extradition arrangements, the EAW, the data sharing that underpins prisoner exchange arrangements, together with our arrangements on judicial co-operation—on which British

judges work closely with their counterparts—and of course our membership of Europol are all part of a system that comes together to protect us in criminal justice and security matters. They were described by our witness Professor Wilson as part of a system that

“you cannot disaggregate because, in my view, if you take out elements of the system, you have a less effective system for protecting British citizens on the streets.”

That was also the clear evidence from the Northumbria Centre for Evidence and Criminal Justice Studies. The evidence was overwhelming. Sometimes, as lawyers, we get cases in which the evidence all points one way, and that was very much our conclusion from the evidence to the Committee’s inquiry. These are all important matters. Of course, they are but one part of the data protection and sharing regime, but they are critical.

We received the clear message from practitioners that whatever we do and however we get to these arrangements—I hope that the Bill, when it is brought to the House, will help us to achieve this—the end state has to include a means of making sure that our data sharing and data protection regime are sufficiently close to those of the EU27. We shall, therefore, have to have a means of tracking changes and replicating them when it is likely to be to our mutual advantage to do so. Otherwise, with the very best will in the world, a law enforcement agency or police officer in the EU27 might not be able to share potentially critical information with his or her UK counterparts because he or she might find themselves in breach of the data regulations in his or her own EU27 country. That cannot be in anyone’s interest. I hope that the Minister will reassure us that creating such a system will be the centrepiece of our objectives on data sharing in relation to criminal justice and co-operation matters.

2.20 pm

Brendan O’Hara (Argyll and Bute) (SNP): At the start of this week, the Prime Minister told the United Kingdom to be prepared for the possibility of a no-deal Brexit. The warning was clear and unambiguous that with gridlocked negotiations a no-deal Brexit was becoming increasingly likely. Of course, the effects of a no-deal Brexit would be catastrophic. The consequences for our economy, our trade and our EU citizens are obvious, and they have been well documented. Less obvious, and among the multitude of hugely important issues that rarely make the headlines, is the impact on data protection of the UK leaving the European without a deal.

Data protection has been described by *The Economist* and others as:

“The world’s most valuable resource”.

The hon. Member for Cardiff West (Kevin Brennan) described data as “the new oil”. Currently, the UK Government define data protection as the controls on how personal information is used by organisations, businesses or the Government. Everyone responsible for using data has to follow strict rules, and they must make sure that the information is used fairly and lawfully. Information that is held on individuals can include their name, address, credit history, employment history, salary details and even internet browsing history. I am sure that right hon. and hon. Members would wish some, if not all, that information to remain as secure as possible. Robust and strict data protection is therefore absolutely essential to avoid any improper use of that information,

whether for online fraud or identity theft, and to keep it from falling into the hands of people or organisations with which we would rather not share it.

Data protection may not be something that we think about every day—indeed, it may not even cross our minds from one year to the next—[*Interruption.*] Perhaps that is not the case for my hon. Friend the Member for Glasgow North (Patrick Grady). Whether we think about data protection on a daily basis or not, its importance is not diminished. That is why it is absolutely vital that the level of data protection we currently enjoy as EU citizens is guaranteed on day one of Brexit, so that businesses and individuals can continue to rely on existing data flows. It is no exaggeration to say that millions of jobs across Europe rely on data protection and data processing to a greater or lesser extent.

As the Minister acknowledged, the security we receive from our data protection legislation already has a distinctly European flavour, originating as it does from the 1995 EU data protection directive, which was adopted into UK law in the Data Protection Act 1998. Since then, the way in which we create, collate, access and use data has changed enormously, as has the amount of data we create as individuals and as a society. In recognition of that, in 2016 the EU introduced a new legislative framework for data protection: the general data protection regulation, of which we have heard so much, and the police and criminal justice directive. Both those pieces of legislation form the basis of the Data Protection Bill that is in Committee in the other place. The regulations will apply in member states from 2018, and EU member states are required to transpose the directive into national law by the same date.

The Scottish National party agreed with the Minister when he said in February that the GDPR was a “good piece of legislation”. We were pleased that it was included in the Queen’s Speech and that the Government made it clear that our current data protection framework would be amended and made compatible, so that we can adopt the new regulations. We very much welcome the Government’s move to implement the GDPR, giving people more power and control over their own data.

In normal circumstances, I believe that that piece of legislation would be relatively uncontentious. However, as it has done and I believe it will continue to do, Brexit makes the subject of data protection hugely problematic. If we are to leave the EU in March 2019, what is the future for our newly agreed and freshly implemented cross-border, pan-European arrangement with our EU partners? What will be the consequences for businesses and individuals if the UK suddenly finds itself on the outside without a deal to continue the free flow of data not just with the European Union, but with the safe nations with which the EU has secured a reciprocal deal? At a stroke, could the United Kingdom lose its right to exchange data with the United States, a nation on which the Secretary of State for International Trade and President of the Board of Trade seems to be pinning so much hope for our future trade?

We are in an era in which geographical boundaries for data do not exist. Today, as probably every speaker in this debate has said, almost half the large EU digital companies are based in the UK, and a remarkable 75% of cross-border data flow out of the UK is with EU countries. We also have significant data flow with the United States, which occurs because we enjoy access

[Brendan O'Hara]

to the EU's privacy shield agreement. There is no such thing as sovereignty where data is concerned. Currently, we are a signed-up member of an international network committed to safeguarding data. In this global economy, the unfettered free flow of data across international boundaries safely and without delay, cost or detriment is absolutely essential, not just for individuals and businesses but for agencies that need to work across international boundaries. We have heard about many of those agencies today, and they deal with matters such as crime prevention, disease control and national and international security.

For the UK to be able to take full advantage of the continued free flow of data with the rest of the European Union post Brexit, the most straightforward route would be for the EU to issue an adequacy decision. An adequacy decision, as we have heard, is given to a third country—a country that is outside the EU and the EEA—to allow it to operate securely and freely within the framework of the GDPR. It can be given to countries that meet the required standard of data protection, a criterion that currently applies to the United Kingdom. The problem is, however, that an adequacy decision is designed for third countries, and the UK is not—yet—a third country. Indeed, it will not be one until the end of the Brexit process. There is no existing legal mechanism to enable the EU to award an adequacy decision to a country in advance of its leaving the EU. As the leading data protection lawyer, Rosemary Jay, said, the EU has to go through a legislative process, and it is simply not in the EU's gift to do this in an informal way. I cannot comprehend what the Minister meant when he said that he sought "something akin to" an adequacy deal.

Matt Hancock: The negotiation of the EU's future relationship with the UK is not some sort of informal approach; it is a very formal set of talks. We hope that it will lead to a good deal, which we hope will include this area. That is exactly what I meant.

Brendan O'Hara: I thank the Minister for his point, but I stress again what Rosemary Jay said: the Commission has to go through a legislative process, and it is not within the EU's gift to do this in an informal way. There could be a further complication in the UK's achievement of an adequacy decision. As the hon. Member for Cardiff West said, ahead of granting an adequacy decision the European Commission is obliged to consider a variety of issues, such as the rule of law, respect for human rights and legislation on national security, public security and criminal law.

That being so, there is a very strong suggestion that the Investigatory Powers Act 2016 may jeopardise the ability of the UK to receive a positive adequacy decision. The Investigatory Powers Act has already been accused of violating EU fundamental rights. Eduardo Ustaran, the internationally recognised expert on data protection law, has said:

"What the U.K. needs to do is convince the Commission—and perhaps one day the European Court of Justice—that the Investigatory Powers Act is compatible with fundamental rights. That's a tall order".

While the Government are understandably desperate to secure an adequacy decision, the harsh reality is that a lengthy and challenging legal process may have to be undertaken before that happens.

I fear the Government are in denial about this. Indeed, when questioned by the Culture, Media and Sport Committee back in February about what would happen on the day after Brexit if we do not have an adequacy decision in place, the Minister said:

"we seek unhindered data flows but we want that to happen in an uninterrupted way—that is to say, on the morning on which we have left the European Union, it is very important that our data rules work, so that there is an uninterrupted system in place".

He is absolutely right—I could not agree more—but that did not answer the question about what happens if we do not have such an adequacy decision in place on the day we leave.

Just yesterday, at the Digital, Culture, Media and Sport Committee, I asked the Secretary of State a very similar question about the need to have an adequacy decision in place when the UK leaves the EU. Her answer was that she was

"very hopeful of getting that deal".

I am sure she is and I wish her well, but at the moment there is no deal in place. The longer negotiations are at a stalemate, while we continue without the legal mechanism to get a third country deal, and, given the issues in relation to the Investigatory Powers Act, securing the agreement the UK needs and absolutely desires is becoming less and less likely.

Another potentially huge problem arises if we do not secure an adequacy decision by the day on which we leave the European Union, because not only will we be outside the EU and isolated from the other 27 member states, but we will also be outside the EU-USA privacy shield agreement. The consequences of that happening may be unthinkable for UK businesses and individuals, but it is absolutely incumbent on the Government to think the unthinkable and to be adequately prepared for it. Putting all their eggs in the one basket of hoping to secure a negotiated adequacy decision is a very high stakes game, so I again ask Ministers: where is the plan B should there not be an adequacy decision? What assessment has been made of the UK not having such a decision in place on the morning on which we leave the European Union, and when will Members of the House be able to see that plan B and that assessment?

Nobody wants such a situation to arise—we want a deal to be struck—but even if the Government's faith is rewarded and we do secure an adequacy decision, the UK faces another problem. As the GDPR evolves over time, as it surely will, the UK, to maintain its membership, will be required to amend its data protection law to keep in line with European law. The EU charter of fundamental rights and freedoms is now central to EU data protection law, and the charter is interpreted by the European Court of Justice, yet clause 6 of the European Union (Withdrawal) Bill quite clearly states that EU courts will cease to bind UK courts and tribunals following withdrawal. I suspect that if the UK does manage to secure an adequacy decision, to keep it, it will have to fall into line with the European Union Court of Justice.

As I said at the start, we welcome the Bill as a move to ensure that people have more control over their own data and to bring the legislation into line with the huge technological advances since the 1998 Act. We welcome the commitment to implementing the GDPR and to the UK remaining fully involved in protecting EU citizens' data post-Brexit. We question, and we will continue to question, the Government on how they can take this

forward when an adequacy decision is not guaranteed and while there are still unresolved issues about the Investigatory Powers Act, at the same time as they are seeking to remove the UK from the jurisdiction of the European Court of Justice.

Of course, it does not have to be this way. The best, easiest and most straightforward way to ensure that there are no disruptions to data flows between the UK and the EU after Brexit is for the United Kingdom to remain a full member of the single market. The agony and the fear for millions of businesses and individuals of being cut off from both Europe and America if we do not secure an adequacy decision could be avoided by our staying in the single market. Why put people and businesses through this?

After all, no one in any of the nations of the United Kingdom voted to leave the single market. In fact, two of the four nations of the United Kingdom voted to remain in the European Union. We are in this situation because of the Conservative party's extreme interpretation of Brexit, and that is why we are now actually having to prepare ourselves for what, hitherto, was unimaginable—a no-deal Brexit, with the catastrophic consequences that it will inevitably have for our society and our economy.

2.35 pm

Stephen Kerr (Stirling) (Con): It is a great privilege to follow the hon. Member for Argyll and Bute (Brendan O'Hara). He is a near neighbour of mine geographically, although on political issues we seem to be streets apart. I was pleased to hear him say—I assume he was speaking for the SNP as well as for himself—that he wants a deal. We all want a deal—[*Interruption.*] From the way SNP Members sometimes conduct themselves, we would think they take some perverse delight from the fact that we might not get a deal. We all want a deal, but I must tell him that, frankly, leaving the European Union means leaving the single market and the customs union. We cannot divorce those two things—it is the same thing. That was well rehearsed during the debate that led up to the vote last June.

Stephen Timms: Of course Norway is not a member of the European Union, but is a member of the single market.

Stephen Kerr: That is the worse-case scenario of being on the receiving end of a flow of regulation with no input or influence over that at all. No, leaving the European Union means leaving the single market and the customs union.

Wera Hobhouse (Bath) (LD): Does the hon. Gentleman not agree that leaving the single market and the customs union was not on the ballot paper when the British people voted?

Stephen Kerr: I do not think that there is much virtue in rerunning the Brexit debate today, when we are discussing data, but I will say that it was well rehearsed, especially by the remain side, that leaving the European Union meant leaving the single market.

I am grateful for the opportunity to make a short contribution to this debate, and I do so from the perspective of having spent the past 30 years of my life in the world of sales. I should declare at the outset that I am a fellow

of the Association of Professional Sales, a UK institution with a fast-growing global reputation. Its primary purpose is to raise the standard of sales professionalism, ethical sales conduct, and the overall talent and capability of sales professionals.

I recognise that this debate is about data protection as we leave the European Union, but let me be absolutely crystal clear: I am optimistic about the future of our country outside the European Union. I am not blind to the challenges that lie ahead, but I encourage Opposition Members who have a decided propensity to take a dim view of our future to brighten up. We have a great deal going for us in this country, and rather than cowering at the prospect of a global Britain, we should now embrace the opportunity.

So much of our national sales capability, which will be key to our global success, will hinge on our commitment to embracing new technologies. We in this country are driving the fourth industrial revolution, and I want our country, by which I mean—before my SNP colleagues shout, “Which country?”—the United Kingdom and Scotland—

Alison Thewliss (Glasgow Central) (SNP): They are separate things.

Stephen Kerr: No, they are not separate things. I want our country to be at the forefront of this revolution, because it represents a massive competitive advantage and can be the primary means of unlocking the perplexing conundrum of Britain's productivity gap.

The fourth industrial revolution is powered by data. It has already been said a number of times in this debate—perhaps it is a cliché—that data is the new oil. Increasingly, data makes the world go around. I am grateful to Guy Lloyd, a fellow of the Association of Professional Sales, for his graphic description of the digital age we live in, which is creating new information exponentially. Incredibly, 90% of data in the world today has been created in the past two years alone. Our current daily output of data is about the equivalent of 10 million Blu-ray discs which, if stacked, would be as high as four Eiffel towers. It does not take a genius to predict that, as the world becomes more connected and individuals become more empowered through technology, the data deluge will only increase.

Digital tools, fuelled by big data, are making it increasingly easy for business organisations to profile the marketplace they operate in, to identify the best potential customers for their business and to improve the effectiveness and efficiency of their lead generation activities. Using artificial intelligence search engines, businesses trawl company reports, social presence and analyst commentaries to find companies that are likely to have a problem suited to their offering, and then identify who to talk to and how to connect with them based on their prospects' employee social profiles. Artificial intelligence will also identify problems in the prospect journey through the opportunity pipeline, even predicting possible issues before an initial engagement and suggesting workable solutions. The algorithmic examination of large amounts of data collected across the complex interactions of customers, and employees of customers, supports the design of much-improved customer experience. This is the world we are already living in.

[Stephen Kerr]

Data protection should be about providing assurance that the data each of us provides to public bodies and private organisations is safe. The foundation principle of data protection must be trust. Each individual citizen must feel that their rights are protected in law, and they should also know that their rights are protected in law. The true focus of any data protection regime must be to provide reassurance to the individual citizen that their personal data is theirs to own, control and share as they choose and that they can make decisions to share their data on an informed basis. Public and private corporations must be accountable for how they use that information, and they must collect it ethically and transparently.

There is no argument from me about the fact that the data protection regime within the European Union is a robust system that has been designed to provide significantly enhanced rights and protections for individual EU citizens. My concern, however, is that data protection can also be a carefully constructed protectionist measure that works to the commercial advantage and convenience of some of the largest multinational companies. So often the voices of lobbyists and corporations drown out the better nature of our policymakers and, more often than not, that is certainly true of the European Union. EU regulations can become so complex and byzantine that new entrants to the field—I am talking from a commercial perspective—from emerging markets are crowded out. I seek assurances from the Minister in that regard.

Some Members will undoubtedly be in favour of protectionist policies, but I believe in free trade. The EU has built a wall from such regulations—a wall that we must be ready occasionally to breach. From my own point of view, the idea of being able to interact with the 3.7 billion humans who are on the internet is not only desirable but vital for the growth of many companies beyond the relatively small numbers within the European Union. We can position Britain at the heart of this global data processing industry. We have a proud history of this—from the Babbage engine to Skyscanner, via the work at Bletchley Park and Manchester 1. In my constituency of Stirling, superb IT companies are already expert in the field of data processing, and CodeBase Stirling, an organisation for supporting emerging companies, many of which will be developing new applications in this field, has recently located there. Students at Stirling University are learning about big data in a master's programme, and the work carried out there on big data analytics as well as machine learning will bear fruit long into the future.

We in this country have the skills and the knowledge. Members who think that we will sink without the EU have little faith in the spirit of the British entrepreneur. Brexit gives us the opportunity to think globally, and think globally we shall. Rather than the existing adequacy model of the EU, we need to consider partnerships based on shared understanding of privacy rights and a shared goal of ensuring that consumers give informed consent to their data being used. A shared international framework would give surety to companies operating globally that there are common standards to adhere to, at the same time as protecting consumers.

Kevin Brennan: I am listening with great interest to the hon. Gentleman's speech. If he is saying that we should not participate in the adequacy arrangements,

is he disagreeing with the Minister's comments that we should have an arrangement akin to the adequacy requirements?

Stephen Kerr: No, I did not actually say we should not participate. I am saying that we should think further afield and establish relationships that involve agreements on a shared understanding of what privacy rights are, and we should ensure that consumers outside the EU, too, give informed consent to their data being used. A shared international framework would give surety to companies operating globally.

Many people of my generation will be disappointed that instead of personal rocket packs we have mobile phones and Twitter, but there is something about our modern life that fills me with hope. We can come closer together as a world community of individuals living together, with more respect for our fellow beings, as we see the barriers of culture, language and custom fall around us. But we need to be prepared for the times in which we live. We owe it to the people of our country and to our companies to keep our regulatory regime up to date as technology changes and emerges. Our laws should be responsive to change and adaptive to the social and economic changes that technology brings about. I believe we can achieve that far more readily in our own Parliament and that we can make the UK a world class data-safe partner.

Privacy and the protection of our data are vital, given the way we live today. We create footsteps and tracks in all aspects of our life, whether through the purchase of a product at an online shop, the presence of our mobile phone accessing a public wi-fi, or the use of a social media platforms. Every aspect of our lives can be and is recorded by companies that use complex algorithms to profit from this information. Let us be honest: this can often lead to greater convenience for us as consumers. The way we surrender our personal data can be considered transactional. We surrender some of our personal freedom to get access to a product or service that we want. This needs to be made clear to people who often access services without knowing the sacrifices that are being made to their privacy. People might think they are getting things for free when in fact they are paying with their valuable personal data. Sometimes this is a good deal but sometimes it is not, and it is for informed consumers to make that choice. Rights enshrined in law should be clear and easy to understand. The use of personal information should be subject to regulation, but not in such a restrictive way as to make it impossible to handle. Informed consent should be our watchword.

The internet is the best vehicle for economic growth that we have, and with data being produced at a rate of 2.5 billion gigabytes per day, it is not going away. It is also a tremendous opportunity. Our responsibility as lawmakers is to anticipate and follow technological change, and to understand how the technologies and habits that our people form require new protections in law. It is also our responsibility to ensure that the laws that we make are proportionate and do not generate a protectionist climate for our companies, but instead protect our citizens.

I believe that this is another area of public policy where the opportunities presented to us by Brexit are substantial. We can make our laws more responsive;

we can break down barriers to trade with consumers around the world; and we can build a proper data protection regime that protects our citizens.

2.49 pm

Stephen Timms (East Ham) (Lab): I am pleased to follow the hon. Member for Stirling (Stephen Kerr) and will pick up on one or two of his points.

David Cameron has a great deal to answer for. To win support from his party's right wing for his leadership bid in 2005, he promised during the leadership campaign to withdraw Conservative MEPs from the European People's party, the main centre-right grouping in the European Parliament, and he delivered on that commitment after the European elections in 2009. By pushing his MEPs to the fringes in the European Parliament, he significantly reduced British influence there and more widely in the EU's structures, which meant that Britain did not get its way in Europe on an increasing number of issues, by contrast with previous Governments, both Labour and Conservative. The referendum result—the decision to leave the EU—was the inevitable outcome of that spiral of loss of influence, kicked off by his commitment in 2005.

One way to look at the referendum is as a choice between sovereignty and prosperity. In the referendum, the country chose sovereignty, and of course that was a wholly honourable choice to make, but we need to be honest now about the resulting loss of prosperity. Leaving the EU, if it is seen through in the way envisaged now, will make us poorer. Ministers need to stop pretending otherwise, for their own sakes, as well as for the sake of the country, because once the reality becomes clear, the punishment inflicted on the Conservative party will be all the greater if people have not been told what is ahead.

An official in Germany put it to me like this a few months ago: "If you want the benefits of the single market, you have to obey the rules of the single market." Ministers continue to tell us that we can have the benefits but no longer obey the rules, but that will not be the outcome of these negotiations. It could not possibly be because, if it was by some fluke the outcome, Germany and lots of other Parliaments in the EU would surely vote it down when asked to decide on the deal.

This week, we have at least had some recognition of that reality from the Prime Minister. She has announced that in the transition period from April 2019 we will continue to obey the rules. The writ of the European Court of Justice and the free movement of people will continue into the transition period. As far as I could understand it, the announcement in her statement on Monday seemed to be that we would stay in the single market and the customs union, other than in name. I presume that this is a face-saving device to avoid the embarrassment of a clear U-turn. It would be much better to be honest and commit to staying in the single market and the customs union during the transition period at least, as argued by my right hon. and learned Friend the Member for Holborn and St Pancras (Keir Starmer), the shadow Secretary of State for Exiting the European Union, and my right hon. Friend the Leader of the Opposition. The Prime Minister's announcement does at least hold out the prospect of delaying the damage to our prosperity for a couple of years, but we need to recognise that that will not avoid the damage to our prosperity altogether.

The challenge is perfectly illustrated by the subject that we are debating this afternoon, and I welcome the fact that the Government have given us the opportunity to have this debate. Mr Speaker characterised my interest in a different area of policy earlier this week with the phrase, "some would say anorakish". How much more that applies to the area of policy that we are debating this afternoon. The Minister was absolutely right in his opening remarks to underline just how important this policy area is for our prosperity. It underpins the wellbeing of the economy. Indeed, there is growing evidence that one of the reasons why we have failed on productivity growth in the UK in the past few years by contrast with other countries is that the internal management of companies in the UK has been digitised to a lesser extent than elsewhere. If we are to make progress on that—it is vital for our prosperity that we do—then data communications will be even more important in the future than they have been in the past.

I very much enjoyed and appreciated the contribution of the hon. Member for Bromley and Chislehurst (Robert Neill), who chairs the Select Committee on Justice. He underlined, quite apart from the economic considerations, how vital it is for our security and safety that we can continue to communicate personal data with other European Union countries.

The Minister was right to make the point at the outset that our data protection laws in the UK originated with an EU directive in which the UK was very influential. The Conservative Government who negotiated that directive had a powerful voice at that time. Sadly, as I explained earlier, more recent Conservative-led Governments have had a much less powerful voice.

Matt Hancock: I agree with the right hon. Gentleman that the British MEPs had a strong influence on the GDPR as it was developed in Europe. One of the reasons the GDPR is a good piece of legislation that we can happily bring into UK law is because of that influence. We had that influence after we had left the EPP, so perhaps he will withdraw his earlier comments. As for this argument about lack of influence, the chair of the justice committee in the European Parliament is a British Labour MEP, so is he saying that the lack of influence that he describes is because of the Labour party?

Stephen Timms: No, certainly not. I am delighted that my Labour colleagues in the European Parliament have retained their place in the Socialist group and therefore their influence. The problem for Britain has been that, by leaving the EPP, Conservative MEPs have had much less influence. I am not saying that they have not had any influence—that is not at all the point I am making—but they have had a great deal less. Therefore, the British Government have been much less able to get their way in Brussels than previous Conservative and Labour Governments, and that is what inexorably led to the referendum result.

The key foundation stone for data protection regulation in Britain has been article 8 of the European charter of fundamental rights, which states:

"Everyone has the right to the protection of personal data concerning him or her."

The European Union (Withdrawal) Bill—the Minister and I had an exchange about this earlier in the debate—removes the charter of fundamental rights from UK law,

[Stephen Timms]

so article 8 will no longer apply. The Select Committee on Exiting the European Union took evidence on that point from lawyers yesterday. Sir Stephen Laws, former first parliamentary counsel, argued that the removal of article 8 was a good thing because nobody can quite know exactly what it really means, so that we end up with judges deciding in appeal cases, which makes the law uncertain. He made a very reasonable case. Far better, he said, for Parliament to decide the detailed law and regulations, so that everyone knows where they stand.

However, Dr Charlotte O'Brien of York Law School pointed out that in practice, judges deciding points of data protection law in Britain often refer explicitly to article 8. A reading of their judgments suggests that article 8 frequently sways the decisions that they reach, so it is likely that its removal will mean that their future judgments will be different from those that they have made up until now. We can have an interesting debate about which arrangement is better, and, as I have said, I think that Sir Stephen Laws made a perfectly good case. Our problem, however, is that we have to achieve a declaration from the European Commission that UK data protection law is adequate. That is crucial for the future of our economy.

Matt Hancock: A point that I hope will reassure the right hon. Gentleman is that EU jurisprudence will be brought into UK law through the European Union (Withdrawal) Bill, although EU jurisdiction will no longer continue.

Stephen Timms: The proposal is that article 8 will not be there any more. The problem is this: where in the European acquis, which is being brought into UK law, is the clear statement that everyone has the right to have their personal data protected? It is not there, and if it is not there, it will be significantly harder for the European Union to recognise that UK data protection law is adequate.

Matt Hancock: This is an incredibly important point, so I am grateful to the right hon. Gentleman for allowing me to intervene. The right is there: it is in the GDPR, which will be brought into UK law through the Bill.

Stephen Timms: The problem is that it is not. There is no clear assertion anywhere in UK law—other than, at present, in article 8—that everyone has the right to have their personal data protected. As I have said, and as was said in the Select Committee yesterday, judges, when making judgments on these matters in appeal cases, often refer to the wording of that article to reach their conclusions.

There is a perfectly good case for arguing that it is better not to have these slightly vague declarations, because the law is clearer if it is all spelt out in legislation that has gone through Parliament, but our problem is that that is not how the matter is looked at in Brussels. Over the next year and a half or so, the Minister has to persuade people in Brussels that our data protection is adequate, and if we no longer have a clear statement in UK law that everyone's personal data is protected, that task will be a good deal harder.

Daniel Zeichner (Cambridge) (Lab): My right hon. Friend is making extremely important points. The very fact that we are having the debate shows that there is uncertainty. When those who may be not so friendly to us in other parts of Europe are looking for cause to be difficult, does that not absolutely give them that cause?

Stephen Timms: As chair of the all-party parliamentary group on data analytics, my hon. Friend is in a very good position to understand just how important this is for our economy. He is absolutely right: if we open up that uncertainty in our regulatory arrangements, it will be harder, perhaps impossible, to achieve the adequacy agreement that we need.

I am grateful to the Minister for committing himself to seeking that adequacy agreement. Like the hon. Member for Argyll and Bute (Brendan O'Hara), I was slightly concerned about what he meant when he referred to something "akin to" an adequacy agreement. What we need is an adequacy agreement that is formally defined. We need that declaration from the Commission, so that UK businesses can continue to exchange personal data with businesses in other EU member states.

Mr Tanmanjeet Singh Dhesi (Slough) (Lab): My right hon. Friend is making an excellent speech and some very pertinent points. Many tech firms and other companies in my constituency are concerned: we need to have such agreements in place—in particular, on data protection—and not having them in place will have a hugely detrimental impact. Does my right hon. Friend agree?

Stephen Timms: The firms in my hon. Friend's constituency are absolutely right. If we do not achieve that adequacy declaration, it will become illegal for personal data to be exchanged between the UK and the countries of the EU, and there will no longer be a lawful basis for large swathes of businesses in the country to continue to operate.

Kevin Brennan: Perhaps we can draw an analogy with my right hon. Friend's earlier remarks about the customs union and single market and say that the Government are seeking an adequacy agreement, but not in name on this occasion.

Stephen Timms: The problem is that if it is not an adequacy agreement in name, it is not clear what it is. [Interruption.] Yes, an inadequacy agreement, perhaps.

We also need this to be clarified soon, because otherwise businesses will have no alternative but to make arrangements to shift the activities into the other EU countries to avoid the risk of them no longer being lawful—and if this is left to the last minute, with some late-night deal at some distant point, these companies will have gone.

Jeremy Lefroy (Stafford) (Con): Does the right hon. Gentleman, a fellow member of the Exiting the European Union Committee, agree that one way to sort this out is by amending the Data Protection Bill—in effect, by transferring the wording of article 8 into that Bill?

Stephen Timms: I pay tribute to the hon. Gentleman for his work on that Committee, and his suggestion could well solve the problem. What I have proposed is amendment 151 to the European Union (Withdrawal) Bill, to require Ministers to put on to the statute book a clear statement that UK citizens have a fundamental

right to the protection of their personal data. But he is right that we could equally well insert that wording into the Data Protection Bill, which is before the House of Lords at present. I should also point out that, splendid though it is, I cannot claim credit for the wording of my amendment, as it was drafted by techUK, in recognition of the issue's importance to the industry.

I want to make a final point about the Data Protection Bill and postal direct marketing. I welcome the fact that the Government are implementing the GDPR, or general data protection regulation, but the Bill changes the basis for opting out of postal direct mail communications. At present, if somebody does not want to receive advertising addressed to them through the post, they can opt out by signing up to a register. As I understand it, the Bill will change that and companies will not be allowed to send people postal direct mail unless they opt into receiving it. I think that is the current arrangement for direct email, but there has been an opt-out arrangement for postal direct mail until now. There is a lot of concern that that change would be very damaging to the UK direct mail industry, which is a substantial industry, and that it is not required by the wording of the GDPR; indeed, legal advice has been taken on this point and the GDPR does not require that change to be made. If that is right, the Government are gold-plating the regulations that have come to us from the EU. They are absolutely right to be implementing the GDPR and to be doing so scrupulously, but they should not be gold-plating them, as I fear they might be in this case.

I am grateful to have had the chance to set out to the House a bit more fully the thinking behind my amendment to the European Union (Withdrawal) Bill, and hope I might have persuaded the Minister that, after all, it might be an amendment that he can support.

Madam Deputy Speaker (Mrs Eleanor Laing): I am delighted to call to make his maiden speech Mr Matt Western.

3.10 pm

Matt Western (Warwick and Leamington) (Lab): Thank you, Madam Deputy Speaker. I am grateful for the opportunity to make my maiden speech in this important debate. Although I have spoken several times already in the Chamber, questioning the Prime Minister and other Ministers, this is indeed my formal introduction to the House.

The past five months have been extraordinary, and it is a great honour for me to represent Warwick and Leamington, a constituency that also includes the town of Whitnash and a number of villages. I wish to place on record my thanks to them. I would also like to thank my predecessor, Chris White, for the work he did as a constituency MP, and specifically his support for the charitable sector and the local games industry. He served the community well, and I wish him well. It is work that I will most definitely build on.

It is a happy coincidence that my maiden speech should coincide with the news, published yesterday in *The Independent* and by the BBC, that Leamington has been declared the happiest town in the UK. Delightfully, the survey that led to this finding was conducted after 8 June, which doubtless explains everything.

My constituency is not only the happiest place in the UK. Apparently, it was one of the first provincial towns in England to possess the other key attribute of happiness

—a good range of Indian restaurants. You do not need to take my word for it: whilst a predecessor, Sir Anthony Eden, liked to quote from Shakespeare, in this instance I am going to quote from the historian, Lizzie Collingham, author of a definitive history of curry:

“Leamington was one of the first provincial English towns to have a selection of Indian restaurants. The area's very proximity to Coventry and Birmingham, where many of Britain's Bangladeshi and Pakistani immigrants found work in the car industry, made it, where Indian food is concerned, one of Britain's pioneering towns. It still is.”

As if to underline that, one of our very many local establishments was proclaimed winner of Midlands Curry House of the Year and shortlisted for the national awards. So none of you should need any inducement to visit the locality—and you will be most welcome.

But good eating is not all it has to offer. My constituency has been home to such luminaries as Joseph Arch, a 19th-century pioneer in unionising agricultural workers and in championing their welfare. Arch also agitated for the widening of the franchise—ambitions that were to some degree fulfilled in the Representation of the People Act 1884. In the ensuing 1885 general election, Arch was returned as the Liberal MP—we can all make mistakes—for North West Norfolk, making him the first agricultural labourer to enter the House of Commons.

My constituency was also home to Randolph Turpin, who was considered by some to be Europe's best middleweight boxer of the 1940s and '50s, and went on to become the undisputed middleweight champion of the world, in defeating no less than Sugar Ray Robinson. And it was home to Sir Frank Whittle, one of Britain's greatest inventors, the creator of the jet engine, and indeed once to my hon. Friend the Member for Chesterfield (Toby Perkins), the as-yet-unknighthed Toby Perkins.

Warwick is famous for its glorious castle, the seat of the legendary kingmaker Guy of Warwick. It is the medieval county town for a shire that once included both Birmingham and Coventry. Today that would be some county. Leamington, its noisy neighbour, is perhaps now the happiest town in the UK but was certainly not favoured by the late John Betjeman in his poem “Death in Leamington.” Fortunately, Betjeman saved his greater wrath for elsewhere, famously inviting “friendly bombs” to rain down upon a different town. In fact, despite being a major manufacturing centre, the constituency was not the victim of significant bombing in the second world war, unlike neighbouring Coventry, sadly, but during the war it was the seat of an important team of camoufleurs—artists and engineers who played a leading role in developing the art and science of camouflage. It is interesting that one of the constituency's most significant contributions to the defence of our country back then was through design.

Design and innovation permeate the recent history of our towns. In the post-war period, the legendary Donald Healey set up his car business on the Emscote Road in Warwick, going on to produce some of the finest sports cars the world has ever seen. Not far away, Malcolm Sayer was designing the E-Type Jaguar. I am proud of my constituency's impressive contributions to design and technology and its continuing role in developing innovative technologies of all sorts. That continues to this day with the world-leading Warwick Manufacturing Group, which is part of the University of Warwick and has collaborated with industry, Government and other

[*Matt Western*]

universities in developing battery cell technology, new materials, and digital applications. It is therefore no surprise that what is still referred to as the gaming industry finds itself home here. Along with Dundee, it leads the industry with more than 50 local businesses, employing 2,500 people and generating £188 million in turnover, and it is about to grow exponentially. I am proud that it is leading the revolution in not just virtual reality, but augmented reality. I can honestly say that I have seen the future—through a headset.

The constituency's relative economic buoyancy is exactly that: relative. It has depended on the single market and the customs union, together with our openness to attract the best in the world. Football clubs, such as my beloved Arsenal, have benefited similarly. Warwick and Leamington is an exceptionally diverse, international and multicultural community. Engineers, designers, academics and working people of all sorts from Europe and around the world have made the area their home. As Leamington's proud restaurant history reminds us, it has also long been home to distinguished communities originating from the Indian subcontinent, who have played, and continue to play, an important role in the economic and cultural life of the west midlands. By way of example, our magnificent gurdwara is now celebrating its 50th year. That diversity explains in part my constituency's openness to international business and migration. It voted remain in the EU referendum. Since the vote, residents and representatives of Warwick University, Jaguar Land Rover and other businesses have consistently voiced their concerns to me about the impact of Brexit. They tell me that they simply want clarity and certainty—urgently. Economic matters are critical in their planning, and they expect Government responsibility, not party infighting. I am confident that they would agree with me: no deal, no way. They are right to worry.

The prolonged lack of clarity over the post-Brexit landscape on the British economy is an issue for the majority of my constituents. Some have already voiced their concerns about potential exclusion from the EU's data protection framework, which would impede the continued free flow of data among EU and EEA states, without which businesses and the economy will suffer. The Lords EU Select Committee states that we are facing a dangerous cliff edge in that regard. Data is critical in our society and for our businesses, but we need strong safeguards. I echo the words of my hon. Friend the Member for Cardiff West (Kevin Brennan) about what data means, particularly for the younger generation, who, interestingly, can be viewed as a data commodity, but we must not allow our young people to become a commodity.

My constituents are already noting Brexit's impact on the region's ability to attract and retain the talented skilled workers on which it relies, and they are worried about the continuing weakness of the economy overall. The economy is extremely fragile and vulnerable to currency fluctuation and interest rate changes. Since 2015, we have witnessed a surge in unsecured household debt, which has reached levels not seen since 2007–08. Consumption growth—the sole driver of the UK economy for nearly a decade—is faltering, partly because much of that growth was driven by the £35 billion windfall that households received in PPI repayments. That is some economic stimulus by any measure. The effect of

that short-term windfall is now tailing off. Since 2011, that extraordinary, one-off cash injection helped to fund, for example, higher retail car sales and new kitchens, but for little longer. Car sales have been falling since April 2017, which is as good an indicator as any that consumer confidence is declining significantly. Investment growth—the real driver of wealth—has failed to return to the UK after the financial crash of 2008, but only here. Growth in all other developed nations now exceeds the UK's.

Like so many of the Government's claims, assertions about Conservative economic competence have proven ill founded. UK debt has continued to rise. The Government have failed to meet their own economic targets. Real wages have fallen by 15% for many in the public sector and have been stagnant for most. CPI inflation is rising and will soon exceed 3%. Household budgets are being truly squeezed. Sterling has fallen by up to 20%; by contrast, personal unsecured debt has sky-rocketed.

Individually, those elements would be concerning enough; together, they augur serious concern. At the same time, the cost of housing is rocketing. In my constituency, average rents have increased by 26% in the past six years. In the past 10 years, only 50 council homes have been built in the area although 2,400 people are on the housing waiting list. Last year, 705 people applied as homeless to the local authority—130% up on 2010, compared with a 29% increase nationally over the same period. Some 3,600 people in my constituency regularly use our food banks. There are several night shelters in our towns and in recent months the numbers attending have doubled. The work there is increasingly important and I place on the record my thanks to Margaret, Chris, Susan, Vishal and all the other volunteers.

Quite simply, the housing market is broken. As has been confirmed by a Prime Minister not known for her Marxist principles, the energy market is also broken. As with so many Government announcements these days, it is too little, too late. Energy is ripe for revolution and it is vital that we should take this opportunity to democratise it. That will bring prosperity to all, as well as address the urgent crisis of climate change.

In his maiden speech in 2010, my predecessor stated that Warwick and Leamington had excellent frontline services. He was right: in 2010, we did. Seven years on, we do not. We have lost police—in Warwick, we have lost the police station. We have lost teachers, full-time firefighters, and health professionals from the NHS. Many are demoralised. I will not continue because all hon. Members face the same reality in their own constituencies.

What can we do? The International Monetary Fund has one suggestion: rebalance the tax system. A report just published by the IMF finds that higher income taxes for the rich would help reduce inequality without having an adverse impact on growth. Perhaps implementing some of the Labour party's policies would be a good start to getting us on to a more secure economic footing as we face the enormous disruption of Brexit. Perhaps that is an announcement for next week. My constituents, whether residents or businesses, need, now more than ever, a strong Government ready to protect jobs, deliver a shared prosperity and enable all to flourish. Above all, I will speak for them. That is the vision that I will represent in Parliament. I thank hon. Members for their attention.

3.23 pm

Vicky Ford (Chelmsford) (Con): I congratulate the hon. Member for Warwick and Leamington (Matt Western) on his excellent maiden speech. It is a delight to hear that his constituency is such a happy place to live in. As the representative for Chelmsford, I inform the House that Chelmsford, too, is one of the happiest places to live in the country. Long may the hon. Gentleman and I have that in common. I listened with interest to his potential solutions for the British economy. We all want to find those. I do not believe that increasing taxes is a solution; sadly, that could lead to less demand for the Jaguar Land Rovers that the hon. Gentleman's constituency is so proud to produce.

This debate is vital. Data is the lifeblood of the modern economy. Our ability to analyse vast quantities of it has totally transformed our understanding of the planet in which we live, of how we interact as a society and even of the very make-up of our bodies. Data is revolutionising our healthcare with amazing personalised medicines. The chief executive of our civil service explained earlier this year how data is fundamentally changing the delivery of the civil service, with huge benefits to improve the experience of the citizen, make Government more efficient and boost business in the wider economy. Consumers benefit, too: data flows mean we can access online goods, services and digital content never before thought possible; we get increased choice through cross-border platforms and cloud computing; and this underpins so many of those key financial services that consumers take for granted today.

The digital world is borderless, and the ability to transfer data seamlessly across borders is what underpins so much of our trade with Europe today. As I said in my earlier intervention, techUK suggests that the UK is home to more than 10% of all global data flows, with three quarters of those flows being between the UK and the rest of Europe. That data flows because of trust, and data protection is key to keeping that trust and fundamental to maintaining this trade. There are no World Trade Organisation backstops for data, and, as the Minister has said, securing an adequacy agreement is a priority, as it must be. Crashing out of Europe without a deal on data would not be a good deal, for our tech, medical and medical research sectors, for consumers or for our financial services. That is why it is so important that we make sure that there is an adequate deal on adequacy.

The GDPR set the global standard on data protection, and, as some in this House have mentioned, the UK was crucial in delivering that deal. The committee in the Parliament was chaired by a British Labour MEP, and a lead negotiator was a British Conservative MEP who now sits in the other place. On this side of the channel we should not underestimate how sensitive the issue of the treatment of personal data is. In Britain we have a long history of freedom, but in other countries in Europe people have sometimes found that their personal data has been abused by their state and their liberty has been constrained. The right to privacy of personal data is a treasured, fundamental right, which is why it is such good news that our Bill on data brings the principles of the GDPR—the European regulation—into British law. As we leave the EU, if we are to have that deep trading partnership in the future that the Prime Minister wants to deliver, we need to reassure our European neighbours that we will continue to act responsibly on personal data. We need to put the GDPR into British law, as the Bill does.

As the Minister correctly said, the digital world is continually evolving, so we need to be ready to evolve our digital legislation continually. That is why I was extremely pleased to hear the Prime Minister talk in her Florence speech not only about ensuring we have the same standards and regulations as we leave Europe, but about how she is committed to delivering an ongoing regulatory dialogue on such key issues and areas.

I do not wish to underestimate how challenging it will be to ensure that we deliver the data adequacy agreement. I remember spending time in Washington and Brussels during the EU-US privacy shield negotiations, and that was the No. 1 issue being discussed in the Oval office and at the top of the European Commission. It was the top priority, rising above everything else on the agenda. Nevertheless, on data there is good will on both sides to get a deal.

Jeremy Lefroy: Given my hon. Friend's experience in the European Parliament, does she agree that it is not only vital that we get the right agreement as we come out of the EU, but that we establish the right arrangements for the ongoing updating of our law in co-operation with other jurisdictions such as the EU or the USA? It is not just a one-off task; it has to be ongoing and the Government need to ensure that the right systems are in place so that it is ongoing after we leave the EU.

Vicky Ford: My hon. Friend is spot-on correct. We need not only to get things right and workable on the day of exit, but to maintain an ongoing relationship. As the Prime Minister has said many times, we are not leaving Europe; its countries will remain our closest neighbours and currently account for nearly half our trade. Ongoing co-operation on issues such as data protection is not only vital for our future but will help us to continue to lead the global dialogue in this policy area.

Some people seem to think that European politicians want no deal; I do not believe that to be true. From the conversations I have had, I believe that the vast majority of politicians throughout Europe want an ongoing, deep, bespoke partnership with the UK, and data is just one of the many areas in which they want that. Just this morning I welcomed to the House a colleague from the European Parliament: the Spanish lady MEP who helped me to deliver, through the EU, the end of mobile phone roaming charges. She is a leading light in digital policy and an excellent ally on digital issues. She explained to me how right now, throughout Europe, they are looking at the free flow of non-personal data. The UK called for legislation in this area, and Europe is now delivering. The leadership on the issue in the European Parliament has just been allocated to a member of the European Conservatives and Reformists—the Government's European sister party.

We continue to want to lead and work on these issues, not only up to the time of Brexit but in co-operation thereafter. I say again: crashing out of Europe with no deal will not be good for the UK or for Europe, and it is not what the vast majority on this or the other side of the channel wants.

Wera Hobhouse: I was in Brussels a couple of weeks ago, and as much as it is true that our European partners would like a deal, they are perplexed by the attitude of the British Government, who simply do not enter into proper negotiations.

Vicky Ford: I thank the hon. Lady for her intervention, but I simply do not agree. On issues such as digital data and digital transfer, the UK continues to lead, has an ongoing dialogue and is engaged. The fine details of the negotiations are moving forward. Nobody ever said it would be easy. We do need to keep focused on delivering a deal, not on throwing mud at each other.

Let me make a few points about the Bill, as I do believe that it is great. As Opposition Members have suggested, techUK has raised concerns about whether the withdrawal Bill will give all the necessary powers to bring the GDPR into British law and whether the right to personal data is clear enough in British law. I was very pleased to hear the Minister say that he wants to ensure that there is an absolutely seamless transfer of what is currently held in European law on to the British statute book. We need to ensure that the tech sector is absolutely happy with the way that that is worded. That does not necessarily need to happen through the amendment to the withdrawal Bill, but we need to ensure that the Minister's stated intention of a seamless transfer is delivered.

I wish to ask the Minister one question. One of the fine details of the GDPR is to make sure that it is implementable without putting an unnecessary handbrake on businesses or other organisations that need to be able to analyse data to use it for the benefits of society. There is some concern that the Intellectual Property Office in the UK may be gold-plating a little through some of its draft guidance. In particular, the data controller is asking organisations to name third parties who would rely on an ongoing transfer of data, whereas the GDPR says that they need to give only the type of category—not the name of the individual organisation. We need to be especially careful that we do not gold-plate, or cause companies to have to put in extra constraints.

Fundamentally, the ability to collect, communicate and understand data is pivotal to a modern economy's success. It needs to work not just in the UK, but across borders. This is a massive step in ensuring that we will continue to act as good neighbours both to Europe and others in the way that we treat personal data. I am delighted to see that we are moving on with that process.

3.37 pm

Daniel Zeichner (Cambridge) (Lab): It is a pleasure to follow my regional neighbour, the hon. Member for Chelmsford (Vicky Ford). May I congratulate my hon. Friend the Member for Warwick and Leamington (Matt Western) on his excellent maiden speech? He started by suggesting that he was going to talk about happiness, which is something that we could all do with much more of, and then quite rightly began to reflect on the everyday experiences of his constituents which, sadly, involve less happiness. He did manage to conclude on a positive and optimistic note for the future. I congratulate him on his contribution and on choosing to make it in a debate in which, as we have heard, the stakes are so high. When the public voted last year, I doubt that any of those who voted leave were actually voting to make data transfers more difficult, to make business more complicated, to stop the planes flying, to find video games unplayable and to find regularly used websites suddenly becoming unavailable. If 29 March 2019 is exit day, as some parts of the Government say on some days of the week, April fool's day 2019 will be a day when the papers really will not have to make it up.

Some have described the movement of data across Europe as the fifth freedom. In fact, my hon. Friend the Member for Cardiff West (Kevin Brennan) made exactly that point. I suspect that most of us, and most of our fellow citizens, are only dimly aware of what actually happens to our data, but it does really matter. The design, extent and provisions of the British data protection framework will have profound implications for the nature of UK-EU trade relations. Today's debate is particularly timely given the proceedings on the Data Protection Bill that are already under way in the other place. It is vital that we get this framework right.

I chair the all-party group on data analytics, and I have seen at first hand the way in which data has moved to the centre of every sector. Wherever we go, people are talking about data. I hope that the Minister will accept an invitation to meet the all-party group fairly soon to talk about how we can build awareness not just of how transformational this is likely to be, but of how complicated it will be to ensure that we get it right.

As we have heard, data is an increasingly valuable commodity, with the UK conducting three quarters of its cross-border data exchange with the European Union. The EU data economy was worth €272 billion in 2015 and has continued to grow rapidly since.

We have played a key role within the European Union in developing the GDPR, which will come into effect in the UK from May 2018. The European Commission proposed this new legislative framework back in January 2012 as an update and a levelling mechanism to protect citizens across Europe. It has taken five years of discussion and hard work for the regulation to be agreed. This significant measure for the UK does a number of things. It significantly widens the definition of personal data, transforms the notion of consent, carries severe fines for companies in case of non-compliance and fundamentally alters the way in which companies can store and process personal data.

Back in February, the Minister told the House of Lords EU Home Affairs Sub-Committee that the GDPR was a “good piece of legislation”, and I welcome the Government's sensible decision to adopt the GDPR into UK law. But, as many have pointed out, there are problems ahead, not least with some elements of the relationship with the Investigatory Powers Act 2016. Both techUK and Ukie—the Association for UK Interactive Entertainment—which covers things such as video games, highlighted that concern when the Government published their paper in August, and both noted that the paper did not address an issue that the Government knew to be problematic.

Why would it matter if data flows were interrupted? Well, we are good at data in the UK. Our digitally intensive industries account for 16% of gross value added, 24% of total UK exports and 3 million jobs. The digital sector is growing 32% faster than the national average. We are at a significant competitive advantage in the digital economy. At 10% of GDP, the digital economy makes a larger contribution to our economy than that in any other G20 country, so it really matters to us. Beyond that, it is a vital enabler in the overall UK economy and society. We are increasingly digitised, with all sectors increasingly reliant on data flows. They underpin retail, health, finance, manufacturing and the automotive industries, to name just a few. The Government have confirmed that:

“Over 70% of all trade in services are enabled by data flows, meaning that data protection is critical to international trade.”

That confirms that they do understand and appreciate the importance of data protection.

Additionally, data flows benefit consumers, allowing innovation in products and services, streamlining performance in industry and improving global communication. They reduce business costs, leading to more investment in research and development, and improve productivity. In some ways, the problem is that our membership of the European Union gives us special advantages. In a profound irony, we actually have more control over our own privacy regime when we are within the European Union than we will have when we are outside it. Let me explain how that comes about.

Outside the EU, we become a third country in terms of our relationship with the European Union. The Government say that the best way forward is an adequacy agreement, or something akin to one, which would need to be secured with the European Commission. There are alternatives, but they are difficult, unstable and particularly ill-suited to UK businesses, especially small and medium-sized enterprises. The large corporations may be able to manage, but the small businesses will not. UK firms, particularly the start-ups in my part of the country, would have to jump through hoops and hurdles that their European counterparts would not have to. While our companies would be spending time and money agreeing standard contractual clauses with customers, their EU counterparts and competitors would simply be getting on with business.

Mark Tami (Alyn and Deeside) (Lab): Many smaller companies in particular are not aware of what is coming down the road and what sort of extra work they will have to do.

Daniel Zeichner: My hon. Friend is absolutely right. Much work needs to be done to raise awareness of what the GDPR will mean. That is a challenge, but it is a good thing in general. The worry is that if it will not be available for our smaller companies in the future, that already challenging task will be made even more difficult. In fact, it will be so difficult in many cases that small companies in areas like mine will simply up sticks and go somewhere else where the process is easier.

I fully recognise the points made by Government Members. They understand a lot of this and say that an adequacy decision would be the best possible solution to ensure the

“unhindered exchange of data within an appropriate data protection environment”.

The partnership paper clearly states that future data protection co-operation

“could build on the existing adequacy model”.

If we are to achieve that objective, ensuring the continued alignment of the UK’s data protection framework with the EU’s will be key. That should, therefore, be the primary consideration in any discussion of the provisions of the Data Protection Bill. Any deviation from the provisions of the GDPR could put at risk achieving a successful outcome as we seek an adequacy decision.

We also need to look to the future, because if we do get that adequacy agreement, given the close alignment of UK and EU data protection frameworks, the Government must prioritise ICO involvement in the

formulation of future EU data protection provisions. As we have heard, the EU will inevitably update the GDPR as time and technology progress. However, we risk these changes being dictated to us, and a duty needs to be placed on the ICO and the commissioner to maintain regulations that keep the UK adequate with the latest version of EU law. Even if we can achieve that, there is a great irony here, in that we will, effectively, be dictated to—it is not quite the taking back control that some were seeking.

Perhaps more important is that just saying that we would like an adequacy agreement is not the same as actually getting one. We might wish for one, but will we be able to have it? Will others agree? There are various problems, which I hope the Minister will address. The first is time. Obtaining an adequacy decision is feasible only for third countries. It follows that, to get one, the UK will need to have left the EU at the time of the ruling, which leads to the very real danger of a data protection cliff edge. In evidence to one of our Committees, Stewart Room, head of data protection at PricewaterhouseCoopers, said that obtaining such a decision could take “many, many years”. So this week’s talk of no deal is highly risky when it comes to data. The risk of a cliff edge is very real and very dangerous.

Then there is the Investigatory Powers Act. There is a danger that some of our neighbours may no longer be inclined to share data with a country that takes a different view on privacy issues from them. As members of the EU, our different traditions are respected; as a third country, things could be very different. The provisions in the Investigatory Powers Act, and the current investigatory practices in our intelligence services, which allow the police to access personal data such as communications or internet data without a requirement for independent judicial approval or for the issue being investigated to be of a certain seriousness, will be a legitimate concern for some countries in the EU when negotiating an adequacy agreement. Perhaps the Minister can tell us what work has been done on this and what assurances have already been received.

The ruling of the Court of Justice of the European Union in the Watson case with regard to the UK’s surveillance and bulk data retention regime is also important. The Court’s decision stated that the UK’s surveillance and data retention laws—then the Data Retention and Investigatory Powers Act 2014—exceeded the EU’s view of what is strictly necessary and appropriate. That model of retaining communications data is broadly mirrored in the new Investigatory Powers Act—the replacement for DRIPA. It is hardly inconceivable, therefore, that the EU could decide that the UK does not reach its standards for adequacy. On this rather complicated set of issues, I should say that I am grateful to Renate Sampson of Big Brother Watch for explaining some of these points to me.

My next concern was about the European charter of fundamental rights, but it has already been touched on in the excellent discussion triggered by the contribution from my right hon. Friend the Member for East Ham (Stephen Timms), whom I will be supporting in his efforts to secure amendment 151 when we discuss the European Union (Withdrawal) Bill.

There is a further point about that Bill. We know that it is controversial and that there are concerns that ministerial alterations can be made without parliamentary votes.

[Daniel Zeichner]

If the GDPR were to be altered during the repeal process, and citizens' personal data rights were in any way diminished, we could be prevented from being anywhere near the level of protection deemed adequate by the EU. The Information Commissioner has made it clear that for the UK to achieve the gold standard of data protection regulation and enforcement, the right way forward is to fully adopt the GDPR, and that position must be maintained.

UK businesses and organisations have already started preparing for the GDPR, which is good. That should stand us in good stead when it comes to an adequacy discussion. It is vital that we enshrine the GDPR in our law permanently in a clean Data Protection Bill, so that data can still flow, businesses can still run and communications do not just stop. However, it is of the utmost importance that we commit to these rules for the long term and provide certainty for individuals and businesses. The economic consequences of not being able to move personal data would be very serious, with companies having to double-store data. That would take a long time to implement, and it would have serious economic and environmental costs, and run the risk of our not being able to operate properly across borders. It would, at a stroke, put at risk the UK's place as a global hub for tech and other data-intensive industries. There is a huge amount at stake.

There is, of course, a simple alternative that looks more and more obvious with every passing day to some of us, as Brexit morphs into wrecks-it. But until we reach the point at which sense prevails, I hope that the Minister will share with us information on the work being done, especially on fine-tuning the relationship between the GDPR and the IPA, to ensure that the data keeps flowing and we can remain part of the modern world.

3.50 pm

Alex Sobel (Leeds North West) (Lab/Co-op): I congratulate my hon. Friend the Member for Warwick and Leamington (Matt Western) on his maiden speech, which reminded me of a happy childhood visit to Warwick castle. I am sure that he will make fantastic contributions to the House in the future.

The transfer of data is critical for the functioning of our economy. The proper management and control of data is increasingly a matter of civil liberties. Roughly 70% of the UK's trade in services is reliant on the free flow of personal data. The EU's data economy is expected to be worth £643 billion by 2020 and millions of UK citizens share their lives online. To be able to operate, UK businesses require clarity on the legal basis for data transfer post Brexit.

As the Minister asserted, the Government's future partnership paper presents the adequacy model as the basis for a future UK-EU agreement on exchanging and protecting personal data. As my hon. Friend the Member for Cambridge (Daniel Zeichner) said, the alternatives—making use of binding corporate rules or standard contractual clauses—would be burdensome, costly and create considerable uncertainty for individuals and businesses. Given that a post-Brexit UK will find itself in a position of unprecedented alignment with existing EU laws and norms, it does appear that an

adequacy agreement is the most sensible way forward. The UK—it is hoped—will be designated by the European Commission as providing adequate protection for personal data, and it will be business as usual.

As the House of Lords European Union Committee has made clear, however, even if the UK positioned itself in perfect alignment with EU rules as it exits, it is very likely that the EU will amend or reform its data law in the near future, thus threatening the UK's adequacy status. Divergence between the EU and a post-Brexit UK may come sooner rather than later.

In 2009, the EU's charter of fundamental rights became legally binding. The charter codified existing EU rights and principles and is now the source document for EU fundamental rights. Article 8 of the CFR covers the protections of personal data—the right to privacy and the right to data protection that serve as the foundation for the EU's data protection law. The European Union's general data protection regulation, which will apply in the UK from May 2018, creates and enhances data protections and rights for EU citizens in continuity with the principles of article 8 and the CFR more generally.

Much is made of the EU's novel right to be forgotten, but the GDPR also speaks to the issue of algorithmic decision making and processes that significantly affect users every moment of the day for most of our citizens—the Minister is probably being affected right now, as he is on his phone. It also creates a right to explanation whereby individuals can ask for details on how decisions about them were made—for example, on access to credit. As such, the GDPR creates a requirement on those designing algorithms and evaluation frameworks to avoid prejudicial decision making and to enable easy explanations for users.

Those rights and norms are at the cutting edge of global data protections law and are essential for our tech industry in the UK. They are possible because the EU is developing its data protection laws in accordance with the principles expressed in the charter of fundamental rights. However, the Government have made it clear that the charter will not form part of domestic law on or after exit day. As such, significant divergence from EU data protection norms may begin sooner than expected, putting our tech industry in incredible jeopardy.

Once the UK has surrendered its place at the EU's decision-making table, as is the Government's intention, our ability to exert influence on the future of EU data law will be greatly diminished. Not only are we presented with yet another possibility of the UK being demoted from rule maker to rule taker, but the constant anxiety that the UK may fall out of compliance with EU data laws is deeply unhelpful to individuals and UK businesses of whatever magnitude. If compliance with the charter of fundamental rights is required in practice to secure regulatory harmony and thus business confidence, the Government's commitment to jettisoning the charter appears increasingly odd.

Securing the free flow of data, especially for an economy such as ours that is largely service-based, should be a pressing imperative for the Government. Ensuring that individuals are protected by rigorous data protection laws should be a top priority for the Government. I think it prudent therefore that the Government look again at their intention to bin the charter of fundamental rights as part of their EU withdrawal plans.

3.55 pm

Darren Jones (Bristol North West) (Lab): I declare my interest as set out in the Register of Members' Financial Interests. I pay tribute to my hon. Friend the Member for Warwick and Leamington (Matt Western) for the excellent curry in his constituency. As one of the few vegan MPs, I will happily visit and partake of the curried tofu if there is a vegan option; perhaps it will be better than that served in the Members' Tea Room, grateful though I am for the option.

I was somewhat confused when I saw this debate on the Order Paper, not least because the Data Protection Bill is in the other place and scheduled to arrive here in due course, as the title was, "Exiting the European Union and Data Protection". I therefore came with great hope—indeed, hope is the watchword of today—that the debate might be about some updates on how we will seek an agreement on adequacy with the European Union. Given that we are relying on hope and on some form of adequacy agreement—to proceed without an adequacy agreement would be, much like the rest of the Brexit policy, completely incoherent—I hope that the Minister will keep us posted on the progress that is being made towards an agreement, the timelines for doing so and the headway made in conversations about it.

We have a very short period in which to implement complicated and wide-ranging new laws. The Data Protection Bill, as we have heard today, incorporates not just GDPR issues for non-EU areas of competency, but matters of law enforcement and other things that have wide-ranging implications for our country and our laws. Those things must fit around the GDPR, which, as I said in my earlier intervention, will probably become law through a statutory instrument under the European Union (Withdrawal) Bill. I restate my ask of the Government that we should have the opportunity to debate that statutory instrument in substance in this House, not least because some of its important provisions require debate to guide businesses in my constituency and across the country on their application. An example concerns the right to human intervention when a decision has been made using profiling and automated processes—things such as algorithms. Many of my hon. Friends and other members of the Select Committee on Science and Technology will be looking at that issue, but some have grave concern about whether, when we bring in machine learning and changing algorithms, it is even possible to deliver the right to human intervention.

The Bill, which already covers many areas of law, is the start of a wider conversation that includes the network and information security directive and—to go to the important question of marketing, which my right hon. Friend the Member for East Ham (Stephen Timms) spoke about—the e-privacy regulation. How will those fit together? How will businesses, charities and other organisations, many of which do not have rooms full of lawyers and compliance specialists to help them to implement the law, know how everything fits together?

The Prime Minister and—dare I say?—her most ill-informed Brexiteer MPs seem happy with the idea of a no-deal hard Brexit. Many people can visualise lorries on the border, unable to export British goods to the continent. The same would be true for data. With a hard Brexit, there would be a standstill, and there would be blockages on the border for data. Much as with the goods in those trucks in Dover and in the port

of Avonmouth in Bristol North West, that would be a disaster for business, consumers and importantly, as we have heard, for policing and the prevention of criminal activity.

Alison Thewliss: The issues that the hon. Gentleman is setting out are crucial to the whole Brexit debate. Would he agree that one of the major inadequacies of the debate until the referendum was that such issues were not debated and that they were not well understood?

Darren Jones: I agree with that sentiment. Dare I say it, but very few Government Members are present? Although my right hon. Friend the Member for East Ham said this may be an anorak issue, it is in fact crucial to our economy, our new civil liberties and the type of country we want to live in. We should be having such a debate, and I again restate our request that we should do so in this House not only on the Data Protection Bill, but on the GDPR statutory instrument.

I am looking forward to the Data Protection Bill and I am excited about the Committee stage, but I will take this opportunity to address some of the strategic issues that many Members have mentioned: first, the basis of data protection law in the European charter of fundamental rights, on which I will not revisit the arguments already made but will, I hope, add something interesting and new to the debate; secondly, the incoherence between the necessity to mirror EU law and the Government's illogical policy approach on Brexit; and lastly, the rights and protections of children.

First, as we have heard in this debate, the Government have made it clear that the European charter of fundamental rights will be revoked under the European Union (Withdrawal) Bill. The Minister said that the GDPR in effect says the same thing, but article 8 of the charter, which underpins the GDPR, is referenced in article 45 of the GDPR. If the GDPR is referencing out to statutory, fundamental rights and we take that anchor away, we must replace it elsewhere. I will therefore support the amendment to the Bill proposed by my right hon. Friend the Member for East Ham, to ensure that that happens.

Matt Hancock: I am sorry to intervene, but I have already explained that because European jurisprudence is being brought into UK law, references to the charter in existing case law will be brought into UK law, which satisfies the hon. Gentleman's demand.

Darren Jones: With respect to the Minister, I am not persuaded that that will be agreed by the European Commission. Of course ECJ jurisprudence will be Supreme Court jurisprudence in this country and will be referenced by judges in that Court, but without a statutory anchor ensuring that the fundamental right is, in their view, in favour of the consumer and the data subject, we risk divergence on the application of the rules.

I want to mention the right of collective address. Under the GDPR, bodies can campaign and bring actions against data controllers in the interests of consumers and data subjects as a whole. This works very well in other areas of the law in this country, such as the Consumer Rights Act 2015. Under that Act, Which?, as a private enforcer against unfair terms, can act on behalf of consumers. For some reason, the Government have decided not to adopt such an approach in the Data

[Darren Jones]

Protection Bill. I look to the Minister in his closing remarks to explain why he does not think organisations should be able to bring actions for collective redress on behalf of data subjects. Many data subjects may not be able to enforce their own rights as individuals but rely on such organisations to act in their interests.

On fundamental rights more broadly, I am still confused. I hope that the Minister will provide clarification in this final debate of the week by showing how, although we must maintain fundamental rights, we are also removing them. It is much like being in the single market and leaving it, much like being in Europe but not being in Europe, and much like protecting fundamental rights and not protecting them. What is the answer? The Data Protection Bill seeks to ensure transparency and accountability, and in the light of that theme, I hope the Minister will respond on fundamental rights.

Secondly, if we are successful in seeking an adequacy agreement, it is then for us to maintain equivalence as part of that developing area of EU law, as other Members have said. That will require the UK to adopt the decisions of the newly created European Data Protection Board, which is subject to the jurisprudence of the European Court of Justice. Yet the Government insist that we can be both in and out, which is ludicrous, as I have said. They also say that we can be in it without being subject to the rules, but we know that that is a fallacy. Will the Minister confirm whether the Government's policy is to get an adequacy agreement either this year or next year, only for it to be revoked in a few years' time because we do not want to be subject to the jurisdiction of the ECJ? We must be subject to its jurisdiction if we are to maintain adequacy, but we will be forever on the cliff edge of being concerned that adequacy will be removed—as it was from the United States of America by the European Commission—and that is the risk our businesses, our consumers, our charities and others fear.

Lastly, I wish to address the rights and protections of children. I will return to this topic in detail on Second Reading. It is a great disappointment that the European Union has backtracked and pulled back slightly on this issue, so that instead of having a harmonised rule saying that children deserve extra protections—especially in the context of understanding how their use of online products and services means giving over personal data, how that personal data is profiled and how advertising is targeted on children—the European Union decided to provide member states with a range of ages to choose from, from 13 to 16.

As my hon. Friend the Member for Cardiff West (Kevin Brennan) said, the UK opted for the age of 13 as the minimum GDPR requirement. I think that is the wrong decision and, according to polls by YouGov, 80% of parents agree with me. However, I encourage us to be intelligent about the way we regulate to support children. It is obvious that if we put in these frameworks children may find ways to use the systems anyway. No doubt there are a number of children under the age of 12 and 13 using social media sites today. We must make sure that the regulation is—dare I say?—with the kids. It needs to make sense and it needs to work properly. I look forward to having that debate and no doubt a shared aim.

As we prepare for the arrival of the Data Protection Bill, this is the first glimpse of a major piece of proposed legislation that highlights the enormous challenges with implementing Brexit. It is not just an issue of primary law for many of the issues we have talked about today; it is about clear rules and about compliance by those subjected to it. On clear rules, I refer to comments made by the Baroness Lane-Fox on Second Reading in the other place, when she pulled out a particularly entertaining section the Data Protection Bill, which reads:

“Chapter 2 of this Part applies for the purposes of the applied GDPR as it applies for the purposes of the GDPR... In this Chapter, ‘the applied Chapter 2’ means Chapter 2 of this Part as applied by this Chapter”.

Other than that sounding like something out of the “Yes Minister” comedy series, it says to me, as a former lawyer, expense. People will be concerned—quite frankly, charities and other groups will be terrified—about getting this wrong. They will have to endure huge compliance costs in trying to implement what should be clear rules into their business.

Following on from what the hon. Member for Chelmsford (Vicky Ford) said—she is not in her place—on compliance and guidance from the ICO, I stress this point with the Minister: many businesses want to do the right thing. They wait on guidance from the ICO and others to tell them what the law means and how they will seek to enforce that law. However, much guidance has either been delayed or is not yet with us. The guidance that has been provided is not, in many cases, sufficiently clear either. We must support the ICO properly to ensure it can provide that service, and we must make sure that people know how to comply with the law.

The UK is, as we have heard, one of the world's leading digital economies. Bristol is one of the largest digital economies outside of London, and we lead the way on these issues in the world. We have the opportunity to set the tone in becoming a global hub for the world's digital economy based not only on trust, accountability and security, but on business innovation and leadership. I look forward to helping the Government in this House to get that right.

4.7 pm

Wera Hobhouse (Bath) (LD): I congratulate the hon. Member for Warwick and Leamington (Matt Western) on his excellent maiden speech. What an honour it must be to represent such a happy, diverse and—may I say?—sensible community. No deal, no way. I completely agree. His constituents seem to be much more clear-sighted than some Members on the Government Benches. May I remind the Government to start taking the Brexit negotiations seriously? May I also remind the Government that the British people deserve the right to have their personal data protected, both here in the UK and cross-border? As we have heard today, there are many complications post Brexit.

The cross-border general data protection regulation will be brought in by the EU and be applicable here in the UK in May 2018, but there is no clarity on how data protection will be regulated in post-Brexit Britain. That is entirely a matter for the phase 2 negotiations and we have not even started them. Business needs clarity. Data protection regulation is a vital issue for the technology sector. This will affect the sector in every way, whether it is for individuals buying something online or logging

on to Facebook, or for large companies operating internationally. As we have also heard today, the tech sector is one of the UK's success stories. It provides 10% of our GDP, 24% of our exports and over 3 million jobs.

Data protection is central not just to the tech sector but to our whole economy. Any business of any size needs to be able to transfer data across borders safely. If we leave without a deal on data protection, British businesses will not be able to operate internationally. So much for the Government's vision of a global Britain! We have already seen how Brexit is beginning to damage the economy. The uncertainty facing the tech sector is just another example of how serious a no-deal scenario would be for the whole economy. Conservative Members cannot claim to be the party of business if they can seriously say that no deal is better than a bad deal—no deal is the very worst deal possible.

The Government say they will negotiate an adequacy agreement or even an enhanced agreement, but as we see time and again, what they say they will get and what they actually achieve are often very different things. While the EU general data protection regulations will come into effect in 2018—before we leave—the European Commission will still have to agree that the UK is providing adequate data protection after we leave. A few years ago, however, the European Court of Justice deemed aspects of the UK's Data Retention and Investigatory Powers Act 2014 as illegal. Ironically, the case was brought to the ECJ by the right hon. Member who is now the Secretary of State for Exiting the European Union.

That demonstrates that the UK has a history of failing to comply with EU data protection laws. Once outside the EU, the Commission will regularly review whether it thinks UK data protection regulations are acceptable. We will have to agree with its regulations, which are under ECJ oversight, but without having a say over them. That will be the reality post Brexit, and it is important that we all come to terms with it. Frankly, I doubt whether the Government in the Brexit negotiations will even get to the issue being discussed today. This week has been full of talk of no deal. The clock is ticking, and as we heard today, the negotiations in Brussels are deadlocked. It is for the Government to unlock that deadlock. The Prime Minister has the cheek to say the ball is in the EU's court. I say that the Government have failed even to pick up the racket, let alone hit the ball over the net.

4.12 pm

Jim Shannon (Strangford) (DUP): I congratulate the hon. Member for Warwick and Leamington (Matt Western) on an incredible speech. It is always a pleasure to listen to Members' maiden speeches, and I enjoyed his as well. I am not sure I will go to Leamington Spa for my holidays, but none the less I was greatly intrigued by his presentation.

It is hard to pick up a newspaper, listen to the radio or follow the news today without hearing about Brexit and its impact on the UK. Normally when there is good news, it is presented as being in spite of Brexit. That kind of rhetoric is not helpful. The fact is that a majority of 17.4 million people, of whom I was one, voted to leave the EU. A majority of my constituents voted to leave as well. We are now upholding that decision, as is only

right in a democratic society. Of course, it is right and proper, as we are doing today, to discuss the implications and solutions surrounding the decision and to recognise the opportunities that Brexit can bring for the people of the United Kingdom of Great Britain and Northern Ireland.

In July, the House of Lords European Union Committee examined the impact that Brexit would have on data protection in the UK. At the time, the conclusion was that there was a lack of detail about how the Government would maintain the flow of data post Brexit, as others have said. Under the EU's data protection framework, a country outside the EU and EEA is classed as a third country, and personal data can be transferred to a third country only where adequate protection is guaranteed. Since the Lords Select Committee published its findings, the Prime Minister has announced a transitional period after the UK leaves the EU in March 2019, meaning that we can safely secure an adequacy decision from the European Commission. Since the Government have continually stressed their desire to secure the unhindered flow of data between the UK and the EU post Brexit, that seems a very desirable solution. I believe it is one that everyone in this House—everyone who has participated in this debate and those who have not—would want to see.

Regardless of Brexit, it is important to remember that we are already experiencing a change in our data protection laws. The Queen's Speech included plans to secure a data protection framework that is suitable for a new digital age. Unsurprisingly, the way in which data is used and processed has changed significantly since 1995. The purpose of the new Bill will be to implement the general data protection regulation. Research shows that some 80% of people feel that they do not have complete control over their data online. The Information Commissioner's Office, the data protection regulator, will also be given more power to defend consumer interests and issue higher fines. Implementing the GDPR, which the UK is due to do on 25 May 2018, will ensure that the UK meets its obligations while remaining an EU member state, but it will also help to put us in the best position to maintain our ability to share data with the EU and internationally when we leave. Given that more than 70% of all trade in services is enabled by data flows, it is not surprising that data protection is so critical to international trade.

There is a lot of doom and gloom among some sections in this House and also outside, but it is important to remember how successful the UK is, particularly in data protection—something that I am confident will improve even further with the new Data Protection Bill, as I am sure the Minister will confirm in his summing up. The UK is one of the leading drivers of high data protection standards across the globe. Data flows are important for both the UK and EU economies and for wider co-operation, including in law enforcement. I think we can all agree that it is vital for keeping our countries safe, which is a critical factor.

In 2015, the EU data economy was estimated to be worth €272 billion, which is around 2% of EU GDP. Estimates suggest that its value could rise to €643 billion by 2020, or more than 3% of GDP, although this is subject to legal and policy frameworks being put in place. Estimates suggest that around 43% of all EU digital companies are started in the UK and that 75% of

[Jim Shannon]

the UK's cross-border data flows are with EU countries. Analysis indicates that the UK has the largest internet economy as a percentage of GDP of all the G20 countries and has an economy dominated by service sectors, in which data and data flows are increasingly vital. The UK accounted for 11.5% of global cross-border data flows in 2015, compared with 3.9% of global GDP, but the value of data flows to the wider economy is even greater. Surely these statistics are evidence of the need to continue and secure the flow of data between both the EU and the UK.

The GDPR has a number of provisions, including the transfer of personal data to third countries and international organisations. To that end, it puts the Commission in charge of assessing the level of protection given by a territory or processing sector in a third country. Achieving an adequacy decision from the European Commission, while completely possible, is not guaranteed—other Members have also put questions about that. For example, Canada has been approved for only certain types of personal data. If for whatever reason the UK's laws are not considered to meet the adequacy standard, businesses in the UK would be subject to the same restrictions that currently apply to data transfers from the EU to the US. Surely early certainty about how we can extend the current provisions, alongside an agreed negotiating timeline for longer-term arrangements, will give businesses on both sides certainty for the future. I understand that everyone wants to secure an agreement on data sharing with the European Union as quickly as possible, but will the Minister clarify the Government's position on what will happen if we do not achieve approval from the Commission?

I want to conclude with some remarks about Northern Ireland, because it is important to get this on the record. We are all aware in this House of the special case that those of us in Northern Ireland find ourselves in. We are the only part of the United Kingdom that will share a land border with an EU member state. As with many other things, specific thought will need to be given to the impact of data protection matters not only in Northern Ireland, but across the whole United Kingdom. For example, if for whatever reason we are unable to secure an agreement or an adequacy decision, any Irish company with a UK base will find itself in a difficult position, which could have implications for us in Northern Ireland.

Earlier this year, KPMG considered this issue and found that where an Irish company has a UK-based operation and holds, for example, payroll data about Irish or other EU nationals in that UK base, it may need to start considering whether it relocates that base to another EU state. Alternatively, the company may instead have to adopt standards compatible with the new EU rules, such as binding corporate rules. Otherwise, unless and until the UK receives Commission approval, or some form of bilateral agreement is reached, any transfers of payroll data from Ireland to the UK post Brexit will fall foul of the GDPR. It is also worth noting that any company that is found to have transferred payroll data in breach of the GDPR may be subject to a fine amounting to 4% of its global turnover, or €20 million. If a company had offices in Dublin and Belfast or Dublin and London, for example, that could—or would—present a significant problem.

When it comes to our joint security, sharing personal data is essential for our wider co-operation in the fight against serious crime and terrorism. Between October 2014 and September 2015, the UK Financial Intelligence Unit received 1,566 requests from international partners for financial intelligence, at least 800 of which came from EU member states. The UK is instrumental in contributing high-quality information, analysis and expertise in areas such as passenger data and financial intelligence. It also gains considerable benefit from the information provided by other member states in bringing criminals to justice within its own borders.

Data-sharing is a vital part of our counter-terrorism strategies. The Europol website recognises the importance of working not only with the EU but with its international partners. It points out that

“organised crime does not stop at international borders...it is also essential to have cooperation initiatives with... non-EU States and international organisations”.

That makes clear the shared understanding that keeping our countries safe is widely accepted as being non-negotiable, both within Europe and internationally.

Often, when we consider threats of terrorism, we look at the physical attacks, but while that cannot and must never be overlooked, we must also consider the way in which the use of data is changing. It is changing continually; it is changing as we sit here. As it becomes more sophisticated, the number of cyber-threats from state and non-state actors increase, and those threats do not respect borders. Earlier this year, the WannaCry ransomware infections caused thousands of simultaneous cyber-attacks to be recorded across the globe, affecting more than 100 countries in a co-ordinated breach of IT systems in both private and public sector bodies. As technologies evolve and cyber-threats grow, it is vital that law enforcement keeps pace and develops capabilities to stay ahead of attackers whom we must work together with our European and international partners to defeat.

As has already been mentioned, the increasingly international, borderless nature of criminal activity makes the swift and efficient availability of data essential to modern law enforcement. The ability of law enforcement agencies to conduct point-to-point data exchange is critical to developing lines of inquiry, identifying suspects, and taking appropriate action.

I will end my speech now, because I have been told by the Whips to conform to a certain time. I appreciate that I have covered a number of topics—as have all the other speakers—but I think we can all agree on the importance of securing an agreement with the European Union, so that we can continue to share data in the same way as we do now. That will ensure that businesses in the UK, and those from EU states with UK bases, can operate as they have done previously. It will also enable our countries to continue to co-operate in vitally important areas, sharing data and information in the fight against terrorism and criminality.

I look forward to hearing the Minister's comments. As a Brexiteer, I am sure that we are moving forward in a constructive and positive way.

4.23 pm

Kevin Brennan: With the leave of the House, Madam Deputy Speaker.

This has been a very interesting debate. It has, in a sense, been the First Reading of a Bill, which is an innovation on the Government's part. Although the Bill is currently in the House of Lords, I suspect that there may be a degree of repetition when it eventually comes here for its Second Reading. However, I am sure that the Minister's Second Reading speech will be completely original, and will not contain any of the information that he has given us this afternoon.

The debate has also been very well informed, and we have heard from Members on both sides of the House. The hon. Member for Bromley and Chislehurst (Robert Neill) drew attention to the importance of tech companies in London and to the importance of bespoke arrangements for when Britain leaves the European Union. The Scottish National party's Front Bench spokesman, the hon. Member for Argyll and Bute (Brendan O'Hara), expressed many of the views that I think we share, and I am sure that they will be developed on Second Reading and in Committee. The hon. Member for Stirling (Stephen Kerr), who is no longer in the Chamber, spoke about the accountability and ethics involved in data use and said that he was a champion of free trade. I was not entirely sure that I grasped how his point about adequacy fitted in with what the Minister had said about something "akin to" adequacy, but he gave his own explanation nevertheless. My right hon. Friend the Member for East Ham (Stephen Timms) was, as usual, erudite and informed, but never anorakish, in his contribution and made some extremely important points [*Interruption.*] The Minister is shouting "Rubbish"; I know he is not doing so about the content of my right hon. Friend's speech, because my right hon. Friend made some extremely important points about the EU charter of fundamental rights and clarity on the adequacy agreement. I know the Minister was listening carefully, because he intervened on my right hon. Friend, but I hope he reflects on what my right hon. Friend said before the Bill comes to us on Second Reading.

We then had the immense pleasure of a maiden speech from my hon. Friend the Member for Warwick and Leamington (Matt Western), which is indeed a very beautiful and happy place. My daughter recently spent three years in Leamington Spa while a student at Warwick University—and was a member of the Leamingtones singing group—and I can confirm that it is a very happy place. My hon. Friend rightly paid tribute to his predecessor. I hope his predecessor does not mind my saying—this is not meant in a mean-spirited way—that I was quite pleased when he lost his seat, because for some reason people thought he and I looked alike. That was perhaps something to do with our stature or our glasses, and from time to time we were mistaken for each other. I wish him well outside the House and look forward to people no longer saying to me "You must have a double," every time I was mistaken for him around this place. My hon. Friend rightly paid gracious tribute to his predecessor, and his maiden speech was very witty and erudite, as well as serious. We wish him a long and successful career in this House, and I am sure he will make a great contribution.

The hon. Member for Chelmsford (Vicky Ford) made her contribution, and then my hon. Friend the Member for Cambridge (Daniel Zeichner) made a very thorough speech. He told us of his chairmanship of the all-party group on data analytics. We should thank it for the

briefing it supplied ahead of this debate, which was very useful, and should also mention other briefings that were supplied but not referred to during the debate, such as that from the Association of British Insurers, many of whose points have come out in general debate in any case.

Showing the talent on the Labour Benches, we also had excellent contributions from my hon. Friends the Members for Leeds North West (Alex Sobel) and for Bristol North West (Darren Jones), and I hope they will serve on the Bill Committee, as they could both bring great forensic analysis to the scrutiny of the Minister, who I know, having debated with him before, welcomes that immensely from the Opposition in Committee. I am sorry that my hon. Friend the Member for Bristol North West outed himself as a lawyer in this area, as I was hoping that we might spring him as a surprise on the Minister, but now I know he will be going away and doing research on my hon. Friend. We also had a contribution from the hon. Member for Bath (Wera Hobhouse), who pointed out the importance of a good Brexit deal and the damage that uncertainty is causing to business.

Finally, we heard from the hon. Member for Strangford (Jim Shannon), a very popular Member of this House, who was still able to make a very good speech in spite of Brexit. As ever, he was fluent and assiduous in his contribution, and he pointed out the special position of Northern Ireland, having a land border with the EU post Brexit, which we must never forget is a key issue.

I will not repeat the points I made in my speech, but I remind the Minister that I asked him to explain, and hope he is able to, the thinking behind the Government's derogation on the minimum age for a child consenting in respect of the processing of their personal data at 13 years rather than 16 years. If he can rehearse that for the House at this point, it will perhaps be helpful when we consider it further down the line when the Bill comes before us, as it will if he also responds to the key points made in the debate by me and other Members in relation to adequacy, security and so on. We look forward to hearing the Minister's response to the debate.

4.29 pm

Matt Hancock: With the leave of the House, Madam Deputy Speaker, I shall reply for the Government to this excellent debate. I shall try to answer the points made, unconventional as that might seem.

The subject of the debate could not be more important. The digital revolution is one of the biggest things happening to this country and the world. Indeed, I think the digital revolution as a whole is bigger than Brexit. The right hon. Member for East Ham (Stephen Timms) thought this would be an anorak-like debate, but hoped it would not. Well, I think we could liken the debate to an anorak because in some circumstances anoraks are incredibly important. The debate may have been detailed and technical in parts, but it is vital to get these things right for our country's future.

As others have said, what a pleasure it was to hear the fine maiden speech by the hon. Member for Warwick and Leamington (Matt Western). He even introduced a word that I had never heard—camoufleurs. What a description! He spoke well of his new constituency, especially the design industry, and the gaming industry

[*Matt Hancock*]

that is so important there. He spoke of history and the future. As the Minister for the gaming industry and for VR and AR, I am thrilled to hear that he will continue to champion them; I look forward to engaging with him often.

I was delighted to hear that Leamington is the happiest place to live. Funnily enough, I thought that was Suffolk. I give the hon. Gentleman a gentle warning about hostages to fortune: he very gently and elegantly took the credit for Leamington's being the happiest place in the country, so now we all know where to look if it all goes wrong.

I almost called the Labour Front-Bench spokesman, the hon. Member for Cardiff West (Kevin Brennan), my hon. Friend because we have spent so much time together in Committee in the past. I look forward to doing so again in future. I was surprised to learn two new things about him. I am astonished that he has university-age children; he looks as though he has barely left university himself. And he says he is delighted that the former Member for Warwick and Leamington, Chris White, is no longer in the House because he is a double. He can imagine how I felt when Mike Hancock was defeated!

The hon. Member for Cardiff West asked some serious and important questions. First, he raised the question of parental consent at the age of 13. There is flexibility in the GDPR legislation to set the age of parental consent at any age between 13 and 16. In the UK that age is effectively 12 at the moment—although it is not set in the same way—which means that we are raising the age. We of course recognise the fundamental role that the internet plays in the lives of teenagers, and we agree that it is vital to educate children, not only on the positives of the internet—coding has been in the curriculum for three or four years—but on the risks. The internet safety strategy published yesterday stated that we will do more to educate children about safety, but online platforms also give children educational and social resource, and the rules need to be realistic if they are to work. We do not want to introduce an unworkable rule.

This is a balanced judgment, but I believe we were right when we chose the age of 13. It was suggested that we did so because the Irish Government decided on 13, but the point about GDPR is that what matters is whose data it is, so it is not a question of the dataset in which the data is stored; it is a question of how old the child is.

The hon. Member for Cardiff West, and several other hon. Members, asked about the adequacy of our national security legislation. We are already compliant with EU law on data protection, with the Intellectual Property (Unjustified Threats) Act 2017, and we will be after exit. We are confident that that legislation should not present a significant obstacle to negotiations, not least because we have one of the most robust oversight frameworks in the world, and we brought in judicial oversight as part of the move from the Data Retention and Investigatory Powers Act 2014 to the Investigatory Powers Act 2016.

We heard an excellent speech from my hon. Friend the Member for Bromley and Chislehurst (Robert Neill), who argued that how data rules relate to finance is a huge issue to be tackled. He is absolutely right, and we

do have regular discussions with the financial sector. None of us should forget his point that it is in the interests of both the UK and the EU to get things right. We will help to ensure that Gibraltar has market access to the UK, which my hon. Friend cares about. That may require a degree of regulatory equivalence, and he knows that those discussions are ongoing. Our intention to maintain the data relationship for law enforcement purposes is clear, which is why we are putting the law enforcement directive into UK law as part of the Data Protection Bill. We want to continue to have a strong partnership with the EU. There is no legal barrier to the EU establishing an international agreement giving third countries access to SIS II and the European Criminal Records Information System. We are exploring a full range of options, but much of the detail will obviously be down to the negotiations.

I am delighted that the Scottish National Party supports our approach, and I am grateful for the support of both the Scottish Government and the SNP Members here. When the hon. Member for Argyll and Bute (Brendan O'Hara) said that what I had said previously was absolutely right, I started to worry a little—we do not usually hear that, from the SNP Benches—but he then asked specifically about a no-deal scenario. In the annex to the paper we published in the summer, we outlined other ways to ensure the flow of data, and we do consider all options. There are alternative means of legal transfer of data, but we fully expect a good deal. The hon. Member for Strangford (Jim Shannon) made the same point, but he stressed that this is about not just the future EU-UK relationship, but the UK's relationships all around the world and our ability to get strong trading relationships underpinned by data that is protected with good cybersecurity.

My hon. Friend the Member for Stirling (Stephen Kerr) argued powerfully that data protection must be based on trust—my hon. Friend the Member for Chelmsford (Vicky Ford) made a similar point—and mentioned the advantage of future flexibility in a position in which Britain can lead across the world. He mentioned our history on that topic and the computer Manchester 1, which my mother worked on, and Stirling's growing digital economy. He asked us to raise our eyes to the horizon and ensure that we get this right across the world.

Like the hon. Member for Cambridge (Daniel Zeichner), my hon. Friend the Member for Stirling asked about the EU-US privacy shield and post-Brexit data flows. We of course want to maintain the current protections for UK citizens under the privacy shield after exit. We want to ensure that data flows between the UK and third countries with EU adequacy decisions, like the US, can continue on the same basis. That is part and parcel of what we are trying to achieve.

The hon. Member for Cambridge also asked about dialogue with the EU on the future partnerships paper, and that is ongoing. For example, the Secretary of State for Justice is at the Justice and Home Affairs Council this week and will be speaking about that paper, setting out in particular the argument that we are approaching Brexit from a point of harmonisation. Keeping the Data Protection Bill harmonised with the GDPR will be critical as we take the Bill through both Houses, and I am glad for the Opposition's support in maintaining that position.

The right hon. Member for East Ham made a characteristically excellent speech. I hope he is not on the Bill Committee, and I mean that as a compliment. However, he was wrong about the loss of influence, and my hon. Friend the Member for Chelmsford, who was in the European Parliament at the time, pointed out just how influential both Labour and Conservative British MEPs were in ensuring that we got a good piece of GDPR legislation.

I want to make it absolutely clear that our goal is an agreement that builds on the existing model of adequacy. We are seeking an arrangement at least as strong as adequacy—stronger, in fact. There was a bit of debate about whether how I put things in my opening speech implied that we were moving off adequacy. We are not. I say again that we are seeking an arrangement at least as strong as adequacy—stronger, in fact—as part of the negotiation.

Stephen Timms: Does the Minister recognise that the absence of article 8 will make his goal harder to achieve? He said that we can look elsewhere in the body of European law, and it is all terribly vague and badly defined. The problem is that that will not convince the Commission—and it is the Commission that he has to convince about adequacy.

Matt Hancock: I think the right hon. Gentleman is wrong on this point, which no doubt we will debate during the passage of the Bill. We know of no other jurisdiction with an adequacy deal that has been required to put the charter into law. Such a requirement has not been imposed anywhere else, so there is no reason for it in this case. The charter is a summary of laws present elsewhere and we are bringing the jurisprudence into UK law. Our goals are the same; in a sense, the question is a legal one. The fact that such a requirement has not existed in any other adequacy arrangements implies that the issue should not be problem for us, not least because of our strong legal basis for bringing GDPR into UK law.

On mail and direct marketing by post, I should like to correct the right hon. Gentleman slightly. Data controllers will need a legal basis for this under GDPR, but article 6 sets out a number of potential legal bases, not only consent. That does not change the reality on the ground from the current data protection arrangements. I hope that I have provided adequate reassurance.

The right hon. Gentleman and the hon. Member for Leeds North West (Alex Sobel) raised article 8, as did others. I am clear about the strength of the assurance that I have given and I hope that Opposition Members accept it. When private businesses consider their future arrangements, I hope that Members on both sides will make clear our determination to get a deal that is as good as adequacy, if not better. We want people to continue to do business and thrive here in the UK.

My hon. Friend the Member for Chelmsford, whom I have mentioned a couple of times, made a powerful and informed speech. Of course we think that the passenger data transfer is important; the referendum does not change how important it is. The EU already has third country arrangements in place with others, so we see no reason why the issue cannot be fixed. I am also sure that Chelmsford is a happy place to live; I wonder whether that is down to my hon. Friend or her ebullient predecessor.

I also agree with my hon. Friend that we must be vigilant and not gold-plate the Data Protection Bill through Information Commissioner's Office guidance. No doubt we will discuss that during the passage of the Bill. I have regular conversations with the ICO about exactly that issue. We want guidance to come out early. In some cases, the ICO is having to wait for guidance from the Commission and that causes the delay—it is not the fault of the Information Commissioner. But we do want guidance to be in clear, simple language, not gold-plated, and to come out as early as is reasonably practicable. I thank the Information Commissioner and all her team for her excellent work.

Darren Jones: The Minister says that the guidance should come out early, but it is already too late in respect of direct applicability of the general data protection regulation for many businesses, which may need to carry out major systems changes if guidance says something that they are not expecting based on interpretation of the article. Will he say to the ICO that, where guidance is late and that makes it harder for organisations to make those changes, there will be some leeway when it comes to enforcement?

Matt Hancock: The hon. Gentleman speaks like a true lawyer. The hon. Member for Cardiff West said that the hon. Gentleman had been outed as a lawyer during this debate—my goodness, he outs himself as a lawyer from the first moment he strikes his posture in this Chamber. He is obviously a lawyer and that latest point only proves it further. The ICO has already said that, and it is well worth reading the Information Commissioner's Cambridge speech from a couple of months ago, which set out that reassurance. The hon. Gentleman asked about timing and complained about there not being an agreement already. We want to get on and discuss the future relationship, and the Government have made that clear; it is the European side that is blocking progressing on to the future relationship. I hope that we can get on and discuss it forthwith.

Wera Hobhouse: As I have said, we have been in Brussels and heard time and again from different sides that it is up to the UK Government to break that deadlock. There are two issues where they are free to break it; this is particularly the case on the money issue, but Government Members do not want to face that, because even a penny to pay in compensation or in the divorce bill will not be good enough. That is why we are in deadlock and we cannot move on.

Matt Hancock: The hon. Lady is wrong about that. She is also wrong to have said that there is no certainty about the future UK data protection arrangements, because there is and we are putting it into law: it will be the GDPR, plus the Data Protection Bill, which is before the other House. Although she was completely wrong, I am grateful for her intervention.

This has been a very productive debate and I am grateful for the largely very well-informed and detailed discussion, all of which has been good natured. I look forward to continuing this over the months ahead. There is a shared mission in this House to have a high-quality data agreement with the European Union to make sure we have high-quality data protection and the free flow of data. I hope I have given assurances

[*Matt Hancock*]

about the actions we are taking to deliver that and to support the digital economy, through Brexit and beyond.

Question put and agreed to.

Resolved,

That this House has considered Exiting the European Union and Data Protection.

UN Convention on the Rights of Persons with Disabilities

Motion made, and Question proposed, That this House do now adjourn.—(*Andrew Stephenson.*)

4.47 pm

Deidre Brock (Edinburgh North and Leith) (SNP): I wish to start by reading out a quote from journalist Frances Ryan:

“When the ‘most vulnerable citizens’ line is used by well-meaning voices, there’s a secret second sentence that’s rarely uttered: disabled people, truth be told, do not need to be vulnerable. Contrary to the myth sold by years of austerity, to be afraid, desperate or isolated is not a normal state of affairs for people with disabilities. Vulnerability comes when politicians choose to pull the support disabled people need in order to live dignified, fulfilling, independent lives—knowing full well the misery it will cause.”

The clarity of her writing is matched by the clarity of her thought.

We have failed people who have disabilities. Our attitude seems to be that disabled people only need to get up, and be washed, dressed and fed, and then nothing else matters—nothing about quality of life, social interaction, cultural activities or anything else that makes us human; just the basics of survival. Even there we are failing them. Leonard Cheshire last year produced research showing that half the disabled adults in the UK who need social care are living without any help at all, which is leaving them isolated, trapped at home, and unable to be part of society. That is our fault.

I will avoid reciting a list of cases of utter desperation involving people who come to my surgery on a regular basis, and I am sure every Member here can reel off, with little effort, a dozen cases that illustrate the damage to individuals caused by the Government’s policies, how austerity has stripped away dignity, and how an uncaring lead from Whitehall has left uncaring followers in its wake. I have no doubt—

Ross Thomson (Aberdeen South) (Con): Will the hon. Lady give way?

Deidre Brock: In a moment.

I have no doubt that the Minister could add to the lament were she so minded. This river of human misery should shame the Government and every legislator who stands in this Chamber, but it does not. Instead, the atmosphere of persecution creates fear and distrust, leaving people isolated and alone, which is a form of psychological damage that may be even more cruel than the physical damage.

Dr Philippa Whitford (Central Ayrshire) (SNP): This week, we noted World Mental Health Day. One of the biggest contributors to stress and mental ill health is poverty and the desperation brought about by the changes my hon. Friend is describing.

Deidre Brock: My hon. Friend makes an excellent point. That is another thing about which we have heard just too much in our surgeries in recent years. Unfortunately, there is no sign of it ending. Two of the three disability premiums that were included under employment and support allowance are missing from universal credit, so severely disabled people could lose £78.35 per week—around £340 a month—from their income. Research carried out

by the citizens advice bureau in East Lothian showed that disabled recipients of universal credit will lose up to a fifth of their income.

Against that background, the United Nations Committee on the Rights of Persons with Disabilities reported in August on the progress that the UK has made towards fulfilling its obligations under the convention on the rights of persons with disabilities. It is fair to say that the committee was not complimentary to the UK Government. It praised the Scottish Government and gave some praise to the Welsh Government, but it did not feel able to say much in favour of the UK Government's efforts. I really hope that the Minister will be able to reassure us that there will be better news in future reports.

The United Nations report criticised the austerity fetish, condemned the cuts to funding offered to people with disabilities for independent living and called on the Government to backtrack. The tally of the committee's recommendations for the UK exceeded 80 and covered a huge range of areas in which we have simply failed people with disabilities, in which Parliament has not protected them and in which the Government have assaulted them. It is, as the chairperson of the UN committee said, a human catastrophe. The Government have totally neglected people with disabilities.

At the end of last year, the same UN committee said that UK Government policies and cuts amounted to systematic violations of the rights of people with disabilities. The Government's response appears to have rested on saying that the committee misunderstood and that they were improving and building on the support available to disabled people. I hope that the Minister will offer us a little more than that today.

The Government have not acted on the previous report from the committee, so I hope we get some commitment to action on the most recent one. I am not asking for an answer to every point in the committee's report—I am sure that a team of civil servants is already working on that and that responses will come in due course—but I would like an indication of whether the Minister and the Department intend to press ahead with addressing the concerns raised by the UN.

The UK is going backwards in respect of far too many critical rights for people with disabilities. The concluding observations in the committee's report contained probably the highest number of recommendations from the committee for any state so far. I appreciate that it is a bit difficult to turn a Government around to point in a different direction, especially when so many senior members of that Government seem to have other things on their minds, but will the Minister give a commitment that she will at least work towards addressing all the committee's recommendations? I hope that she will be able to give such a commitment and that she will apply some honest endeavour to get her colleagues in government to pay some attention to the issues. Will she give us that commitment that she will seek to address each and every one of the recommendations?

Will the Minister also give us a commitment that she will include deaf and disabled people's organisations in the work to address the recommendations—and I mean fully, not just a quick consultation and then carrying on regardless? Will she have the DDPOs in the room, as part of the process and a fully functioning part of her efforts, as recommended by paragraph 53 of the report?

Alison Thewliss (Glasgow Central) (SNP): My hon. Friend is right to mention deaf people's experience of disability living allowance and personal independence payments. Action on Hearing Loss has a base in my constituency. When it set up a welfare rights service for deaf people, it found that many were getting absolutely no support whatsoever. They could not access the online service or the phone service, so they got nothing.

Deidre Brock: My hon. Friend makes an important and rather sad point.

I understand that the definition of DDPO is one where the management committee or board has at least 75% of representation from deaf and disabled people; where at least 50% of its paid staff team are deaf and disabled people, with representation at all levels of the organisation; and where it provides services for, or works on behalf of, deaf and disabled people. Disability charities are not necessarily DPPOs and DPPOs are not necessarily all geared up to work easily with the Government, but will the Minister give a commitment to reach out to them and invite them to the table? That is, after all, one of the recommendations.

I am sure that it has not escaped Whitehall's notice that there is a recommendation in the report that organisations representing persons with disabilities should be adequately funded. Perhaps that could be addressed early to ensure that the DPPOs can adequately resource their involvement in the Government's planning.

I do not intend to cover every recommendation—there simply is not the time today—but it might be worth looking at paragraph 25, which indicates that the Government should improve accessibility standards. I remind the Minister that this is Guide Dogs Week and ask whether she might take into account the needs of guide dog users who would like pavement parking to be banned and audio announcements on buses so that they can know where they are. They would also like disability equality training to be provided to public transport providers, including taxi drivers and minicab drivers, along the lines of the training being introduced by the Scottish Government. Will any of that be possible?

Joanna Cherry (Edinburgh South West) (SNP): My hon. Friend is making a very powerful speech. At the moment, she is emphasising the importance of accessibility rights. Is she aware that the former Paralympian, Baroness Tanni Grey-Thompson, has said that leaving the European Union will prevent British people with disabilities benefiting from upcoming EU legislation on accessibility? Does she agree that we need to be conscious of the fact that EU law has often filled in the gaps in disability protections in the United Kingdom?

Deidre Brock: My hon. and learned Friend makes an excellent point. That is certainly an issue of great concern to a large number of organisations that work on behalf of disabled people.

The UN committee also recommends putting in place a proper employment programme for people with disabilities to create decent work opportunities on equal pay scales. Will the Minister tell us that that will happen and assure us that the Government do not intend to change the minimum wage legislation in a way that will disadvantage people with disabilities? Will she clarify the Government's position on maintaining the same minimum wage for people with disabilities as for other people? I wish there

[Deidre Brock]

was time to go through all the recommendations, to address each and every one of the points, and to get to the bottom of each of the issues raised in the report. I feel, however, that there may be more benefit in allowing the Minister plenty of time to respond to the points that are being raised, and we can revisit the issues at a later date.

May I make a few final points to which I hope that the Minister will respond? These few are, I think, the most important of all and I would be grateful if the Minister gave them special attention. Paragraph 59 of the report calls for the Personal Independence Payment (Amendment) Regulations 2017 to be repealed. Will she commit the Government to that?

David Linden (Glasgow East) (SNP): I congratulate my hon. Friend on securing this very important debate. I know that she is an assiduous constituency MP. Like me, has she found that a number of her constituents who had a lifetime award for disability living allowance, but are now transitioned to PIP, have been, following an assessment, suddenly found fit for work?

Deidre Brock: As I said at the beginning of my speech, these situations are all too common to us all as constituency MPs. I hope that the Minister is listening closely to some of these examples and that she will take action.

Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op): I congratulate the hon. Lady on her full and extensive contribution. Does she agree that the UN report gave hope to many disabled people who felt that they were not being listened to and that, by not coming to the House to give a full statement, the Government have lost an opportunity to show that they are listening to the needs of disabled people?

Deidre Brock: I absolutely agree. That was why I decided to apply for this debate. The report is very important and all its recommendations demand an answer from the Minister. Our time today is limited, but I hope that there will be an opportunity for more of the recommendations to be addressed.

Paragraph 59 of the report also calls for a cumulative impact assessment of all the changes to support for people with disabilities. That is very important, so will the Minister commit to doing that? The same paragraph calls for a review of the conditionality and sanction regimes and for the Government to tackle the negative consequences of those regimes. Will she commit to doing that? It also calls for a support framework that recognises the many additional costs that come with disabilities. Will she commit to putting that in place?

5 pm

Motion lapsed (Standing Order No. 9(3)).

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

Deidre Brock: I appreciate that the Minister is a member of a Government for which austerity has become a fixation, elevated to some high regard approaching a theology. Some of her ministerial colleagues have, at times, shown what can only be described as a callous disregard for the welfare of people with disabilities,

but I am prepared to accept that she stands at the Dispatch Box in good faith. Will she undertake to Members of Parliament and, more importantly, to our constituents to seek a fair deal for people with disabilities—a deal that recognises the additional costs and strains on life that come with those disabilities? Can I tell constituents who have asked about this matter that the Minister with responsibility for their welfare is seeking to fulfil the obligations laid on her by the convention, and can I tell them that she wants them to be part of the process? What commitments will she give today?

5.1 pm

The Minister for Disabled People, Health and Work (Penny Mordaunt): I thank the hon. Member for Edinburgh North and Leith (Deidre Brock) for securing the debate and colleagues who have contributed. She raised a number of points, largely on the domestic agenda, which I will go through in detail. The Equality and Human Rights Commission has also raised a number of issues in the wake of the report. All the issues raised by the commission and the hon. Lady are important and legitimate, and I will take them each in turn. I also want separately to address the UN process and why its credibility is so important, particularly to me personally, as the hon. Lady placed great weight on that and on me in her speech.

We are committed to the convention and to the progressive realisation of the rights for disabled people that it sets out. The UK supported the development of the convention and was one of the first countries to sign it and ratify it. We are one of the few nations that has also ratified the convention's optional protocol, which allows individual complaints to be raised and permits the UN Committee on the Rights of Persons with Disabilities to investigate alleged violations of the convention. For this reason, it would be quite wrong to conclude that time spent in scrutiny of a particular nation is an indication of its standing in the world on these matters. The fact is that we allow the UN to do this.

We enable our nation's record to be examined and the full participation in that by civil society. That is a credit to the UK and an example that I hope other nations will follow. It is also a sign of our commitment to this agenda. To pretend otherwise undermines the UN's processes and core aims, particularly those of promoting social progress and human rights. Globally, disabled people have often been the last to have those aims focused on them. They are the most discriminated against and face the greatest obstacles to reaching their full potential.

Dr Whitford: The Minister and I have previously discussed a case where a gentleman in my constituency with complex post-traumatic stress disorder was treated really quite poorly. One of the areas where people are really suffering is under PIP, and it is simply by design. Will she commit to looking at that? We talk about parity of esteem, but it does not exist in PIP.

Penny Mordaunt: I thank the hon. Lady for her intervention, and perhaps I can just digress to answer it. From memory, in the case that she raised on the Floor of the House, she alleged some unacceptable behaviour by one of our call assistants. In any case that any hon. Member raises with me, I will investigate fully. I obtained

a transcript of the conversation, and it was absolutely not the case that what was alleged to have occurred did. I do not in any way criticise the hon. Lady, because she had this third hand, and she was quite right to raise the concerns that she did. However, where hon. Members raise issues with me as the Minister or with any of the Department for Work and Pensions team, we will investigate them fully, and any unacceptable behaviour will be dealt with.

Dr Whitford: Does the Minister not recognise that, with the obsession with mobility, PIP does not recognise mental ill health? It gives far too much weight to those with a physical disability. Therefore, there simply is not parity of esteem.

Penny Mordaunt: I will happily come to the mental health issue later, but, as hon. Members will be aware, PIP is a better benefit by quite a dramatic degree for those who have a mental health condition, when we look at the number of those with a mental health condition who are on the highest rates of the daily living and mobility components of PIP and compare that with DLA. Let me make some progress, but I will come back to mental health.

With your indulgence, Madam Deputy Speaker, I want to set out briefly why this agenda and particularly the international agenda are so important to me. Twenty-six years ago, I worked in the hospitals and orphanages of post-revolutionary Romania, in what could only be described as medieval conditions. Most of the children in my care were disabled and all were neglected, to the point that some 14-year-olds were still being bottle-fed, half had HIV, and many had been deliberately infected and had had medicine withheld to hasten their end. Some 50% were babies with a 12% chance of making it to adulthood.

Two things stuck out for me from that experience. First, in that socialist republic, villagers who lived only a few hundred metres from those children had no caring thoughts towards them and could not understand why aid workers had come to assist them. Secondly, with the exception of the occasional visit from a healthcare professional from one of the Scandinavian nations, all the aid workers were British.

Today, I am part of a Government who, in their international aid efforts, have prioritised the 15% of the world's population living with a disability. This agenda is the most under-prioritised and under-resourced in development. We want to establish the UK as a global leader in this field and to build on our experience and projects in Uganda, Rwanda, Kenya, Tanzania, Nepal, Burma, the Syrian refugee camps in Jordan, and elsewhere in the world.

In 2014, the Department for International Development published the disability framework, with the objective of ensuring that people with disabilities are systematically included in, and benefit from, international development and humanitarian assistance. The following year, the framework was revised to include an enhanced focus on economic empowerment; jobs and livelihoods; tackling stigma and discrimination; and expanding the work on mental health. In addition, DFID is setting out to be a global authority on disability data. The UK can also boast of being the home of the Global Disability Innovation Hub. The inquiries that come to me from my opposite

numbers around the world are not about how to stage the Paralympics, but about how to set up welfare systems and improve accessibility, employment and representation.

As I turn to the domestic agenda, which the hon. Member for Edinburgh North and Leith focused on, I want to emphasise that I am keen to promote what we are doing because it is a catalyst for change elsewhere in the world. We have shown what can be done to facilitate disabled access, both physical and service-based, and how that can be achieved in co-operation with business and the third sector. Our work promotes change elsewhere in the world, which is why we would like the UN to recognise what we have been doing.

We have already responded to many concerns raised by the UN committee that oversees the convention through our published written response and during a face-to-face dialogue with the committee, and that is the standard reporting process for all conventions. We were active in promoting the review process with civil society, and we were extremely pleased to note how engaged they were with this process. I will set out our long-term reporting plans shortly.

The immediate next step will be a response to correct some of the factual inaccuracies in the UN report. In line with the convention, disability is mainstreamed. Every Department is responsible for considering disability in the development and implementation of its policies. That responsibility is made clear through the legislative duties placed on all public bodies by the public sector equality duty in the Equality Act 2010 and the Northern Ireland Act 1998. As a general principle, we do not incorporate international treaties into domestic law. However, the UK Equality Act 2010 enshrines the right of people in Great Britain with any of nine protected characteristics to live free from discrimination, harassment or victimisation, and have equal opportunities in domestic law.

The UK has a long-standing tradition of ensuring that rights and liberties are protected domestically and of fulfilling our international obligations. The decision to leave the European Union does not change that: in fact, it affords us the opportunity to enhance that agenda. It is perhaps more important to focus on how the Equality Act and other legislation, such as the Care Act 2014, are enforced. Hon. Members will know that that has been a focus for the Office for Disability Issues under my tenure.

I turn to the issues raised by the hon. Member for Edinburgh North and Leith and by the EHRC, including the claim that some of the Equality Act provisions applicable to Great Britain are not in force. We take note of the concerns about those provisions and we regularly review the scope for introducing further provision, including the duty to make reasonable adjustments to common parts of rented properties, as the Minister for Equalities promised the Lords Equality Act 2010 and Disability Committee we would. We are looking at the implementation of the requirement for political parties to publish diversity data. We will report back to Parliament in due course on all those issues.

The EHRC also raised the issue of Northern Ireland currently providing weaker protection than other areas in the UK. The Northern Ireland Executive's draft programme for Government 2016-21 includes a proposal to amend the Disability Discrimination Act 1995 to increase statutory protection for disabled people, and

[Penny Mordaunt]

that remains subject to review and approval by future Ministers and the Northern Ireland Assembly, and I hope that that will be progressed.

The EHRC also called for a co-ordinated, UK-wide action plan to implement the convention on the rights of persons with disabilities, which the hon. Lady also mentioned. The Office for Disability Issues is currently reflecting on how we take this work forward, and we are carefully considering our approach, which we will discuss with stakeholders in due course. I can give the hon. Lady assurances that I am keen to use the process that we go through with the UN to help to speed up progress on a range of issues. We will report on that in due course.

The UK has some of the strongest legislation in the world to protect the human rights of disabled people. Current OECD data puts the UK's public spending on supporting disability above all G7 countries bar one. Disability benefits spending will be higher than in 2010 for every year until 2020 and is currently at a record high.

The hon. Lady raised concerns about PIP and mental health, in particular. We will respond shortly to Paul Gray's second review of PIP. The House does not have long to wait before we publish that and, as part of that, we undertook to look in particular at mental health, in part because of the issues raised here and in the other place about those regulations. If she will bear with me, she will not have long to wait on that.

The Department has also undertaken work on conditionality and sanctions, initially looking at those with a mental health condition. We will make announcements on that shortly, but I am not able to do so this evening. We have also been recruiting to set up user rep panels for ESA and PIP. I very much agree with what the hon. Lady says about not just occasionally consulting, but embedding the opportunities for disabled people to shape, continually and in real time, improvements that we want to make to the welfare system and other areas, and to inform proactively any future reform that we may wish to undertake.

Last year, we launched "Improving Lives: The Work, Health and Disability Green Paper" and the associated consultation. With more than 6,000 responses, we successfully sparked a national discussion on how better to support people with disabilities and health conditions to get into, stay in and progress through work. We are carefully considering the responses and our next steps for longer-term reform, which we will set out this autumn. Our goal is to get a million more disabled people into work, so that more talent is utilised and more people can reach their full potential.

I can tell the hon. Lady that there are no plans to amend minimum wage legislation. The employment rate for people with learning disabilities is less than 6%. Given the right vocational education and independent living support, that could rise to 86%. That is what we should be concentrating on if we want to assist those

people into the workplace. Whether someone has a learning disability or not, if they work a day, they should be paid for a day.

The issues concerning deaf and hearing impaired people have been raised in a couple of interventions. The needs of those people have been a particular focus, especially in the health and work Green Paper. The issue of guide dogs and assistance dogs was raised. As it is Guide Dogs Week, the Office for Disability Issues has led a project working with all assistance dog charities with a view to reducing the waiting time that people may face to get one of those vital dogs and with the aim of agreeing a national standard to enable them to use their resources better.

In our work with the joint Health and Work Unit, we are looking at opportunities to ensure that disabled people's organisations are at the heart of shaping, evaluating and setting the agenda for the kind of employment support we should be providing. Many of the things that we have been doing chime with what the hon. Lady has on her wish list.

The agenda is much wider than that, however. In February, my Department announced 11 new sector champions, who will help to tackle the issues faced by disabled people as consumers. These champions represent a range of sectors and business areas—from banking to aviation and from sport to retail. They are using their influence to drive improvements in accessibility and the quality of services and facilities within their sector. I pay tribute to them for their outstanding work.

Through initiatives run by the ODI, we are harnessing the power of technology, with new opportunities to enforce the Equality Act better and to improve accessibility. There is much more I could say about the work of the ODI and the Government on tackling hate crime; on building regulations and housing; on the provision of critical facilities, such as changing places and loos, on which we are in discussions with the Department for Communities and Local Government; on tackling the extra costs of disability; on changes to education and extending opportunity; and on the additional provisions of the Equality Act that are coming in and which we wish to bring into force.

As we develop our UN reporting process, I hope that further engagement on these issues will be possible with colleagues in this place and the other place. I hope that the UN will recognise not just the progress that the UK has made—and is making—and our ambitions on this agenda, but our humanitarian desire to help other nations to achieve more. I know the difference that the UK makes in many of the DFID-run projects that it has been my privilege to have seen, as it did 26 years earlier in the former eastern bloc. The UN's support is not a necessary condition for our success, but it would be welcome and helpful.

Question put and agreed to.

5.20 pm

House adjourned.

Westminster Hall

Thursday 12 October 2017

[PHILIP DAVIES *in the Chair*]

Unauthorised Encampments

1.30 pm

Wendy Morton (Aldridge-Brownhills) (Con): I beg to move,

That this House has considered unauthorised encampments.

It is a pleasure to serve under your chairmanship, Mr Davies, and to lead today's debate following Monday's well-attended debate in the main Chamber. I thank hon. Members for attending. I know that we are always balancing constituency pressures with the pressures of being in Westminster, so it is good to see colleagues from around the country, not just my own west midlands region, and from all sides of the House.

On Monday, we heard stories from across the House of how unauthorised encampments bring chaos to local communities and blight our green and open spaces. It is the impact on our communities that I will touch on, because that was the driver for my calling for the debate. However, on Monday we also touched on some other important Traveller issues relating to education, modern slavery and health inequalities. Those are equally important, and I think we all agreed that they must be considered as well. I also mention that the vast majority of Travellers live alongside our settled community in absolute harmony. I am talking about the minority: a small group who are making the lives of my local communities challenging.

I will focus on unauthorised encampments, how they affect local communities and blight our open spaces, how we can seek to prevent them and consider the process for evicting Travellers from these sites, and how we can come up with a new solution for what seems to be an ever-present situation. Before I begin in earnest, I thank the Minister for the contribution he made to Monday's debate. I know that he, like many of us here, has first-hand experience of the issue, and I welcome his announcement of a call for evidence to address the way that this issue is dealt with. I assure him that, if appropriate, I will make a submission to his Department's consultation, and will encourage my constituents to do so.

First, I will touch on some of the background to the problem in my own constituency of Aldridge-Brownhills, and one or two statistics. I think we like statistics in this place. There were 22,004 Traveller caravans in England in January 2017, of which 2,860, representing 13%, were parked on unauthorised encampments. That might not seem high to some, but, as many of us here know, the effect on a local community when a large encampment arrives can be massive. In my constituency it is not uncommon for these encampments to have more than 50 caravans plus vehicles.

Many of those vehicles are luxury caravans and vehicles, which my hard-working residents could only dream of affording. Up to 26 September this year, there were 68 unauthorised encampments in the borough of Walsall alone. The estimated cost associated with those set up on council land was about £200,000, and there

are costs associated with encampments that arrive on private land and, sometimes, on housing association land as well. That money could and should be going back into our communities and into the services that we all value and want to see strengthened.

The problem is not a new one for the borough of Walsall, nor is it just a problem for my constituency within the Walsall borough; it also affects the constituencies of my hon. Friend the Member for Walsall North (Eddie Hughes) and of the hon. Member for Walsall South (Valerie Vaz). The issue has been ongoing for the last few summers, but this year things have come to a head. I believe that the local authorities try to act, but most of the time their actions are not quick enough to ensure that members of the settled community are not adversely affected. The Travelling community seem to understand the law and the hoops that the council must jump through before moving an encampment on, and each encampment seems to follow a similar pattern.

Amanda Milling (Cannock Chase) (Con): I congratulate my hon. Friend and neighbour on securing the debate. She rightly talks about the issues facing Walsall; I read about them regularly in the *Express and Star*, because those issues affect a number of constituencies, including mine. I recognise that local communities are really affected, particularly when we see the Travellers coming on to local parks.

Wendy Morton: I absolutely agree, which is why the focus of today is that impact on local communities, local residents, and sometimes local businesses. It is often local community groups that normally use green spaces on a Saturday morning.

I was talking about the process and pattern that often seems to occur. Before it is evicted by a court order, we see the encampment simply move to another site. The Travellers set up camp while the council works on the eviction process, and just before the council serves the necessary order, the encampment packs up and moves on—often down the road to another site in the same borough—only for the same process to repeat itself. That cat-and-mouse merry-go-round comes at great cost to the taxpayer. Enough is enough. It must be brought to an end. It is time to seek some solutions.

Kate Green (Stretford and Urmston) (Lab): I apologise, Mr Davies, but I will need to leave the debate early; a school from my constituency is visiting. I congratulate the hon. Lady on securing the debate. I am interested in what she says about this being a pattern that is repeated each year; I know that other colleagues will make the same point. Does she agree that it is helpful if local authorities actually undertake what they should, which is to secure a five-year supply of deliverable sites—and does she know whether her authority has done that?

Wendy Morton: I am grateful to the hon. Lady for her contribution. I think transit sites and allocations are part of what is actually a much bigger issue. I will come on to some of those points later.

Mess is so often left at these sites. The state that some of the sites are left in following an eviction is quite simply a disgrace. There are masses of litter and household waste, while industrial waste is commonplace—be that bricks or leftovers from building work. I have seen huge

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piles of garden waste, which often appears to be from work carried out by members of these sites then brought back to the encampment and dumped.

Mary Robinson (Cheadle) (Con): I agree with my hon. Friend: this is about the impact on local communities when waste is left on a site. These are recreational spaces—in my case, on Park Road football field in Cheadle—and are left in a terrible state afterwards. There is also quite a substantial clean-up cost to the community, which leads to that feeling of real resentment against the unauthorised encampments and the Travellers.

Wendy Morton: My hon. Friend makes a helpful intervention. It is often the waste left behind that creates the tension within our communities. On one occasion, I was due to meet a constituent at a site in my constituency from where an encampment had recently been moved on, to see the state it had been left in. Shortly before I left my office, the constituent called and advised me to bring a pair of wellies. When I arrived at the site, I sadly realised why I needed them: because of the state the site was left in. It is not uncommon for human excrement to be left on those sites. For members of the council's "Clean & Green" team to have to go and clean up these sites is really not fair, not acceptable and certainly not what the council tax payers of Walsall borough pay their council taxes for.

Recently, after Travellers moved on from an encampment at Aldridge airport, there were, in addition to the waste we have sadly come to expect, four empty boxes that had contained TVs and even a car. Sadly, that was again left for the council to clean up. Surely the cost burden of cleaning up that mess should not fall to my local residents. Some councils are now successfully prosecuting fly-tippers, so is it not time to start prosecuting and fining Travellers for the mess that they leave in their wake? As well as the costs that come with repairing the destruction of public land and the clean-up of waste, there are wider societal costs.

John Spellar (Warley) (Lab): The hon. Lady mentioned Travellers on green sites, a cause of considerable distress to residents, but such groups quite often also set up on industrial estates. They disrupt the businesses and very often there is, coincidentally, a significant peak in crime, so those industrial estates get hit both ways.

Wendy Morton: The right hon. Gentleman is absolutely right. It is remiss of me to have concentrated on green and open spaces, when we have seen encampments on car parks as well, and at one of our local supermarkets. When I talk about the impact on local communities, I mean communities in a very broad sense.

There is much anecdotal evidence, as any of the constituents who have contacted me will attest, that with an unauthorised encampment comes a rise in antisocial behaviour and crime. Local pubs have had to close due to unruly behaviour. I have heard stories of local shopkeepers who have spent a weekend fending off fake notes, because even accepting one fake £50 note can wipe off a small shop's profits for the day. Many residents have contacted me after their homes, cars and gardens have been vandalised and damaged.

On the August bank holiday weekend, one of my local football clubs, Walsall Wood, which is run by local community volunteers for children and young people in our community, fell victim to an illegal encampment. The 50 or so caravans arrived on Thursday evening. Local residents, staff and members of the club all contacted me. Understandably, they were concerned about the impact that it would have on the club, which had a series of games planned for that weekend. Due to a previously obtained injunction, the council was able to move that particular group on that Friday evening, but some games had already had to be cancelled that day. I think that some were cancelled on Saturday too, but most were able to go ahead. Unfortunately, however, the pattern continued, and that group of travellers simply moved down the road to Aldridge airport, where the height restriction barrier had been left open. They set up camp there over the bank holiday weekend.

Dr Sarah Wollaston (Totnes) (Con): I thank my hon. Friend for the measured tone that she has set for this debate. Does it surprise her that there are often examples of forced entry clearly having been used—for example, angle grinders on gates or huge boulders dragged to the side, sometimes in front of witnesses? Does she agree that the police need much greater powers to intervene and move people on where that is happening?

Wendy Morton: I will come on to some of the powers and the need to look at the legislation later in my speech, but I agree. We have often seen examples of locks being broken. That just heightens tensions within our communities because people say, "How can you make a site secure when a lock is broken or something is left open?"

The final example I want to touch on today—I am sure other Members will want to give their own—is of a convoy of caravans that arrived on the car park and surrounding areas of Aldridge community centre on 29 September. I am sorry, but the behaviour of the Travellers in this case was absolutely shocking. Members of the public who were using the community centre reported feeling intimidated. There was kicking at the doors of the community centre and someone had to stay there all weekend to provide security. Worst of all, human faeces were posted through the letterbox. What sort of behaviour is that? It is not acceptable, and yet that group was able to stay there until the morning. Understandably, we are left asking how that can be.

I turn now to how to deal with the issue. It was really interesting to hear from other Members on Monday, and we have heard some examples today as well about the issues that they face and possible solutions to these illegal encampments. There was talk of strengthening the law around sections 61, 62, 77 and 78 of the Criminal Justice and Public Order Act 1994. On Monday, there was much discussion of the Irish Government's solution. Ireland has made deliberate acts of trespass a criminal offence and there has even been suggestion of a three-strike rule for the impounding of vehicles. Surely we should be looking to explore those things a little further.

Mr Mark Francois (Rayleigh and Wickford) (Con): I congratulate my hon. Friend on securing this important debate. This was a significant problem in Ireland, but the Irish Government eventually legislated and Ireland

now has a law that criminalises acts of deliberate trespass, which, as I understand it, has significantly deterred illegal incursions in Ireland. Does the hon. Lady not feel that there would be real advantages for us if we were to take advantage of Ireland's experience and introduce a similar law here?

Wendy Morton: I am grateful to my right hon. Friend for his intervention; I know that he speaks from experience in his own constituency. We really need to look at this area of legislation. We need to look at the problems that we are facing in the communities and a little further up the line at some of the root causes. That is an excellent example and hopefully something that the Minister will take on board, as, to be fair, he did on Monday.

In February this year, the West Midlands police and crime commissioner held a summit on unauthorised encampments in recognition of the fact that we have quite a challenging situation across the west midlands. There were several outcomes from that summit, two of which involved working with local MPs to change legislation—I am conscious that there are colleagues from across the west midlands here today—and specifically section 62 and the notion of better protecting private business. It was a little disappointing that I did not hear from the police and crime commissioner regarding those proposals until I spoke to his office last month to ask for those outcomes, but perhaps these debates and my phone call prompted some action. At least we have some proposals, ideas and suggestions; they have to be welcomed as ones that the Minister and his team could consider.

Currently, section 62 can be used to direct Travellers to leave an unauthorised encampment only if there is a suitable pitch for the caravan, or each of the caravans, on a relevant caravan site that is situated within a local authority's area. Clearly, for an encampment of more than 50 caravans, that is quite a challenge even for the police to handle, so we need to find a better way of addressing that. One suggestion is to change the law to enable local authorities to work with neighbouring authorities or with a wider combined authority so that Travellers can be directed to sites across local area boundaries. I urge the Minister to consider that, particularly in the west midlands, because Aldridge-Brownhills is part of the Walsall borough, which is geographically quite compact. It is not a huge borough. We are, in turn, part of the West Midlands combined authority. Again, I urge the Minister to look at whether there is some scope to make change there. I am aware that Sandwell Council has recently opened a transit site and Birmingham City Council is preparing a site, so perhaps consideration could be given to those as well.

John Spellar: As a Member of Parliament representing part of Sandwell, I draw attention to the fact that the number of illegal encampments has about halved as a result of the new site. Equally significantly, those that are set up are moved on quickly by the police. Might it not be an idea simply to change the law to cover a police authority area? That would simplify this for the police and they could therefore direct the Travellers to an encampment within their police area.

Wendy Morton: That is another sensible solution, which I hope the Minister takes on board. I know that lots of other Members want to speak, so I will press on and take fewer interventions to make some progress.

The wording of section 61 makes it clear that a senior police officer can direct Travellers to leave land if they believe that two or more people are trespassing with the purpose of residing there for any period. Reasonable steps to ask them to leave must have been taken, and one of the following must apply: any of the persons present must have caused damage to the land or property on the land or used threatening, abusive or insulting words or behaviour towards the owner of the land or his family or agents, or those persons must have between them six or more vehicles on the land. That is another good example of where the police can and should be using the existing powers.

We have touched already on the Irish Government's answer. Without going over everything again, I urge Ministers to look at that seriously. However, as I said on Monday, we need to find long-term solutions, but my constituents are also looking for short-term protections.

Many members of the travelling community clearly understand the law surrounding the eviction process. We have seen that all too often in Aldridge, particularly with regard to locks missing from gates and sites being left open. That prompts the question: does the council's left hand know what its right hand is doing? Could local authorities work more closely with other authorities to tackle this problem? There are also questions about how to secure sites so that members of the public can use them for the reasons for which they were originally intended, while stopping Traveller encampments springing up on them. Aldridge airport is a very good example of that.

On some sites where injunctions have been obtained, some protections have been put in place, but a Walsall Council report from January 2016 showed that further plans to protect 14 sites across the borough would cost just over £68,000. The report concluded that there is currently no budget for implementing those measures, yet the council has had to spend more than double that figure so far this year in evicting Travellers from some of the sites that perhaps could have been protected under the measures. I do sometimes wonder about the logic.

On injunctions, I want to mention at this point some of the work that Walsall Council has done. It gained a borough-wide order, based on the Anti-social Behaviour, Crime and Policing Act 2014, against persons both named and unnamed. In addition, it managed to obtain an order restraining the named defendants and persons unknown from trespassing on 12 sites in the borough. I praise Walsall Council. It has taken some steps, and some of my local residents now have sites that are secure but that they can still access. Sometimes there are calls for a borough-wide injunction, but I am not necessarily convinced that that is the answer. It does not really solve the problem; it simply moves it to another borough. The costs and difficulty of obtaining such an injunction would be massive and, again, would fall to council tax payers. Also, I fear that sweeping powers such as that can easily be abused. Negotiated stopping is another often cited solution, but again that is not ideal, either in the short or the long term.

I will move on swiftly and draw my comments to a close, Mr Davies. I would like to say much more, and perhaps the Minister will let me have a meeting with him in the future, but for now I will conclude. Unauthorised encampments are the single biggest issue in my postbag and email inbox. The issue causes anger and frustration

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in my constituency and, clearly, across the country. I welcome the Minister's commitment on Monday to a call for evidence, because it is not good enough for public bodies just to gold-plate human rights and equalities legislation. It is time for us all to come together and for the police and the council to work much more closely together, using the powers available to them, to prevent these encampments from appearing in the first place and to speed up the eviction process. It is for the Government to look, through consultation, at the effectiveness or otherwise of the existing laws. No single community should be above the law. We need to recognise that with rights must come responsibilities, and with responsibilities will come respect.

Several hon. Members *rose*—

Philip Davies (in the Chair): Order. May I take it that everybody who wants to speak is standing? Everybody who wants to speak should stand. Just to let you know, 10 minutes each for the Front Benchers is the rule in 90-minute debates. There look to be about 11 people seeking to catch my eye, so I shall have to impose a time limit of three minutes on speeches. Keeping to that will depend on very few or no interventions, so I ask people to be disciplined; otherwise, I will have to reduce the time for speeches further and I would rather not do so if I can get away with it. I apologise for imposing a three-minute time limit, but that is to try to accommodate everybody.

1.55 pm

Andy Slaughter (Hammersmith) (Lab): I thank the hon. Member for Aldridge-Brownhills (Wendy Morton) for the tone of her contribution and particularly for starting by saying that we are talking about a very small minority of the Gypsy and Traveller population. I would probably disagree with the way she expressed the figure of 13%, because that relates to caravan dwellers and does not take account of the fact that three quarters of Gypsies and Travellers live in bricks-and-mortar dwellings. Also, I think that that figure includes encampments that are unauthorised in the sense of being on land that is owned by Gypsies and Travellers but without planning permission. As I said in the debate earlier this week, we are probably talking about no more than 1% of the Gypsy and Traveller population where there are conflicts in relation to stopping places and unauthorised encampments. For that reason, it is important to start with the statistics. It is important that people always address that matter, because it is easy to fall into error in talking about this issue as if it has something to do with a particular ethnic group rather than with a small minority of people who may be causing difficulties in local areas.

Just as the scale of the problem is often much smaller than indicated, so the scale of the solution is probably much smaller. A couple of years ago—I have no reason to think that the position has changed greatly—it was said that just 1 acre of land throughout England was needed to resolve the shortage of space; and once that is spread among local authority areas, it should not be beyond our wit to achieve. A combination of better and more permanent sites, transit sites, negotiated stopping

and other things would become a virtuous circle: it would create more harmonious relations between the Gypsy and Traveller and settled communities, address the major inequalities that affect Gypsy and Traveller groups and save local authorities a great deal of money. We have heard about Leeds being able to save up to £250,000 a year by implementing such policies, through not having to go through enforcement action.

Of course, the history of Gypsies and Travellers and, indeed, their persecution, goes back to the 16th century, but the lesson of post-war history has been that where attempts are made—for example, through the Caravan Sites Act 1968 or through regional spatial strategies under the last Labour Government—to encourage local authorities, whether by placing a requirement on them or by providing funding for them, to provide sites, one gets better results than if, as occurred in 1994 under the Criminal Justice and Public Order Act or, as is happening now by removing the requirement on local authorities under the Housing and Planning Act 2016, one creates a problem whereby local authorities drag their feet and do not step up to the plate. We all know that, so really we all know what the solution may be.

I am conscious of the fact—I am not conscious of how much time I have left—

Philip Davies (in the Chair): You haven't any time left!

Andy Slaughter: I know that you will be absolutely judicious and fair in this debate, Mr Davies, but let me say just two things very quickly. First, between the two debates this week, we have had publication of the racial disparity audit and the indication in it that Gypsies and Travellers are some of the most discriminated against and deprived communities in the country; that is their status. Secondly, also between the two debates, I met a Jewish human rights organisation called René Cassin, which works closely with Gypsies and Travellers and settled communities to resolve disputes. I would finally say to hon. Members that, if they are having difficulties, they should go and meet the Gypsy and Traveller communities and engage people such as the Traveller Movement to intercede in those matters. These things are often soluble and often resolved.

Philip Davies (in the Chair): Order. I gave the hon. Gentleman a bit of latitude, because the clock is not working properly. People should look at their start time, because it does say when they started speaking; people should keep an eye on the clock. I will be a bit harsher in future, but I had to give some latitude.

1.59 pm

Mr John Baron (Basildon and Billericay) (Con): It is a pleasure to serve under your chairmanship, Mr Davies. I congratulate my hon. Friend the Member for Aldridge-Brownhills (Wendy Morton) on securing this debate and introducing the subject in a very balanced manner.

We would all agree that the vast majority of Gypsies and Travellers are law-abiding. It is not them whom we are discussing with this issue, but the minority who spoil it for the majority. That is important to put on record, because too often these debates are labelled as complaining about the majority of Travellers. In Essex, we have had a very proud tradition of welcoming Gypsies and Travellers over hundreds of years, and that

is why we have so many sites in our county. The minority spoil it for the majority, particularly given that the view among that minority seems to be that there is one law for them and another for everybody else. That does not make for good community relations. We have to address this minority persistently and consistently flouting the rules and laws, because it creates tensions among communities. All we ask is that the law be applied equitably and fairly for all. If it cannot be, there is a problem that needs to be addressed. That is what the Minister needs to look at.

This debate is specifically about unauthorised encampments. Most people know that Dale Farm lies within my constituency. While I shall spare Members the full history, there was a long and expensive process even to get to where we are now, which at times sorely tested both my and my-law abiding constituents' patience.

Given the shortage of time, may I raise a couple of issues with the Minister? I did send my address to him a little in advance. If he cannot answer it now, I would certainly appreciate a written response, but I look forward to his response at the end of the debate if he can. I want to thank my constituents for having written to me about this. I also thank Chief Inspector Sam Smith at Essex police and local councillors for the information they recently provided to me in anticipation of this afternoon's session. They raised some important issues and, if I may, I will briefly touch on a few of them for the Minister.

There was general agreement that the current provision to close such encampments and compel people to move on is not working well. In particular, there is some concern that police guidelines, as regards the use of section 61 powers, are overly narrow. Unless other factors such as crime, general and antisocial behaviour or criminal damage are present, the police find it difficult to move people on. The legal process through the courts can be slow, cumbersome—it can take as long as a fortnight just to obtain a hearing date—and expensive. May I also raise the issue of sites? The police would make the point that transit sites are needed for short-term stays.

Several hon. Members *rose*—

Philip Davies (in the Chair): Order. The timer is now working so the leeway has gone, I am afraid. I call Richard Burden.

2.2 pm

Richard Burden (Birmingham, Northfield) (Lab): I congratulate the hon. Member for Aldridge-Brownhills (Wendy Morton), a west midlands colleague, on securing this debate. May I preface my remarks by noting that what I am about to say should in no way be taken as a generalised comment on Gypsy, Roma or Traveller communities in this country, most of whom either camp legally or, indeed, are settled. They face very widespread discrimination and must have their needs catered for.

The context of today's debate is unauthorised encampments. The picture painted by the hon. Lady is familiar to me. My constituency, in particular the Kings Norton area, has been badly affected. The cycle of caravans pitching up, being given notice to quit, leaving a trail of environmental degradation and sometimes public health hazards in their wake, only to turn up five

minutes down the road with the cycle starting again is an all-too-familiar picture to me, and my constituents suffer badly from it.

I welcome the Minister's commitment on Monday to consult on existing powers. I hope that he will not feel constrained to say that all he will look at is existing powers. I hope that if cases are made for changes to those powers, that is not off the agenda. In the short time I have, I will ask him a few things. First, on timescales, roughly how long will the consultation take and when does he hope recommendations will come out of it? That is so we can all be satisfied that this is not an exercise of kicking the matter into the long grass. Secondly, in relation to the west midlands, the police and crime commissioner has done a great deal of work on this issue and has been working closely with MPs. Would either the Minister or one of his hon. Friends meet a delegation from the west midlands to go through our ideas in more detail?

Could the Minister say something today, first, on powers to prevent unauthorised encampments from returning to a wider area? We know that there has been some imaginative use of injunctions, but all too often those procedures are far too cumbersome and the powers are patchy. Can they be reviewed urgently? Secondly, can we ensure that the police and local authorities have the resources they need to ensure that the polluter pays? Those who create the mess should be held accountable for doing so. Thirdly, regarding working across local authorities, the hon. Lady has already said that there is a strange situation whereby section 62 powers can only be used within the confines of one local authority. That makes little sense and does not promote the kind of joint working across authorities that is needed. Will he look at our recommendation for either basing those powers on the combined authority area or some other joint arrangement between local authorities or police authority areas to achieve that? Lastly, in relation to transit sites—

Philip Davies (in the Chair): Order. I call Douglas Ross.

2.5 pm

Douglas Ross (Moray) (Con): It is a pleasure to serve under your chairmanship, Mr Davies. I thank my hon. Friend the Member for Aldridge-Brownhills (Wendy Morton) for securing this debate.

During my maiden speech in the main Chamber, I gave Members a tour around my constituency, and sadly I could give a similar tour around Moray in this debate, because all parts of Moray have been affected by illegal, unauthorised Gypsy Traveller encampments. In Forres, the first site when travelling in from the west is an unauthorised Traveller site at the Bervie Chipper. There are more on the way to Elgin. Across the coast, they take up land that is part of the Speyside Way, and the public are therefore unable to walk across that area.

It is unfortunate that time after time—in my time as a councillor, a Member of the Scottish Parliament and now as a Member of Parliament—constituents have had to complain to their local representatives about not only the formation of these sites, but the way they are left after the Travellers move on. Members have mentioned human waste being left. I have also seen examples of

[Douglas Ross]

illegal drug use and of needles being left behind, which not only have to be cleared up by council officials at a cost, but are sometimes found by members of the public—we can only imagine the problems if that was a young child—before being reported.

We mentioned in the debate on Monday the cost to local authorities, but there is also a cost to individuals, landowners and public bodies. I cited the example of Highlands and Islands Enterprise, which has had a lot of problems with illegal sites just outside Forres, and paid £10,000 for a clean-up. It found not only the mess that we discussed earlier, but aggregate taken to that site by Gypsy Travellers doing work and then dumping it there, rather than paying to get rid of it, as other businesses would have to do.

In my final minute, I want to speak about unfairness, and this genuine perception that there is one rule for the travelling community and another for the settled community. Like all Members, I accept that the minority are giving the majority a bad name, but I had a constituent who was refused planning permission for two chalets on a piece of land. The planning application was refused, because it went against four local plan policies and four structure plan policies. Years later, Gypsy Travellers bought that land cheaply to feed their horses and it is now the site of a Gypsy Traveller encampment. It is galling for individuals who feel that they cannot get their site developed because of genuine planning objections that they are eventually ignored because an ethnic minority, the Gypsy Travellers, can make an application that is granted.

I am grateful for this debate, which allows all Members to express their concerns about this very serious issue, and I look forward to further discussions.

2.8 pm

Laura Pidcock (North West Durham) (Lab): This conversation will undoubtedly be difficult, because it is about a clash of cultural norms: those of settled communities and their culture to aspire to live in one permanent place, and those of nomadic peoples. I want to challenge some of the things set out by the hon. Member for Aldridge-Brownhills (Wendy Morton). Regarding the conversation about antisocial behaviour increasing when unauthorised encampments are in town, I would like to know whether there is statistical, rather than anecdotal, evidence to substantiate that claim.

Wendy Morton: I point out to the hon. Lady that the simplest way is to come and talk to some of the constituents in my community who have actually been affected. They will give her plenty of evidence and stories of their own experience of antisocial behaviour.

Laura Pidcock: I also represent an area in which the highest ethnic minority is Gypsy and Traveller people, in County Durham. I asked for statistical evidence to substantiate that claim, rather than anecdotal. There is antisocial behaviour in my constituency from non-travelling communities. Time and time again in debates such as this, complex social issues are racialised. [Interruption.] I was about to say, before the objections, that I have heard many people say that this issue is about a minority. I want to talk about the presumption, which I have heard in this debate, that it is about our communities versus the Gypsy and Traveller communities. They are

one and the same thing. If Travellers or Gypsies are in our constituencies, they are our constituents at that point.

The hon. Member for Aldridge-Brownhills (Wendy Morton) said that many look on trailers and envy how luxurious they are. Those are people's homes. The average cost of a trailer is well below the average cost of a house. I thought that that was a particularly spurious point.

What do Members mean when they talk about dealing with the problem or the situation? Where do they suggest nomadic people go? I know that it is difficult and causes tension in communities, and that it is frustrating when a nice piece of land next to someone's home or an unused piece of land is taken up by many trailers. That is difficult for communities, because they have expectations about what they live next to, but no critical analysis has been done of the structural reasons why Gypsy and Traveller people might end up on that disused bit of land. What structural Government policies have resulted in that situation?

I also challenge the presumption about gold-plating human rights. The report from the Traveller Movement, which is absolutely fantastic, sets out in clear language how persecuted such communities have been for centuries. On a number of social indicators—all, I would argue—the outcomes for Gypsy and Traveller communities, as well as Roma communities, which are not the subject of this debate, are worse than for others. It is difficult to hear people conflate antisocial behaviour, waste on sites and all the associated problems with a cultural identity. The idea that Gypsy and Traveller people should be mentioned at all is difficult. As I said before, antisocial behaviour in my community is often not due to Gypsy, Roma and Traveller people. Of course, not all Gypsy, Roma and Traveller people will be angels, but let us not use cultural identity as a point in the argument.

There are solutions. Helen Jones of Leeds GATE argued—I think this was brushed aside—in favour of negotiated stopping, which rests on mutual negotiated agreement and a short-term social contract issued by local authorities. Unauthorised encampment is often the result of insufficient provision of permanent pitches, which then overflow on to transient sites, which essentially become permanent sites when they should be transient. Negotiated stopping would offer short-termism, with many conditions by which Gypsy and Traveller people would have to abide. Yvonne MacNamara, CEO of the Traveller Movement, agrees that negotiated stopping is a solution. The solutions are staring us in the face. Let us not allow the demonisation of these communities to stand in the way of those solutions. Let us work towards peaceful solutions for nomadic people, as well as for the settled people in our constituencies.

2.13 pm

Andrew Selous (South West Bedfordshire) (Con): Since Monday's debate, we have had the shocking revelation of the race disparity audit figures. The absence rate for white British pupils is 4.6% and for Chinese pupils 2.4%, yet for Irish Traveller children, it is 18%. Some 97% of Chinese and Indian children stay on in education after age 16; 91% of mixed white and black Caribbean children do; yet 58% of Irish Traveller children do. This House and this Government face a big issue. Do we

prioritise the cultural practice of being able to travel—in itself, there is nothing wrong with that—over children’s right to an education?

Kate Green: I share the hon. Gentleman’s concern about the number of children from that community in school, but it is not necessarily travelling children who are absent; it may be children who are settled but who find the school environment unfavourable and unwelcoming.

Andrew Selous: The hon. Lady is absolutely right. Of course there are children in settled communities who do not stay on, but she will understand that a large preponderance of Traveller children are regularly on the road. It is difficult for them to be in school regularly, and the quality of home education, if it exists at all—

Laura Pidcock: Will the hon. Gentleman give way?

Andrew Selous: No, I will not take any more interventions, because other people want to speak.

As someone who believes passionately that every single community, including the Gypsy and Traveller communities, should have the life chances available to all children in this country, I think that we need to do better than that. The race disparity audit is a wake-up call. Many aspects of our planning and education system do not work for Traveller children, and we need to take that seriously.

I believe in the melting pot view of society. I believe that if we all live alongside each other, by and large, we can get along well together and have good community cohesion. A small story: two gentlemen came to see me at my surgery a couple of weeks ago about some local authority repairs that had not been done. I dealt with the gentleman who had a case, and took it up with the local authority. It turned out that he was a Traveller, in his 60s, who was unable to read or write, and his neighbour, who was not a Traveller but a member of the settled community, had come along to help him.

Is that not a lovely story? That is the sort of Britain that we want: people from different communities coming together to help each other. If that gentleman had lived on one of the private sites in my constituency, sadly, it is unlikely that he would have had a friend in the settled community who could have come along to assist him with his case. There are serious questions about the separation of Travellers, and I would like the Government to reveal more about the race disparity audit, and how the majority of Travellers who live among the settled community compare with those who live on separate Traveller sites. That would help the issue.

Sadly, many privately owned Traveller sites in my constituency are ungoverned space. The local authority cannot gain access without a warrant at times, and vulnerable tenants sub-letting caravans send me hair-raising stories, even today, about being intimidated in the middle of the night and so on. That is not good enough. There have been instances of modern slavery. I worry about those vulnerable people sub-letting on traveller sites. Modern slavery is occurring, and the police and the council cannot get to them to protect them properly in the way that all of us would like them to be.

Philip Davies (in the Chair): There are still six Members seeking to catch my eye, which will take us over the time allocated for Back Benchers. If everyone wants three minutes, I am happy to accommodate that, but I ask everyone not to take further interventions, to protect the time. At the same time, I ask the Front-Bench speakers to prepare to have just eight minutes instead of 10, so all the Back Benchers can speak as well.

2.18 pm

Craig Tracey (North Warwickshire) (Con): It is a pleasure to serve under your chairmanship, Mr Davies. I echo many of the points raised by colleagues and recognise many of their experiences. We must remember that we are discussing unauthorised and illegal encampments.

Since being elected in 2015, I have witnessed illegal encampments on public land, land belonging to local schools, clubs and sports clubs and private land, forcing closures and causing damage and significant waste issues. The problem across Warwickshire as a whole is becoming more frequent. In 2013, there were 92 unauthorised encampments with 507 caravans, but by 2016, there were 139 with 890 caravans. The indications are that those figures will rise again in 2017, because there are already 121 sites with 1,099 caravans.

We must remember that for every illegal incursion, there is an associated cost affecting the local authority, the landowner or the taxpayer.

In three months during the summer of 2016, Nuneaton and Bedworth Borough Council spent a significant amount—just over £22,000—on bailiff fees, officers’ time, court costs, legal action and cleaning up. Residents feel that that money could have been better spent elsewhere in the local economy or on other public services. Therein lies the frustration of my constituents and others. A challenge that needs to be addressed is the perceived imbalance in rights, particularly with respect to clean-up costs, that favours people on illegal encampments. If a member of the local settled community caused similar mess or damage, they would rightly be prosecuted or fined, but the same does not seem to happen on illegal encampments—the cost is met by the local people.

I had hoped to go into more detail on a number of other matters, but I will raise them with the Minister after the debate. We need to look at strengthening powers to protect private businesses and landowners, including schools, sports clubs, farms and businesses, which can be put under real financial strain. We need to look at reducing the time that eviction notices take and possibly at shifting the burden of proof away from the landowner. We need to look at prevention measures, because it is one thing to move people on, but as soon as an incursion happens, costs begin to mount. Finally, we need to look at protecting against people returning to land—particularly private land, but public land too.

I am sure that my constituents will welcome the Government’s intention to review the law. I hope that the Government will go further and take the opportunity to assess new measures that could be implemented to give clarity to the relevant agencies.

2.21 pm

Alex Burghart (Brentwood and Ongar) (Con): Since I became an MP in June, two issues above all others have occupied my mailbox: potholes and unauthorised

[Alex Burghart]

encampments. Between February and August, our area had about one unauthorised encampment every 11 days. I second the excellent comments of my right hon. Friend the Member for Rayleigh and Wickford (Mr Francois) in the debate on Monday.

I am concerned that law-abiding citizens in my community feel that the law is not on their side. That is a dangerous place for society to be in. They have seen their local tax money spent on some substantial and effective defences against illegal encampment, but that £150,000 could have been spent on other issues. They have seen the effects of criminal damage, and some have suffered the costs of cleaning it up. In a number of communities, such as Willingale—a lovely village in the north of my constituency—people have illegally occupied and built on green belt land, and the Planning Inspectorate has then awarded retrospective planning permission. Those communities feel that the situation is entirely out of their control.

Clearly, we need to do a lot to address the situation so that law-abiding residents are protected. I draw attention to the good work of our police and crime commissioner, Roger Hirst, who has created a Gypsy and Traveller liaison group with a single protocol that has reduced the average time for illegal encampments to be moved on from 10 days to two days. There is some good learning from the west midlands that we should combine with that.

I second the remarks about the Irish legislation on illegal trespass. I have also heard from members of my local police force that they have found closure orders, as defined in the Anti-social Behaviour, Crime and Policing Act 2014, very effective for closing down crack houses, because the orders can go through the courts quickly. They wonder whether a similar process could be applied to help them take even faster action against illegal encampments. I look forward to taking part in the review that the Minister launched this week, and I wish it well.

2.24 pm

Robert Jenrick (Newark) (Con): I represent a constituency that has welcomed Gypsies and Travellers for hundreds of years. Between 800 and 900 of my constituents are Gypsies, Roma and Travellers. I have always considered them my constituents, just as my predecessor and—I suspect—his predecessors did. I have held surgeries in the main areas of Newark, including Tolney Lane, where Gypsies and Travellers live in permanent and transient residences. I have tried my best to get to know them. They are good people, and I want this debate to send the message that our motivation—certainly mine—is not to diminish or disrespect them, but to ensure good community relations.

There have not always been good relations between Newark's Gypsy and Traveller communities and its wider community. In the '80s and '90s there was occasional violence, a great deal of disrespect and some prejudice. We now have much better relations, which I hope to see continue. The purpose of the review and of the work being done by my hon. Friend the Member for Aldridge-Brownhills (Wendy Morton) and others is not only to protect our other constituents from criminal damage,

disturbance and so on, but to build a united and cohesive community in which everybody feels that the law applies equally. That should be our guiding principle, but it has not always been followed in my community.

A very small minority—in many cases they are not from Newark, or even from the United Kingdom; sometimes they come from other parts of Europe—have caused a real flare-up, particularly this summer. Villages have been despoiled, gravestones have been destroyed, businesses have been invaded and the Newark Showground has been broken into, causing real damage to its reputation. Something really must be done to protect these communities and businesses and to achieve what I see as one of the most important parts of my role as a Member of Parliament: building a cohesive and united community.

In the short time remaining, I will leave the Minister with a couple of considerations that I would like to see included in the review. One of the concerns about the five-year pitch supply is that a place that has an established Gypsy and Traveller community, as Newark does, is expected to have more than the average number of pitches. The hon. Member for Hammersmith (Andy Slaughter) made the good point that if pitches were spread equally across the United Kingdom, there might be only an acre in every constituency, but they are not spread equally. Newark and Sherwood District Council, for example, has more Gypsy and Traveller pitches today than all the other districts in Nottinghamshire. Addressing that alone would make a good deal of difference to my community.

2.27 pm

Dr Sarah Wollaston (Totnes) (Con): I am disappointed that the hon. Member for North West Durham (Laura Pidcock) dismisses the issue as a clash of cultural norms. That does a great disservice to the Gypsy and Traveller community. I do not believe that incidents of criminal damage, environmental degradation, intimidation, fly-tipping and, in some cases, violence are cultural norms for that community; we are talking about a very tiny minority. As we have heard repeatedly in the debate, this is about ensuring the same rights, responsibilities and respect for everybody.

In the short time available, I will not repeat the many points that have been made, but propose to the Minister a solution-focused approach. We need much greater clarity about the police's powers to deal with witnessed criminal damage, because they are sometimes unsure of their own powers when criminal damage is reported or even when it happens in their presence.

So much revolves around dialogue. As has been said, meeting people and talking to them is important, but it can sometimes be difficult to know who to liaise with. During the consultation, will the Minister consider introducing a responsibility for someone to be appointed to speak for groups of Travellers and to liaise with them directly? That would allow us not only to advance the dialogue more constructively, but to hold somebody genuinely accountable.

That is about holding people to account, just as we would expect members of the local community to be held to account vigorously for intimidation of, or disrespect towards, the Traveller community. We still expect someone to be responsible for a group of people involved in the kinds of incidents that we have heard about today, such

as fly-tipping. At the moment, nobody can be held to account for such incidents, yet the local community has to pick up the bill. That is where we are heading: a vicious cycle of communities being so resentful about these encampments.

We are asking for the same laws to apply to everyone and to see something coming out of this consultation that results in genuine action to ensure that people are held to account, in the same way that I would expect all my other constituents to be held to account for the kinds of incidents that we have heard about today.

2.30 pm

Bill Grant (Ayr, Carrick and Cumnock) (Con): It is a pleasure to serve under your chairmanship, Mr Davies. I will bring a slightly different dimension to this debate. I have friends among the Traveller community, and perhaps they can be called “settled Travellers,” because some of them are very successful business people and so on. They live in my community and they are my constituents.

I was a councillor for 10 years in south Ayrshire, which is in the south-west of Scotland. Annually, we have Irish Travellers—they are primarily Irish, but not exclusively—and they have brought some difficulties and challenges to settled communities. The council has a Traveller liaison officer who assists Travellers, for example with education and cleansing, and we also assist them through the local NHS, but they still bring difficulties to our communities.

These people can be very aggressive sales people when somebody wants their gutters cleaned, or they can put pressure on people to have roof repairs, UPVC cladding replacement or tree pruning, for example. There is evidence to suggest that their prices can be quite high and the quality of work can be poor. Also, the people who are generally targeted are mature people living on their own, or elderly couples who worry about certain things. Another consequence of the transient movement of these people is that they take work away from genuine, bona fide, self-employed people. They conduct that work and put little or nothing back into the community. That is slightly off the subject of the debate, but it is all part of the package.

I have great friends who are settled Travellers. I think even Billy Butlin was a travelling person, and he ran a successful business across the United Kingdom—he had a Butlin’s camp at Ayr. So these people bring wealth and quality to the communities, but there are groups of Irish Travellers—they are in the minority, as has often been said—that bring challenges to the settled community.

There is a real perception that there are rules for some people but not for others. When they pitch up at a pay-and-display car park, they neither pay nor display, and they can sit there for four or five days. Sadly, they bring grief with them. I wish we could find a way to bring the Travelling community, who I have a great deal of respect for, and the settled community together.

Our local authority looked at 111 possible sites over a 10-year period, with assistance from the Scottish Government, who recognised the problem and offered funds to support us, but it is not easy to find a site that suits the Traveller community, who may wish to go to certain places. We also have a transient camp, but even if it has vacancies we cannot force them to go there; if they do not want to go, they will not.

I wish the participants in the debate well and I wish my hon. Friend the Member for Aldridge-Brownhills (Wendy Morton) well in taking this matter forward. There has to be a solution to suit both parties.

2.33 pm

Mike Wood (Dudley South) (Con): In my constituency we have both private and local authority-owned Traveller sites, but those are not the subject of this debate; this debate is about the kind of unauthorised encampments that many of us will have had a series of, summer after summer. In my constituency many of these encampments cause significant disruption, misery and loss of amenity for local residents. The people in the encampments do not just leave behind rubbish; day after day, local residents have to put up with people defecating and urinating on playing fields and play areas, which is completely unacceptable.

As has rightly been said, part of the solution to dealing with unauthorised encampments must be ensuring that there is authorised provision for Travellers. Since switching to Conservative leadership earlier this year, Dudley Council has identified a number of transit sites, the first of which should be available by next summer. However, as has also been said, we need a more flexible approach to the way provision is both assessed and made available. It is therefore right, particularly in areas covered by combined authorities, such as the west midlands, that those local authorities within the combined authority should be able to come together and have the assessed five-year supply of available sites at that combined authority level. Section 62 of the Criminal Justice and Public Order Act 1994 must then be adapted so that the police can deal with unauthorised encampments appropriately and move people to one of the authorised sites within the combined authority area, or preferably even within a reasonable distance nearby.

Of course, alongside the carrot there needs to be the stick, for the unreasonable and unacceptable encampments. There still seems to be a lot of confusion about the conditions in which section 61 powers can be used. Many police forces do not believe that it is appropriate or even legal to use powers that the statute seems to provide. We need more clarity on that and more agreement. If the Government can contribute to that process with new protocols that will not only make existing powers clearer, but ensure that any new powers that are added do not suffer the same risk of being completely ineffective because of the kinds of concerns I have mentioned, that would be a huge help.

2.36 pm

Deidre Brock (Edinburgh North and Leith) (SNP): As the hon. Member for North West Durham (Laura Pidcock) noted, the hon. Member for Aldridge-Brownhills (Wendy Morton) spoke of “gold-plating” human rights and equalities legislation. I took the time to read the article written by the hon. Member for Aldridge-Brownhills on the subject of this debate, and I have to say to her that one’s ethnicity, social group or how one identifies oneself does not make one a better person. Human rights are not held because someone lives in a house; they are held because someone is a human being. And someone’s human rights are not lessened because their lifestyle is different from the lifestyles of other people.

[Deidre Brock]

The hon. Member's article argues that

"the pendulum has swung too far away from local residents who have faced these repeated traveller incursions"

and that:

"Residents are tired of the anti-social behaviour, noise, rubbish and mess—which can be household, domestic and even human—that so often accompanies these incursions. The Council is left to clear up the mess—and the taxpayer to pick up the bill. Enough is enough."

Those passages in the article on her website advertising this debate represent the kind of prejudice and intolerance that strain—[*Interruption.*] No, I am going to continue. They strain relationships between people. Coming from a parliamentarian, they represent the kind of rhetoric that, in my experience, has left small children at risk of violence. I spoke with a Traveller mother recently who told me that her children have grown up thinking that stones and bottles being thrown at their caravan windows by members of the settled community—the community that has so often been referred to today—is normal. That is unacceptable.

I understand that—

Wendy Morton: On a point of order, Mr Davies.

Philip Davies (in the Chair): I hope that it is a point of order.

Wendy Morton: I just wish to make it very clear that in all the things that I have said about this subject in debates I am representing my community and my constituents, and on no account do I ever use the word "ethnicity."

Philip Davies (in the Chair): Order. As the hon. Lady knows, that is not a point of order, but what she has said is on the record, and what the hon. Member for Edinburgh North and Leith says must be heard.

Deidre Brock: I understand that some public open spaces in the hon. Lady's constituency are used by Travellers. I even read a story in the *Express & Star*, her local newspaper, about locals being unable to fly their toy planes on an aerodrome that closed in 1956—a deprivation that must really grind them down. As others have said in this debate, if there were more places to camp—official sites with decent facilities—perhaps the planes could fly again.

The attitudes in this place and in local authorities across the UK would have to change to accommodate that, but there is a model already in Scotland—I will speak about it later—that could easily be copied. This issue is about reducing discrimination and promoting equality.

It is said repeatedly that no community should be above the law. The proper riposte to that is that no community should be below the law, either. The enforcers of the law should treat all people equally, but that is not happening. We should ensure that all people who live in our communities have equal access to all the facilities and services that are available. As the hon. Member for North West Durham said, it is not true that Travellers exhibit more antisocial behaviour than other parts of society, or that there are more criminals among that

community. Some will complain that the procedure for removing Travellers from where they are living is a laborious and cumbersome business, but so it should be, just as it should be for removing someone else from their home.

I am disappointed that so few Conservative Members talked about speaking to representatives of those communities—[*Interruption.*] I said very few Members—too few. They frequently referred to the Irish answer—[*Interruption.*]

Philip Davies (in the Chair): Order. The hon. Lady must be heard.

Deidre Brock: Members frequently referred to the Irish answer, but may I commend the Scottish Government's answer, which is to work with the communities to develop an overarching strategy to reduce discrimination against Travellers, improve their quality of life and outcomes, increase understanding through a national action plan, and work towards an increase in mutual understanding and respect in the settled community?

Douglas Ross: The hon. Lady will be aware that that document was introduced in 2004, updated in 2014 and again reviewed in April 2017, but we still have problems in Scotland with unauthorised, illegal encampments in the communities we have talked about today. That document is not working for local communities.

Deidre Brock: I thank the hon. Gentleman for that point, but the Scottish Government are clearly willing to work with those communities, and that approach will bear fruit.

On the question of dialogue with the communities, I urge the hon. Member for Aldridge-Brownhills to join the all-party parliamentary group for Gypsies, Travellers and Roma, which I sit on, so that she can learn about travelling people's culture, history and way of life. Alternatively, she could do the cultural competency training on the Friends, Families and Travellers website—I recommend that all Members in this debate do so—and perhaps learn to be part of the solution. We must ensure equality, end discrimination and give Travellers access to education, training and employment, health and social care services—they do not have that at the moment—and enough proper sites to camp on. Members of Parliament have a duty to seek to understand all of the people who live in the UK, and that duty is seldom observed. Perhaps it is time that it was.

The hon. Member for Totnes (Dr Wollaston) spoke of appointing representatives of the travelling communities to create opportunities for dialogue. In Monday's debate, groups such as the Traveller Law Reform Project, the Traveller Movement, Friends, Families and Travellers, and London Gypsies and Travellers were mentioned. Extend the hand of friendship and those groups will jump at the opportunity for dialogue.

I am sad to see such a high turnout for a debate that, in my view, calls for the persecution and punishment of a minority group, whereas for debate after debate on subjects such as the Government's shameful treatment of the disadvantaged and disabled, the Conservative Benches are largely empty.

2.43 pm

Yvonne Fovargue: I congratulate the hon. Member for Aldridge-Brownhills (Wendy Morton) on securing this debate. Like hon. Members and colleagues from across the House, let me state that the people we are discussing are part of our communities; they are not separate. They are constituents and fellow citizens, and, like other sections of the communities we represent, they are not homogeneous. About half of the Gypsy, Roma and Traveller community live in permanent housing. Other members of the community live on authorised caravan sites or private camp sites with permission for long-term stay. As my hon. Friend the Member for Rochdale (Tony Lloyd) reminded the House on Monday, many members of the Gypsy, Roma and Traveller community have made a big contribution.

However, as with other sections of society—as the hon. Member for Totnes (Dr Wollaston) said—an unrepresentative minority is responsible for the issues we are discussing, and that cannot be tolerated. That is not discrimination. As an eminent judge said, everybody has the right to behave within the law. As with any section of society that acts outside the law, we have to act against those whose behaviour is unacceptable, but we need to get the balance right.

It is important to stress that we are discussing unauthorised encampments, with which there are a number of problems. They can lead to a deterioration in the relationship between those on authorised sites and local communities, who often do not differentiate between authorised and unauthorised sites. I have had positive experiences with authorised sites in two neighbouring authorities, where the settled community and the Gypsy and Traveller community came together to discuss the issues, and saw themselves as a part of a wider local community. The citizens advice bureau that I manage went in to provide advice services in that community.

However, it has not been as positive with unauthorised encampments. In one case in my constituency, the land is owned by the Travellers, but they are flouting the planning laws, despite there being vacancies on a designated transit site in the borough. Although planning permission has been refused, the site has been occupied, and an appeal is pending. The case has been with the Planning Inspectorate since last December, and an officer has not been assigned because it is “not a priority”. Well, it is a priority.

During that time, the relationship with the local community has completely broken down. Roads have been illegally coned off for pony and trap races, and innumerable horses have been left in public areas and near children’s play areas—on one occasion, one was tethered to a roundabout. Loose horses have been roaming across the streets, and one was recently killed by a lorry. Equine bailiffs have been brought in from another authority, fencing has been improved and the police have been involved—all at cost to local residents through their council tax. The length of time that appeals take is unacceptable. Will the Minister consider speeding up the appeals process and giving more resources to the inspectorate, so that these issues can be dealt with on a sustainable and long-term basis, which may lead to a reduction in the tensions?

There are processes for removal in other cases, but they are not always effective. In another case near my constituency, the caravan was moved 100 yards down the road into another field—again, despite there being vacancies on a transit site. Like my hon. Friend the Member for Birmingham, Northfield (Richard Burden), I am pleased that the Minister has committed to consulting on the effectiveness of current laws and planning regulations, but I urge him to produce the report urgently, and to ensure that the process is speedy and less costly to hard-pressed local councils.

We also need to discuss the disparity between private and public land. The powers should be aligned. The additional requirements placed on local authorities that wish to remove encampments lead to lengthy delays and extra expense. If we align the powers, action could be taken on incursions in play areas, schools, hospitals—indeed, any green area that is in the public realm and should be for the benefit of all. However, if there is to be swift action, there must be a duty on local authorities to look at the transient sites; otherwise, people will simply move from one illegal encampment to another, because there is nowhere else to go.

I agree with my hon. Friend the Member for Birmingham, Northfield, and others who said that local authorities could pool their sites and make them available to travelling communities across borough boundaries, and perhaps even outside police areas. My constituency borders Merseyside and west Lancashire, and it may be that one of those areas can better provide for the Travellers’ needs. That would certainly help to make sections 61 and 62 of the Criminal Justice and Public Order Act 1994 more effective. Under those sections, the police are able to clear unauthorised sites only if there is a suitable authorised site to move the Travellers to. If there is not one, the police’s hands are effectively tied.

We need to ensure that police forces have the power they need to act on behalf of the whole community, but the recent cuts to police funding have not helped the situation. The police can prioritise actions only on the principles of threat, risk and harm, and unauthorised encampments do not have a high priority under those criteria. We need to increase police budgets and powers in tandem.

I am not suggesting that Travellers be deliberately moved away from their communities. It is vital that the moves be made sensitively, and that the Travellers’ views be taken into account. It is also important that we incorporate such groups into the wider community—community relations are not helped by maintaining unauthorised sites—but that will, of course, require expenditure: money that hard-pressed councils do not have. If the Minister is serious about tackling the issue, the Government must invest in new sites alongside local councils. The Government may only need to provide a loan, because a council might be able to recoup the money.

Supporting cultures and traditions is important, but that can be undermined if communities become polarised and unable to work together with mutual respect. Provision of adequate sites, coupled with swift action on criminal behaviour by the very small minority, can only enhance and not detract from good community relations.

2.50 pm

The Parliamentary Under-Secretary of State for Communities and Local Government (Mr Marcus Jones): It is a pleasure, as ever, to serve under your chairmanship, Mr Davies.

I thank my hon. Friend the Member for Aldridge-Brownhills (Wendy Morton) and all other right hon. and hon. Members who have taken part in the debate. On Monday the subject was wider, but today's debate has been as passionate, if not more at times, than the one in the main Chamber. As I said on Monday, when people talk about illegal encampments, that is not lost on me at all. My constituents, too, have suffered significantly from illegal encampments over many years, but I will not dwell on that because my hon. Friend the Member for North Warwickshire (Craig Tracey), which includes Bedworth, made pertinent points that reflect the challenges in my area.

As hon. Members have stated on a number of occasions today, the Minister for Housing and Planning has signalled our intent to seek an evidence review of the way that existing powers are enforced to understand what more can be done; I hope that reassures the hon. Member for Birmingham, Northfield (Richard Burden) about the challenges. My hon. Friend the Member for South West Bedfordshire (Andrew Selous) mentioned the race disparity audit, and we should look at this debate in the context of that ongoing work. This debate is of great value to both those pieces of work.

My hon. Friend the Member for Aldridge-Brownhills explained in great detail the negative impact that unauthorised encampments have had on her constituency. Other Members have explained that as well. It is absolutely right and proper for them to speak out on behalf of their residents, the people whom they are elected to this place to represent.

The Government are clear—this is categorical—that the law must apply to everyone, and the police must address illegal incidents and give victims support. Local communities deserve to feel safe in their neighbourhoods, and tackling criminal activities, illegal encampments, menacing behaviour and other actions that threaten our society and way of life must be the core business for the police and local agencies.

Mr Baron: Will the Minister give way?

Mr Jones: I will make some progress before giving way, if my hon. Friend does not mind.

The Government want to see those agencies working together to ensure that illegal incursions are dealt with properly, but we cannot sit here and say that the House can be complacent. That is why we will hold the review, which we look forward to progressing as quickly as possible, as I hope Members appreciate. Although the Government are carrying out a review of evidence, that is not an excuse for a local authority, police force or any other agency to sit by and not use the existing law to its full extent. It is important not only to deal with matters within the law, but for those matters to be dealt with so as to uphold and enforce the law.

My hon. Friends the Members for Aldridge-Brownhills and for Basildon and Billericay (Mr Baron) discussed displacement and the cat-and-mouse game of people going from one area to another. I, too, do not think that

we can continue to allow that to happen. The West Midlands police and crime commissioner was mentioned today and in the previous debate. Recently he produced a briefing paper, which west midlands MPs have received, outlining proposals to deal with unauthorised encampments. Suggestions include transit sites, helping to unlock police powers and considering the availability of sites across a combined authority area, rather than in an individual district area. We can certainly agree with some of the suggestions and innovations, but we need to ensure that they are proportionate, and balanced against the needs and rights of the settled and the nomadic communities.

As I have said a number of times—I make no excuse for doing so—we must also consider how enforcement can be improved. My hon. Friend the Member for Dudley South (Mike Wood) talked extensively about enforcement and his concern about how any new powers would be enforced, which is a critical point.

Members who spoke in this debate and the earlier one gave lots of examples of the law being broken, and of the perception that the police were unable to prosecute. In any community, there are times when lawbreakers evade the law, but we cannot accept that as the de facto state of play. Authorities such as councils, the police and local Gypsy and Traveller organisations should work together so that wrongdoing is dealt with effectively and punished, and does not tarnish a whole community through the actions of a small minority.

Members have mentioned antisocial behaviour. We should do whatever we can to deal with it and to address illegal behaviours, but we should also bear in mind that the actions of the few should not reflect on a whole community. We must consider that point very carefully when we look at what we do and may do in the future.

Today and on Monday it was suggested that trespass be made a criminal offence. Hon. Members have made strong arguments in favour of that. We have considered it in the past, but at the time it was thought that that would reduce police discretion, while local costs would still be incurred by the police and the criminal justice system. That said, there is no doubt that we will receive a multitude of views and suggestions, including on new models and ways to deal with some of the challenges, and we are open to listening to some of those suggestions.

Mr Baron *rose*—

Mr Jones: I will take a quick intervention from my hon. Friend, and will then, I hope, sum up the contributions of the remaining Members.

Mr Baron: Briefly, may I urge the Government, as part of the review, to look at those cat-and-mouse games that are played by a minority, who might move no more than 50 or 100 yards, and then the whole legal process has to start again? That is one of the core problems of the police and the local authorities.

Mr Jones: I understand that matter.

I have to give my hon. Friend the Member for Aldridge-Brownhills her right to reply in the debate, but I will first make a special mention of the speeches by my hon. Friends the Members for Moray (Douglas Ross) and for Ayr, Carrick and Cumnock (Bill Grant). These matters are devolved, and my hon. Friends have raised

clear issues. They have been listened to by the Scottish National party Front Bencher, the hon. Member for Edinburgh North and Leith (Deidre Brock), although from what was said I am not sure that their concerns are being heard. My hon. Friends will be able to see what happens with the review in England and take it back north of the border.

It has been a pleasure to respond to the debate, although I would have liked to make many more points and mention many more colleagues. The Department is more than willing to receive information and to store it. I look forward to taking the review forward.

2.58 pm

Wendy Morton: Time is short. I thank you, Mr Davies, for chairing the debate. I thank all right hon. and hon. Members from across the country who have contributed to this important debate. I am very encouraged by the response of the Minister. I welcome his review, and I am sure that I speak on behalf of so many of us when I welcome the chance to work with him to address this sensitive and challenging issue faced in so many of our constituencies.

Question put and agreed to.

Resolved,

That this House has considered unauthorised encampments.

Free Childcare

[ANDREW ROSINDELL *in the Chair*]

3 pm

Andrew Rosindell (in the Chair): Is Ruth George present to move the motion? [*Interruption.*] I remind hon. Members that they should be here on time so that debates can begin in a timely fashion.

3.1 pm

Ruth George (High Peak) (Lab): I beg to move,

That this House has considered the effects of 30 hours free childcare.

I am here now, Mr Rosindell—thank you.

We are all here because we want all our children to get the best possible start in life and to be as ready for school as they can be, and because we want working parents to know that they can rely on high-quality childcare in a fun, friendly and caring setting that is nearby. Those factors are important to ensure not just that our children are school-ready, but that they are happy and relaxed and make friends.

I have four children, aged between eight and 25. As a mum who has worked all my adult life, I can vouch for how important it is for a child to be happy with their nursery or childminder. There is nothing worse than having to leave a child when they are crying or unhappy. That happens with almost all young children in the first few days, but they soon settle down, trust the staff, make friends and have a great time. The only thing worse than leaving a crying child is getting back at the end of the day and finding that they have been unhappy all day.

I have been lucky in the rural area where I live to have had excellent and friendly childcare nearby for all my children. We all welcome the consistent work to drive up standards in early years, so that 95% of providers are now judged by Ofsted to be good or outstanding. We all want good-quality, affordable and sufficient childcare. Although the policy of 30 hours of funded care for three and four-year-olds aims to increase the affordability of care, the lack of Government funding has raised doubts across the country about affordability, quality and sufficiency.

Why has that policy been so underfunded? At the Conservative party's childcare campaign day on Monday 15 April 2015, in the run-up to the general election, David Cameron said that he would create an extra 600,000 free childcare places if he was returned to power. That was certainly a popular policy. The weekend before that announcement, the Conservatives had been behind Labour in every poll, but the day after the announcement—16 April—they were ahead in every poll, except one that was tied. At the time, the BBC reported that Labour described the policy as “another unfunded announcement”. BBC political correspondent Carole Walker said that Mr Cameron was “likely to face questions” about how the Conservatives would ensure that sufficient childcare places were available. She was right about the questions, but not about the person who would be questioned.

The Conservatives said that the 30-hour offer would result in more than 600,000 extra 15-hour childcare places every year from 2017, and that it would be

[Ruth George]

funded by reducing tax relief on pension contributions. However, when those changes to tax relief were announced in the 2015 summer Budget, we were told that they would fund Conservative cuts to inheritance tax, not childcare, so the extra 15 hours of supposedly free childcare for 600,000 children were left without any specific funding. It is no wonder that the number of places has reduced to a third of what was promised in 2015 and that providers have been left wondering where all the money has gone.

Concerns were raised as soon as the projected funding levels were announced. Some 62% of all early years providers surveyed by the Pre-school Learning Alliance in March 2017 said that the funding they will receive in 2017-18 is less than the hourly rate they charge parents and less than the hourly cost of delivering a funded place. It is not surprising that more than half—58%—expected that the 30-hour offer would have a negative impact on their businesses, and just 17% predicted a positive impact.

Dr Rupa Huq (Ealing Central and Acton) (Lab): My hon. Friend mentioned the Pre-school Learning Alliance. Some Government Members say that they have had enough of experts, but does she agree that they should listen more to groups on the ground, such as my constituent Jane Reddish and her group What About The Children? Its excellent report on the 30-hours policy raises many of the same concerns as my hon. Friend, specifically pertaining to the special developmental needs of nought to 36-month-olds. The Minister would be well advised to meet that group, as the shadow Minister, my hon. Friend the Member for Batley and Spenningsdale (Tracy Brabin), soon will.

Ruth George: I thank my hon. Friend for that intervention.

A survey of local authorities by the Family and Childcare Trust in February 2017 found that only a third thought that there would be enough childcare for three and four-year-olds using the 30-hour offer, while a third did not know whether there would be a reduction in care quality as a result of the offer's roll-out. Some 44% of those local authorities said that the 30-hour offer would reduce the financial sustainability of some settings, so some childcare providers would go out of business. The survey found that the extension of free hours could compromise things that parents thought were priorities for high-quality childcare. That is important, because only high-quality childcare helps to boost children's attainment and close the gap between disadvantaged children and their wealthier peers.

It was good that the Government introduced pilot schemes in September 2016 to see what would happen. The Minister has claimed that those pilot schemes were a great success. In response to the urgent question on 6 September from my hon. Friend the shadow Minister, when we were finally given some figures on the number of children registered for places, the Minister said:

"If we look at the pilot areas that have been delivering for a year now...we can see that 100% of their providers are delivering and 100% of the parents who wanted a place found one, despite some reservations being put on the record...at the very beginning. The pilots have demonstrated that we can deliver and we are delivering."—[*Official Report*, 6 September 2017; Vol. 628, c. 163.]

However, some nurseries that were involved in the pilot tell a very different tale. The owner of Polly Anna's Nursery in York, the only area on the lowest level of local authority funding—£4.30 an hour, of which £4 went to providers—said that he wrote to the Minister to say that although he was in favour of any Government measure to reduce the cost to families of their child's early education and care and of any improvement to quality and staff qualifications, £4 an hour would represent an increase of only 2% a year in the 10 years from 2010, at a time when costs will have increased disproportionately.

Mike Wood (Dudley South) (Con): Does the hon. Lady recognise that an independent study put the cost of providing childcare for three and four-year-olds at about £3.72 per hour, whereas the average amount that goes to a council is £4.94—significantly more?

Ruth George: I accept that a study was done in 2015. That was before we knew the outcome of business rate increases and before we had seen the impact on the sector of the national living wage policy and of auto-enrolment. All those things significantly increased the cost of nursery provision and were not known at the time the study was done, so it is erroneous to use those figures for funding projections up to 2020.

The Minister for Children and Families (Mr Robert Goodwill): I thank the hon. Lady for giving way. The review of childcare costs was described as "thorough and wide-ranging" by the National Audit Office, so we believe we can base our costings on those figures. Does she disagree with the National Audit Office's judgment?

Ruth George: In 2015, when those figures were done, they may well have been up to standard, but they do not represent the increase in costs that nurseries have seen in the past two years and certainly will see even more with the increase in auto-enrolment costs and the increase in the national living wage that will be ongoing up until 2020. They figures are utterly at odds with all the evidence that comes from local authorities and from the childcare provision sector, who have given ample evidence about their costs and the amount that they have to pay for the provision. In fact, a provider from the Minister's own constituency wrote to tell him:

"I ask myself do I really want to continue working as a childcare provider when my wage will now match that of a supermarket worker without the responsibilities of a childcare provider, the paper work, Ofsted and book work. I am sad it had come to this."

The fact that the Minister claimed he had not heard a peep from providers about their problems, either in the pilot areas, or with the full roll-out, has annoyed many of them. Hundreds of providers have peeped to the "Champagne Nurseries on Lemonade Funding" Facebook group to say that they certainly have peeped.

Mr Goodwill: May I suggest the hon. Lady looks at the record of what I actually said? I was listing the pilot areas and referring to Members of Parliament in the House and the fact they had not raised those issues with me during the period of the trial.

Ruth George: I am afraid I have copies of the emails from the providers in York and Scarborough that were sent during the pilot. They wrote to the Minister about

their concerns to do with the pilot that they were participating in, so there seems to be a discrepancy there.

Despite numerous concerns being raised from the pilot areas, national organisations, local authorities and the sector itself, the Government have pressed ahead with the roll-out. My parliamentary questions in July asking for figures on the number of parents registered and on those who had successfully obtained a place went unanswered. Local authorities were forbidden from giving the figures for their own areas, even in response to freedom of information requests, so we had a total lack of information on what was happening up until September, except for reports from parents that they were struggling to register on the website. We heard from nurseries that they were unable to provide the 30 hours and from parents that they therefore could not find places.

In September, in response to an urgent question from my hon. Friend the Member for Batley and Spen (Tracy Brabin), we were told that 152,000 parents had secured a place, 71% of those who had registered. Despite the contrast with the 600,000 places that were promised originally by David Cameron when this vote-winning policy was announced, we were told that this was a great success. But that great success story still involved nearly a third of parents who had registered not having secured a place at the start of term in September. Some 64,000 children missed out on the important start-of-term activities where children learn to settle into their nursery or childcare place. When they start late, they always feel as if they are catching up, as routines are already established and friendships made. I hope the Minister will now update us on how many of those 64,000 children have now secured their place, albeit late.

Nurseries are struggling. They have seen huge increases in costs in recent years, as I mentioned earlier in response to Government Members. Until June I was on the board of a non-profit-making childcare provider, so I have seen the costs for myself. I set up the pension scheme that sees employers making contributions for their full-time staff. Those contributions are just 1% at the moment, but they will increase to 2% and then 3%, on top of wages. As a trade unionist, I also advised on a wages policy to properly reward all the staff and give incentives for attaining extra qualifications as well as making sure we always paid at least the national living wage.

Paying better wages is an excellent policy, but it needs to be funded, and the funding calculations simply do not take into account the fundamental cost and the increases for every childcare provider. That goes alongside the business rates, where most nurseries have seen a huge hike. It is no wonder the National Day Nurseries Association, from its survey in September, said that the 30-hours policy was in chaos. It said more than half of nurseries had had serious worries about having to increase fees for paid-for hours to unacceptable levels, and even about staying in business at all.

Nearly 300 nursery managers and owners completed the survey, which found that four fifths of those offering 30 hours were having to make additional charges for food and special sessions such as language or sports classes, or trips out. More than half of the respondents said parents understood additional services and were happy to pay, but a quarter said they were finding parents did not want to pay.

Rosie Duffield (Canterbury) (Lab): My hon. Friend the Member for Batley and Spen (Tracy Brabin), the shadow Minister with responsibility for early years, has just chaired a panel with childcare providers and I have taken down some of the quotes from that meeting: "The system is complex, long-winded and many parents give up"; "It's not free, so let's stop calling it free"; "We are making a £5,000 loss every month"; and "This year I have lost 25% of my intake." Does my hon. Friend agree that such quotes mean that the system is not currently fit for purpose?

Ruth George: Absolutely. I am sorry to have to agree with my hon. Friend.

When almost 80% of nurseries have spent time helping families to apply for the 30 hours, and with 14% saying this had taken more than five hours of staff time per week during the summer, it is no wonder that nurseries are struggling. The policy has had a huge impact in my constituency of High Peak. We have seen three nurseries close their doors over the summer as they simply could not make the finances work. Others have lost out significantly, even when taking on additional children from nurseries that have been lost.

A nursery in Buxton reports that it has lost £19,000 through charging for the meals it used to provide over the lunch period and charging for the additional hours that parents took on top of the 15 hours. Deborah from the Serpentine Nursery says:

"Having run my Early Years provision successfully for 35 years we have taken every change 'on the chin', risen to the challenge and carried on without any significant recognition except our Ofsted Outstanding. What other businesses are treated in such a shabby way!"

Flagg Nursery School, a very small village nursery just over my border, in a maintained setting, anticipates it will lose £20,000 a year owing to the lunchtime charges it cannot now make and the payment for the additional hours. The headteacher, Sarah, told me:

"Personally I think it is a great idea to offer 30 hours of childcare for working parents. We have always had children who have attended for the full week but in the past there was a charge. I just don't feel that the hourly rate is sufficient and is not sustainable in the long term."

In Furness Vale and New Mills, First Steps Nursery, where my daughter did some work experience, is now losing £10.50 per day per child. It says that if a child takes 30 hours a week, it loses £45 a week for each child. No wonder nurseries are worried about the quality of their provision. First Steps says:

"If we are to continue providing quality for children the rate given for funding needs to increase immensely. We offer our children Forest School and swimming lessons but in order to do this safely we have to have a high staff ratio. The amount we are given does NOT cover this and we are subsidising this so that the children can have the best."

Flagg's headteacher spoke of the quality of staff they could employ. She says that staff costs are the most important of all their costs:

"I feel that we ought to have experienced, highly qualified staff working in this sector as these are our most vulnerable children. Experience needs to be paid for though and underfunding could lead to children not being adequately cared for."

Among my local maintained nurseries there was also concern that the extra 15 hours meant they could not offer places to children who qualified for only 15 hours. The head at New Mills nursery said that the initiative

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significantly reduces the ability to address the needs of the most disadvantaged children, and was a huge missed opportunity; the assumption is that that was overlooked, and that the initiative was driven by the childcare and working families agenda, not by the impact of quality education on the youngest, and some of the most vulnerable, members of society.

The children with the most need, such as the socially disadvantaged, are not eligible for the additional 15 hours of funding. Being good at closing the gap between disadvantaged children and their more advantaged peers is the very thing for which nursery schools have historically been recognised. Social mobility is an important issue that is not addressed by the 30 hours—something that in many ways contributes to increasing the gap between the poorest and better-off families. There are not enough places for all the children with 30 hours as well as those who qualify for just 15.

The headteacher at Hadfield Nursery School in the north end of my constituency says that the Government have underestimated the number of eligible parents and there are not the places to meet the demand. She is trying to signpost parents to other local providers, because her nursery cannot offer the full number of 30-hour places so they are trying to share them with other providers—15 hours each. It is a worry that as those nurseries have in effect to offer full-time places now, the impact has, again, been to reduce the offer of 15 hours. Those anecdotes from my constituency are backed up by the Sutton Trust, which says that the scheme was not adequately resourced, and the new funding formula will divert resources away from state nurseries disproportionately attended by disadvantaged children. Kitty Stewart, associate professor of social policy at the London School of Economics, said:

“To make up some of the funding gap, a new funding formula reallocates resources away from state nurseries disproportionately attended by disadvantaged children, and they may in the future struggle to afford a qualified teacher. To remove this advantage must be expected to have negative effects on social mobility.”

It is not only nurseries, but childminders, who are affected. They are already struggling. There are now 24% fewer childminders than in 2012—a drop of more than 10,000. Childminders often provide vital home-based care for younger children, or children who would struggle in a nursery setting. One of the childminders in my constituency commented:

“I personally feel that as a nation it is presumed that once a parent returns to work they send their children straight to nursery, when there are alternatives that can provide a more nurturing environment for babies and young children; and this needs to be emphasised—it’s not all about nurseries.”

However, such childminders cannot afford to run the 30-hour scheme, and so they lose out with respect to children coming to them.

What about the impact on parents? If they qualify and they can find a place, parents of three and four-year-olds will have a drop in their nursery fees, even if they have to pay some charges; but parents who qualify only for the 15 free hours, and parents of the most disadvantaged children, struggle to find even those free hours. That will be of huge detriment to their children’s life chances individually, and to social mobility as a whole. Parents with younger children will pick up the bill as charges for

younger children have had to increase to make up the shortfall with respect to three and four-year-olds. A mum in my constituency, Emma from Buxton, says that her charges have increased by £230 a month for her one and two-year-old children, and she feels it is not worth her going to work any more. That will have an impact on the most disadvantaged children. Having two parents’ incomes, or having a single parent in work, is an important factor in improving children’s life chances. Emma is worried that the nursery will not even be able to stay open until the oldest child is three, because they are struggling so much to get by. She says:

“So in conclusion we are not much better off in the long run because of how the hours are being offered, and right now we are being crippled by the hike in price. Nurseries have to change their pricing policies in order to survive”;

but they cannot do that in the face of the funding situation.

I am particularly concerned about the impact on the quality of employment in early years, as I have mentioned. My daughter has just completed an early years degree, so I know how much goes into that qualification. She has gone on to do a teaching certificate, so I do not feel that I need to declare an interest, but at many of the nurseries where I have had meetings—particularly among the outstanding-rated ones—there is concern that they will not be able to afford to take on the skilled staff they need to maintain their good ratings. A third of the staff considered by the Sutton Trust, working in group-based childcare, lack English and/or maths at GCSE. Those staff are, unfortunately, the only ones that settings struggling with costs and underfunding will be able to afford. The trust’s chair, Sir Peter Lampl, said:

“Good quality early years provision is vital to narrow the gaps that leave too many youngsters behind by the time they start school. But it’s unlikely that the government’s policy to provide 30 hours...will provide this.”

It is a far cry from the high-quality childcare and fully qualified staff envisaged just a couple of years ago by the Chief Secretary to the Treasury, when she was Under-Secretary of State for Education. There seems to be no emphasis at all in the Government’s policies on quality of provision or of staffing, and that must be worrying with respect to children, progress with social mobility, and our future.

Underfunding of a policy that began with good intentions, although it may have been more about votes than quality childcare, is undermining what is needed throughout the country. I urge the Minister to look again, especially at the projected figures for the next financial year, now that the additional costs of business rates and of the living wage are clear. I want to thank all those who have consistently been raising the issue of the problems with funding, and especially those who set up and contribute to the “Champagne Nurseries on Lemonade Funding” Facebook group. They have been tireless champions of the best of champagne nursery provision, and excellent analysts of the impact of the funding levels.

I also thank the nursery owners and providers in my constituency, a rural area on which the policy has had a great impact. In small rural towns and villages, childcare, and the knowledge that children can go to nursery in their community and make friends in their area, without having to travel long distances, is particularly important. I particularly thank Kate Sebire, the owner of the

outstanding-rated Sunshine Nursery School in my home town of Whaley Bridge, who has been bending my ear about the issue for many months. I hope that the Minister will meet childcare providers, listen to their concerns, and take heed of them when he visits the Chancellor for his pre-Budget discussions.

Several hon. Members *rose*—

Andrew Rosindell (in the Chair): Order. I advise Members that there is now a four-minute limit on speeches, until the Front-Bench speeches begin.

3.28 pm

James Cartlidge (South Suffolk) (Con): I will definitely take only four minutes, Mr Rosindell. I congratulate the hon. Member for High Peak (Ruth George) on obtaining what is a key debate. I do not doubt that she has had feedback; I have had similar feedback in South Suffolk, where we have excellent provision. It is difficult for me to avoid receiving representations, particularly from Yorley Barn, a beautifully located nursery in my constituency, in a village called Little Cornard. The proprietor, Donna Row, recently came up and made representations while I was dropping my three-year-old twins off at the nursery. She made the key point that she feels funding is going down while, as has been said, core costs are rising.

I want briefly to focus on Suffolk, because while I accept that many broader political and national arguments are made, there is a national funding formula by which our county seems to have been particularly disadvantaged. The sense of unfairness in Suffolk is compounded by what has happened with the schools formula over the years.

I want to quote from a couple of my providers. A particular issue in Suffolk has been the drive for graduates in early years. This is from Springfields pre-school. Amy Jacobs emailed me to say:

“All research has pointed towards the positive outcome for children who attend an early years setting that is led by an early years graduate. Suffolk...were therefore extremely proactive in encouraging settings to employ graduates to run their settings. This was supported in the early years funding and we were paid £4.24 per child per hour in order that we could pay our staff” at that rate. She goes on to say that they now receive only £3.87 per child per hour.

I should add that this is something that all Suffolk Members have been working on, and I am grateful to the Minister, who has taken the time to meet us and go through our concerns with his officials in great detail. We also held a meeting at County Hall, for which unfortunately I was ill and unable to attend. However, again, the core point is that funding seems to be lower at a time when costs are rising, so we as MPs have been trying to understand exactly why that is happening and whether it is driven by factors at a county level or because of the national formula.

I will quote from one other provider. Cheryl Leeks, who runs Woodland Corner, said:

“As you are aware, Suffolk County Council reduced our funding for 3 and 4-year-old children by 11% on 1 April with only 7 week’s notice. Historically the rate received from SCC has been higher than the rate we charge for non-funded children—or additional hours. We were always keen to have funded children as we used to receive £4.24 and a block funding allowance of £550 per term.” She goes on to say that only £3.87 per child per hour will now be provided.

There are complexities—that is showing one side of the picture—but the key point for us in Suffolk at county level is that we feel that, in comparison to other counties, and particularly neighbouring counties, we seem to be doing particularly badly. Like all Suffolk MPs, I received a note from Gordon Jones, the cabinet member for children’s services at Suffolk County Council, with a table of all our neighbours who get a better allocation than we have received through the early years national funding formula.

This issue is obviously important to me personally because I have children in early years, but in Suffolk we have had a huge amount of feedback from very worried providers. I support in principle the drive for 30 hours—it is really important for our economy to achieve the dynamism we want and flexibility in our labour market that we have this greater provision—but there are clearly issues to address. I believe the Minister is aware of that. I do not want to go on too much longer, because we are in the middle of a discussion about it with him. I simply say that we would like him to recognise that there are these pressures not just of the money going down but of costs going up.

Andrew Rosindell (in the Chair): Order.

3.32 pm

Alex Cunningham (Stockton North) (Lab): I congratulate my hon. Friend the Member for High Peak (Ruth George) on securing the debate. Though I now have the role of shadow pensions Minister, it is children’s issues that are closest to my heart. I considered it a privilege to work alongside the former Member for North West Durham, Pat Glass, on the Childcare Bill Committee when the hon. Member for East Surrey (Mr Gyimah) was Children’s Minister. That Bill led to the Childcare Act 2016 and the launch of the 30-hour childcare offer.

The Minister then chose to ignore statements not just from Labour Members but from providers and charities across the piece that there was insufficient rigour built into the planning for the 30-hour offer. So it has proved to be the case. I well remember one particular exchange I had with the Minister about the need for flexibility in the childcare system, where I sought assurances that parents would be guaranteed the free care they required without having to subsidise it. We have heard how parents are subsidising that care. I was hoping he would legislate specifically to require local authorities to have a duty to secure specific provision to meet the individual needs of parents and guarantee that local authorities would have the resources. He said:

“I feel strongly that setting out in primary legislation a requirement for local authorities to secure provision to meet each parent’s individual needs will not work in practice.”—[*Official Report, Childcare Public Bill Committee*, 10 December 2015; c. 104.]

Sadly, for parents, we were right in demanding such a requirement because, across the country, countless parents and their children are missing out. Had there been a requirement, perhaps the many people who have missed out because they did not know about the provision or how to access it, would have had the support they needed.

This morning I spoke to the manager of the church-based New Life Children’s Centre in Billingham in my constituency, who told me that it had to coach many parents through the Government’s system, and that many others had lost out on their first three months

[Alex Cunningham]

because they missed the Government's deadline. Her colleagues at the nearby Billingham nursery also spoke of the lack of information provided to parents, many of whom discovered almost by accident that they could access the 30 hours. Perhaps the Minister could tell us what flexibility is being offered to parents in all settings so that they can opt for provision early morning, or at teatime perhaps, to fit in with their work patterns.

On the Bill Committee, we also discussed costs and the need to ensure that the fee structure was developed to reflect local need. We knew that costs were different in different parts of the country. I do not know what work the Minister did after that before moving to his prisons job, but funding is failing to deliver what is needed. We only have to think about children with a disability. People in my constituency and across the country tell me that they are the people who are having the most difficulty in trying to secure a place for their child. Again, during the Bill Committee I sought assurance from the Minister that the parents of children with a disability would not be disadvantaged in the system. He was confident in his response. He said:

"By having tax-free childcare and the high needs block, and also by having increased the hourly rate, we will ensure that local authorities continue to have the flexibility to target funding where it is most needed".—[*Official Report, Childcare Public Bill Committee*, 8 December 2015; c. 32.]

It is simply not happening. His confidence was somewhat misplaced, as parents of children who have a disability are still the ones most likely to struggle more to secure nursery provision.

It is all too easy to say that local authorities have the flexibility to ensure that all needs are met. My understanding is that they do not, particularly when it comes to finding the right placement for children with a disability. I ask the Minister to go back, look at the extra barriers facing such parents and find ways to deliver for them much more comprehensively.

The early years will determine the academic achievements of children as they get older. I really worry about those in my constituency and across the country who come from the most deprived areas. They are the children who need the support the most and who are being left without the necessary support. I hope the Government will take a long, cold look at what is happening on the ground and take the necessary action to get it sorted out.

3.36 pm

Bambos Charalambous (Enfield, Southgate) (Lab): It is a pleasure to serve under your chairmanship, Mr Rosindell. I congratulate my hon. Friend the Member for High Peak (Ruth George) on securing this important debate. The issue of properly funded, decent childcare has a huge impact on families in my constituency and across the country. It would be good to be able to welcome the Government's actions on that and their commitment to 30 hours' free childcare, but I see, from talking to both parents and childcare providers in my constituency, that there are clearly serious problems with the proposals and how they are being implemented.

First, the funding is simply inadequate. The shortfall in the Government's commitment is detrimental to childcare providers. Last week, I spoke to the manager of a successful and popular nursery in Enfield Southgate.

She told me that the Government's plans make her fearful for her business. The inadequate money from the Government will put a terrible strain on the way in which her nursery is run. She told me that parents who used to pay for her nursery privately are now accessing the 30 hours' childcare, but the shortfall in money from the Government to fund that will put wages and staffing costs under considerable strain. She also told me that if she were to decide not to offer the 30 hours to parents, she would lose out to other companies that will be offering it.

That hard-working nursery manager feels caught in a double bind: does she offer the 30 hours' free childcare and risk her business making a loss, or does she avoid offering it and go under because others, who doubtless feel similarly trapped, will be offering it? We know from the excellent research done by my hon. Friend the Member for Batley and Spennings (Tracy Brabin) that the fears of that nursery manager are not the exception; they are now the rule. Research also shows that three quarters of childcare providers expect the Government's policy to have a negative impact on their business; fewer than 7% believe that it will be positive.

The Pre-school Learning Alliance estimates that there is a 20% shortfall between the amount the Government are giving local authorities to fund the scheme and the actual cost to nurseries.

Worse still, the Government are proposing that funding levels will stay the same until the end of this Parliament, even though the cost of wages, rents, pensions and much more are likely to rise during that time. Why should nursery managers and childcare providers such as the one I referred to in Enfield Southgate shoulder the financial risk caused by the Government's ill-considered plans? The proposal of free childcare is far from free if hard-working childcare providers are carrying the cost, to the extent of even being put out of business. That is not to mention the anxiety and disruption caused to parents and children when a trusted childcare provider goes out of business, sometimes at short notice. If the 30-hour offer is to be truly free for both parents and providers, it must be funded properly now and in the future.

The other serious flaw in this pledge is that it will not help those who need it the most. I know from talking to my constituents that many parents welcome the prospect of 30 hours' free childcare, especially those who are struggling in low-paid, insecure work. However, those who need help could easily slip through the net with this scheme, not least because of the many technical problems that parents are experiencing. After having huge technical problems accessing the scheme, one constituent contacted me last week to say:

"This is the government's flagship childcare scheme and it's an utter shambles with no prospect in sight of a resolution."

Even more disturbing is the fact that to be eligible for the scheme, a parent must earn more—

Andrew Rosindell (in the Chair): Order. There is a four-minute time limit. I call Liz Twist.

3.40 pm

Liz Twist (Blaydon) (Lab): I thank my hon. Friend the Member for High Peak (Ruth George) for her very clear explanation of some of the issues facing this sector and the concerns of many childcare organisations about the impact of the funding regime. We heard also

about the real costs of employing staff, which are increasing, and about the pilots. As late as 31 August this year, the Pre-school Learning Alliance was drawing attention to the funding concerns of many providers. I thank my hon. Friend for her speech.

I want to talk about a nursery in my constituency. Bright Sparks Nursery in Crawcrook contacted me to explain its concerns about the funding arrangements for the Government's 30 hours' free childcare scheme and how that will bring financial difficulties for the provider and have an impact upon what it can do for children. Bright Sparks has been established for nearly 40 years and has been consistently rated outstanding by Ofsted, as well as being very popular with local parents. The nursery tells me that it has always offered the funded hours and wants to do the very best for the children there but is struggling with the new scheme due to the lack of funding in the formula.

Bright Sparks charges an hourly rate for three and four-year-old children of £5, and the basic rate locally is £3.85. The nursery gets an uplift from a quality payment, but even then, it is short of 70p per hour, per child in providing the nursery service. Every child is accessing funding in the nursery, which makes a massive difference, and Bright Sparks is now having to work with fewer staff and be less flexible in the sessions it can offer, to the detriment of the families that this policy is supposed to help. As a term-time only, school-hours setting, it does not have the flexibility to recoup money through other payments and is really concerned about its long-term viability under this scheme.

As we have heard, many nurseries and childminders have already closed their doors because the scheme simply does not add up. Bright Sparks fears the impact of this funding shortfall and says that it does not want to be another casualty of this Government. It wants to carry on providing high-quality childcare but needs to meet its essential costs.

Having accessible and affordable childcare is really important to families across the UK, but a policy that does not recognise the real cost of high-quality nursery provision risks reducing the availability of childcare places near to where parents and children live and near to communities, and I fear it will be counterproductive. I ask the Minister to look again at the funding arrangements to ensure that nurseries such as Bright Sparks can continue to operate and achieve high standards for children.

3.44 pm

Thelma Walker (Colne Valley) (Lab): I thank my hon. Friend the Member for High Peak (Ruth George) for giving us the opportunity to debate this important issue.

When a family are spending a majority of their income on childcare, something has to give. We continuously hear how we should be more economically stable in work than out of work, and I am sure we all agree with that. However, that means that we need childcare that is accessible and there for families when they need it. With wages stagnant, and dropping in real terms, 30 hours a week of free childcare would save the average family £5,000 a year. This policy is a positive step in the right direction for families, and I welcome it.

We need childcare that is affordable and people not being priced out of the market; childcare that works for

parents, families, and most of all, children. Children learn through interaction, play and exploration, and early years education is fundamental for a child's development. Every child matters—rich or poor, from north or south, from the country or the city. Each and every one of those children deserves the best start in life. I think we all agree on that, so why are we allowing parents and families to be priced out of early years education, when we all understand that it is vital?

We need to recognise that many families are still unable to access the 30 hours of free childcare. With cuts to local authorities and education budgets, the Government are, unfortunately, failing these families and children. Those children will fall behind other children in their academic, social and emotional development. With cuts and closures to Sure Start centres—I speak as a former headteacher of a school with a Sure Start centre—our most vulnerable families are now without the necessary support and early intervention that they could rely on under a Labour Government. The Conservative party said in its general election manifesto that, by September 2017, three and four-year-olds would be receiving free childcare, yet we have still not had a full roll-out of the policy. On top of that, local providers in my constituency of Colne Valley tell me that it is time-consuming to administer the entitlement.

We need to recognise that many families in areas where the roll-out has taken place have had issues accessing the portal to register. From the perspective of Kirklees Council, there remains a lack of clarity about what childcare providers can charge for as an optional extra, and what constitutes a condition of access. That limits the opportunity for local authorities to champion the rights of parents and families. Prior to the full country roll-out, those issues need to be resolved, to make sure that those families who can be in receipt of 30 hours of childcare can access it. We need a childcare provision that works for the many, not the few.

3.48 pm

Stephen Lloyd (Eastbourne) (LD): It is a pleasure to serve under your chairmanship, Mr Rosindell. I congratulate the hon. Member for High Peak (Ruth George) on her heartfelt speech, which was also accurate in highlighting some of the challenges that this project faces.

I put my cards on the table: I think this is a great project. It is something myself and other parties were excited about when it launched, because it is something that myself and my party have been advocating for a long time. I was consequently disappointed that the Government are trying to introduce what is essentially a Rolls-Royce programme, but not with Rolls-Royce-adequate funding. My fear is that, if we do not get this tremendous programme right—it is supported across the piece and across the political parties—for the sake of essentially 42p to 48p per child per hour, the programme could crash.

If the programme crashes, it could be a long time before it is picked up again, not because of a lack of will among the other parties—I know Labour has been pushing for this programme for a long time—but because the industry will be so badly fractured and morale so damaged that I am not sure it will be ready to pick itself up.

[Stephen Lloyd]

I believe that that is quite possible. Recent research shows that 56% of nurseries think they could be out of business in the next 18 months. Let us say, for the sake of argument, that a quarter are affected. If 12%, 15% or 18% of a sector closes its doors and drops out of business, that is a car crash. That is a matter of tremendous urgency, and I urge the Minister to get behind it and to talk to his colleague the Chancellor in the Treasury.

I know the Minister from my previous time in the House, and I have a lot of respect for him. I know that he is passionate about this issue. Although I am sure he will deny it, when he stands up at the end of the debate and says that everything is fine, it is all going to be cushty and nobody is complaining, I know that he will know that is not true. Knowing the Minister from before as I do, my view is that he would support me in the submission that that extra x number of pence—I know it is multiplied many times—would make a considerable difference to this programme.

Mr Goodwill: I know the hon. Gentleman is talking about pence, but is he aware that a 10% increase in funding would be well in excess of £250 million per year?

Stephen Lloyd: I am well aware of that. I would say to the Minister that if the whole programme crunches and 20%, 18% or 25% of the providers drop out of the business there will be no business for our children. Truly, I believe that £250 million split across that sector, particularly for something as important for our children and their future, is a price worth paying.

Time is always limited in these debates, so I ask the Minister to consider three proposals seriously. First, will he meet with representatives from the childcare provider and nursery sector, and also from independent providers? In my Eastbourne constituency I know many of the independent providers. They are Ofsted-tested, professional, trained women, half of whom, frankly, I can see pulling out of the industry as independents in the next nine months if the situation is not sorted. Will he meet with representatives from the sector, both nurseries and independent childminders?

Secondly, will the Minister also commit to listen to those representatives and to explore how much additional funding would be needed to just make this programme work? We appreciate that it is early days, but there are always teething problems when things start up—do not even get me going on universal credit, or I will be here all day—and if the Minister met with the people who know how much difference the finances would make, that would be terribly useful.

Last but not least, will the Minister reconsider giving providers flexibility when they make that offer to parents? If they have that little bit of flexibility, they can put on the paper, “This is how much extra we would charge you; you would get this.” I will tell the Minister what happens when they do not have that flexibility: people have to be disingenuous, and I do not like that. I know a lot of the childcare providers and the independents. They are honourable people who care passionately for what they do. If they do not continue being disingenuous, what then? They will go bust—

Andrew Rosindell (in the Chair): Order.

3.53 pm

Sandy Martin (Ipswich) (Lab): Happy Tots is a charity-run pre-school in east Ipswich, which has been successfully running for over 30 years. The pre-school has approximately 75 on its roll—there are morning and afternoon sessions for 38 children aged between two and five—and it employs 16 staff. Last year, it was awarded Millie’s Mark for inspiring excellence in paediatric first aid—the only pre-school in Suffolk to hold the award.

Happy Tots has told me that, to implement the 30 hours, it will have to lose some of the places for children who are already attending, as it is unable to recruit sufficient additional staff. Even if it were able to do so, it would need to expand its premises to accommodate the extra child hours, and there are no suitable larger premises in the area into which it could move. It has been looking for larger premises that it can afford for over three years, without success. Any larger premises locally are at a higher rate of rent, which, as a charity, Happy Tots would not be able to afford. Unlike some private providers, it is not able to cross-subsidise its places from paid placements. It is clearly wrong that any provider should have to cross-subsidise anyway, but for those charity providers in deprived areas where that is not an option, the current proposals will threaten their very existence—exactly the opposite of the Government’s declared intention to improve provision for deprived areas.

The £3.87 per child, per hour that Happy Tots will receive under the new funding arrangements is a 25p drop from the existing funding. It may be forced to close the pre-school if it suffers the financial losses that it is expecting. The only way that it can try to ensure that that does not happen is by asking parents—most of whom would expect their children to receive free school meals once they are at school—for termly snack contributions. It is divisive and unjust to expect them to have to pay more for their younger children or, even worse, decide that they are unable to pay, and face the stigma of being parents who cannot provide for their children.

Like my colleagues, I fully support the concept of expanding the availability of childcare, but these proposals are rushed, ill thought out and likely to reduce the availability of childcare, not increase it.

3.56 pm

Jonathan Reynolds (Stalybridge and Hyde) (Lab/Co-op): I thank my parliamentary neighbour, my hon. Friend the Member for High Peak (Ruth George), for securing this debate, because investing in quality, sustainable and affordable childcare is, quite simply, the best investment a country can make. It enables children to excel and fulfil their potential, and parents to get out to work and fulfil theirs. It enables communities to become more economically active and more highly skilled, and offers the taxpayer immediate savings in benefits expenditure and in the long-term cost of the NHS, the education system and so on.

I am not usually delighted by Conservative manifestos, but when the Conservatives added a pledge of 30 hours a week of free childcare to their 2015 manifesto, I have to confess that I was delighted to see them nick one of

Labour's best commitments. It meant that, whichever party won the election, childcare was about to become more affordable and more accessible for struggling parents. If ever we should have consensus in an area, it is in this one.

As a parent of a nursery-age child myself, I declare an interest. I have also put three older children through nursery, so I can absolutely relate to the thousands of parents for whom the costs of childcare push household finances to the brink. As Members of Parliament we are all paid on very generous terms, but even so, when my youngest two children were in nursery at the same time, the monthly bill came to more than our mortgage, so the need to get this policy right is paramount. That is why I am so bitterly disappointed that the Government have failed to put their money where their mouth is.

I asked parents and childcare professionals in my constituency to send me their early experiences of the policy. Three clear problems emerged: first, local nurseries and childminders have an unsustainable raw deal financially; secondly, the registration system is chaotic and unfit for purpose; and finally, the eligibility criteria for the scheme are far too strict.

Let me start with the terrible deal that nurseries have been dealt and the dire consequences of that. The amount that the Government have given local authorities to provide these supposedly free hours is simply not enough. It does not cover the cost of wages, premises, utilities, food or learning resources. One outstanding nursery told me that it was losing £500 per year for every free 15-hours place. That will double to an impossible loss of £1,000 per place when extended to 30 hours.

Nurseries that offer the 30 free hours are left at risk of closure because they lose money for every hour's childcare they provide, but nurseries that do not offer them are at risk of closure because parents will, understandably, choose to go elsewhere. Almost all nurseries are therefore being forced to cut costs, and it is children who pay the price. Given that there is a proven link between the amount that staff are paid and the likelihood of a nursery being rated outstanding, a race to the bottom is clearly bad news for staff, kids and parents alike.

The registration system for parents is far too complicated. My constituent Cat applied online in April. The nursery asked for her code, which had not yet been provided. That code took 10 days to arrive, by which time the nursery was told that it had expired. She has repeated the process several times now, with endless phone calls and emails, and is now anxiously waiting to find out whether her application for her child's place has been successful. That seems a bizarre set of hoops to have to jump through to gain a funded place at a nursery her child is already at.

I have constituents who are not entitled to these free hours because the Government do not deem them to be eligible. They include John and Nicola Andrews from Dukinfield. John works full time, but Nicola is a trainee midwife. Although she works an excess of 40 hours a week practising and studying for the NHS, because that is unpaid, she is not deemed to be a fit candidate for free childcare. This woman is working hard in a valued public service, but we are not going to help her with her childcare—Minister, that is wrong.

Likewise, I have constituents not in work who would like to return but cannot apply for jobs and attend

interviews without childcare being in place. We should simply be offering free hours to parents whether they are in work or not, which is the Labour party policy and should become the Government's policy too.

Minister, please listen to these concerns. Do not hide behind reports from two years ago. This is a mess and it needs to be sorted out for a better deal for parents, providers and, most importantly, children up and down this country.

4 pm

Dr Philippa Whitford (Central Ayrshire) (SNP): Obviously, everyone in this room welcomes the expansion of childcare to 30 hours, but we are hearing that entitlement to that is only if someone is already working. As the hon. Member for Ipswich (Sandy Martin) said, if someone is trying to get work they get caught in this trap where they cannot accept a job because they do not know whether they will be able to organise childcare.

That is one of the differences with the Scottish scheme, which also aims to provide 30 hours; but that is 30 hours across the board, whether someone is working or not. Our approach is partly to help more people into work, but is particularly about looking at it as early learning rather than just childcare. We all face the attainment gap, particularly in the most deprived areas, and lots of research shows that it is already embedded when a child enters primary school. We blame primary and secondary schools for trying to swim against the tide. The aim is that all three and four-year-olds will have 30 hours of accredited nursery places. That is also for vulnerable two-year olds, because the earlier we can interact with those children, the more we can try to make up for the situation that they find themselves in.

Alex Cunningham: I welcome what the hon. Lady says about the need for early learning as opposed to babysitting. She will recognise that the Sure Start system that we developed in England was a tremendous success. We are now seeing the data, with headteachers saying that the children arriving in school are more equipped and school-ready than ever before—all the more reason why we must get this policy right as well.

Dr Whitford: There is no question about that. My son was in the first year of a four-year entry. The teacher noticed a difference in not having children crying and wetting themselves, totally shocked at being at school, because they had already had a gentle year in nursery. Therefore, when they started school, they went straight into learning. That is available earlier: we have it for three and four-year-olds. However, at the moment, 16 hours is not enough for people and it is not flexible enough. Increasing that to 30 hours and putting it across the board means that more women in particular can use it to get into work, by having it in place already, and we can invest in the early years development of our children.

Any of us with children know that raising them is expensive, and unfortunately families have taken quite a big hit. With the reduction in things such as tax credits—the limitation to the first two children, for example—it has never been harder for families. It is often forgotten that tax credits are for people who work, not for people who are unemployed. We often seem to forget that in these debates. There are many hard-working families who are struggling. As mentioned by the hon. Member for Colne

[Dr Whitford]

Valley (Thelma Walker), this could save up to £5,000 a year. That is a significant difference; but it is only a difference if someone can find a place. Therefore, if half the nurseries shut, it will be an almighty crisis. If parents have to pay for meals and other trimmings around the edges of the nursery, it is not free at all. In fact people will be hit by that who would not previously have been hit, so some people will be worse off.

We are doubling the funding. The minimum in Scotland will be £4.30 an hour, and the average will be £4.94 an hour, because ours is predicated on the real living wage, not the national living wage. That is the other thing when we talk about entitlement and the quality of nursery education. If there is just a revolving door of people who put up with it and put up with the low wages until they can get something better, we will never grow a profession that is aimed at developing the early years of our children.

We need to get ready for this. Obviously, we are having to expand this out—we need far more places than we have at the moment—so this will be workforce skills development funding. We need more diversity. Some 96% of those who work in early years are women. There are many children who have no good male role models in their lives, and we need to get more men into nursery and primary school to help to provide that. We should have a diverse workforce. There is funding to bring in over 400 more graduates to our nursery provision, because we want this to be about early learning, not just racking and stacking children so that their parents can be at work; that will not achieve what we are setting out. It is important that there is that investment in the workforce.

The most important thing is the empowerment of women to get back to work. That can get women out of the poverty trap. We already save them money. We in Scotland have the highest employment and lowest unemployment rate among women, but there are still women trapped. I remember offering a job to a woman recently. When she looked at all the sums, it was not doable, and the big piece that held her back was her childcare. That will be happening all over the place. This has to be dealt with. In Scotland we have 14 pilots on flexibility going ahead. Many Members have mentioned how inflexible the system is.

I worked as a senior registrar, as a surgeon. I was the first flexible surgical trainee in Scotland. I was paid 21 hours; I worked 50. That is fairly standard in the NHS. By the time I paid a nanny, because I needed to be on the ward shortly after seven, I took home less than unemployment benefit, because I needed to pay her a decent rate. We had to accept that for my career to go forward—we had to ride through that and accept the debt—but many of these families cannot afford to work for nothing or less than nothing. If they have a job that has antisocial hours, long hours or is all spread at one end of the week, we need to have that flexibility. We have 14 pilots looking at a whole lot of versions, but the principle is the money follows the child, so that if a family need mix and match, they can have mix and match. That will also allow a quicker expansion. Empowering women and bringing them in will also support the economy.

We have all these brains across the country: people with talent, who have been highly educated. We spend maybe a decade bringing up our children and then do not get back into the workplace. We do not have wraparound childcare for school. We need to invest in women because they are also part of the country's future economy.

There are things that we are trying to do in Scotland. Things are being discussed here. But if we are going to do this, we have to do it properly.

4.7 pm

Tracy Brabin (Batley and Spen) (Lab/Co-op): It is a pleasure to serve under your chairmanship, Mr Rosindell. I thank my hon. Friend the Member for High Peak (Ruth George) for securing this much needed debate. We have heard some interesting and important contributions. I will just go through a few of them; unfortunately, time does not allow me to mention everyone.

My hon. Friend the Member for High Peak powerfully claimed that the pilot schemes were not actually working as the press said, and that there were nursery closures. The hon. Member for South Suffolk (James Cartlidge) acknowledged that there is a problem and tried to understand why. The hon. Member for Eastbourne (Stephen Lloyd) would like to meet the Minister and providers. We heard from my hon. Friends the Members for Ipswich (Sandy Martin), for Stalybridge and Hyde (Jonathan Reynolds) and for Stockton North (Alex Cunningham). We also heard a powerful statement by the hon. Member for Central Ayrshire (Dr Whitford)—I look forward to my invitation to Scotland. We also heard from my hon. Friends the Members for Enfield, Southgate (Bambos Charalambous), for Blaydon (Liz Twist) and for Colne Valley (Thelma Walker), who gave all sorts of information about portal difficulties and nursery managers saying that they will be closing.

We have had a wide-ranging debate, so I am going to use my contribution to touch on the most pressing issues. I hope that the Minister will use his closing remarks to answer in detail—regrettably, getting clear information from him to date has been slightly challenging to say the least—because both the Labour party and the Conservatives agree that we need more funded childcare. I stress that the problems raised with the policy are not because we disagree with the policy in principle. However, nearly as soon as David Cameron announced the offer at the 2015 general election, worries that it was underfunded came to light. The Government pushed on the delivery, and the voice of concern about the potential impact became louder.

The Pre-school Learning Alliance found a 20% funding shortfall. The Social Market Foundation and the New Economics Foundation have said that this version of free childcare is regressive. Research from Ceeda shows that nearly half the childcare settings are currently recruiting staff, but four out of five say that they are struggling to fill vacancies. If this were any other industry, we would be talking about a recruitment crisis. The Sutton Trust has warned that, as it stands, the 30 hours of free childcare offer widens the gap between disadvantaged children and their wealthier peers before they start school, as it benefits wealthier families. The Social Market Foundation shows that of the extra money that the Government are pumping into early years, 75% is

being spent on the top 50% of earners and less than 3% will go to the most disadvantaged. Many providers have left or are in the process of leaving the sector. Will the Minister include in his summing-up how many Ofsted good or outstanding providers have left the sector in the past six months?

We are now well into the first term of this policy, and the Minister has told us that 216,384 parents have their codes for this term. However, just last night he told me via a written answer that 71% of parents had had their codes validated, but the Department for Education claims that the figure is now 90%, so which is it? Do we take the Minister's word or the Department's? I would welcome an intervention if he could clarify which is correct. If the figure is 90%, that leaves 20,000 children without a place during this August term, which will obviously be the quietest, as more children come of age later in the year. Does the Minister share our concern that the sector will struggle to provide places as the year rolls on, because of lack of funding?

We have talked about signing-up codes. To deal with an eligibility code, the application system has to be fit for purpose, which it clearly was not as the August deadline approached. The system's inadequacies have left parents stranded. There is confusion between Her Majesty's Revenue and Customs and local authorities as to when the deadline for validating the code is. A constituent of mine has a code that is eligible until 7 December, but as she did not receive the code until 15 September the local authority has said that it cannot fund her place, and all the while HMRC is telling her that there is no problem and that she should be receiving her place. There is no clarity even on issues as simple as the deadline. It seems like amateur hour to me.

Variations from local authority to local authority are becoming a theme, with one authority planning to retain some disability access funding even though that should be passed on in full to providers. Another local authority is charging a provider for every minute that parents dropped off late and collected early, with the charges amounting to £4,000. Others require all providers offering funded places to receive an annual visit from the local authority's early years team, which is what we all thought Ofsted was supposed to be there for. Getting payment out of local authorities is proving a struggle. Issues include refusing to pay monthly, bringing headcounts forward at short notice and requiring new email addresses and bank accounts in order for payments to be received.

The Minister knows full well that that is not an acceptable way to treat small businesses and microbusinesses. An issue that I have raised with him is that settings will charge for extras such as trips out, nappies and lunches in order to pay their staff and keep the lights on—to stay afloat. Can he guarantee today that there will not emerge a two-tier system whereby parents who cannot afford to pay for the extras do not have access to the policy? Does the Department intend to monitor the additional charges placed on parents, and will he commit to reporting on that? Will he consider a cap on those charges, or will it be a case of parents who cannot afford the extras being sent to the end of the waiting list?

If there is one thing noticeable by its absence, it is that the Minister never wants to talk about the quality of childcare. The Labour party has a policy to move to a graduate-led workforce and to put child outcomes at

the heart of early years policy, by funding our policies properly. It is curious to me that the Conservatives do not have the same goals. Often, the highest-quality provision comes in the form of maintained nursery schools, many of which are seeing numbers drop, as they cannot offer 30 hours because of the cost of lunch provision. Nursery schools, which are often in the most deprived areas, provide excellent care, closing the gap between the most deprived children and those more fortunate.

Many children from deprived communities currently have access to quality nursery schools that employ qualified nursery school teachers. Those schools do a tremendous job of enhancing those children's life chances, but they assure me that they will not be able to fund the continued employment of those qualified teachers. It is important that we distinguish between childcare and early years education. Save the Children is concerned that 40% of nurseries that took part in the pilot reported a loss in profits and, therefore, a threat to their sustainability. When I asked how many children were registered with maintained nursery schools for this academic year, the Minister was unwilling to share that information. Will he do so today?

When the Minister last spoke in the Chamber, he mentioned that he would like to get the 5,500 dormant childminders "back into that business", but how will he do that if their wraparound care is not necessarily part of the 30 hours provision? Childminders are often highly qualified women with a level 3 national vocational qualification who have been Ofsted-assessed. I have been told categorically by a number of constituents that the county council funding provided means that they will go bankrupt. They are just going to throw in the towel—why bother?

I encourage the Minister to think again about a major injustice to childminders in this roll-out. His Department has relaxed the parent-child ratio for childminders who provide wraparound care. Is it the Government's intention to relax that further in an attempt to make the funding work? Is that the way forward for childminders? How many freelance working parents have been excluded from the entitlement because they cannot guarantee that they will work more than 16 hours a week on the national minimum wage? The reality for many working parents in my constituency is that their employers will not guarantee them those hours, and nor can they, which makes it even harder for parents to return to work.

In the Chamber, the Minister said:

"There are colleagues in the House from places such as York, Northumberland"—

he goes on to list them—

"which have been in the pilot for a year. I have not heard a peep from anyone saying that the scheme is not working, so obviously the pilot has been successful."—[*Official Report*, 6 September 2017; Vol. 628, c. 173.]

As my hon. Friend the Member for High Peak mentioned, those nurseries are having trouble squaring the circle. When papers, experts, providers and think-tanks all say that the policy is not sufficiently funded to work, surely it is time to reassess and ramp up the finances so that it is properly funded?

I have been startled by the number of providers who have said to me that they will not be able to take on children who need extra support. If such a child presented,

[Tracy Brabin]

they would put the child on a waiting list or gently suggest that there might be a better setting for them. That is discriminatory, but not unexpected when nurseries are budgeting to try to stay afloat, rather than to offer the best, most comprehensive service.

In conclusion, there is little doubt that the 30 free hours of childcare will be a welcome relief to many parents. It will bring childcare costs down for many parents, particularly at the upper end of the income scale, as research by Nursery World and the Resolution Foundation found recently. However, there is no getting away from the fact that this policy is chronically underfunded. No matter which way we look at it, providers are going to pay the price. The sector is known for its quality and passion—it transforms young people's lives—and if the Government put that in peril with this policy, I suspect that they will not be forgiven lightly. As the Minister is well aware, tens of childcare providers are in this Chamber who would like to hear his views. Will he rethink his offer to come and meet them, as he originally intended?

Andrew Rosindell (in the Chair): Does the hon. Member for High Peak wish to exercise a short right of reply at the end?

Ruth George: Yes, if there is time.

4.19 pm

The Minister for Children and Families (Mr Robert Goodwill): I will make time for the hon. Member for High Peak (Ruth George) to respond. I congratulate her on securing this important debate and thank her for contributing to the debate on the urgent question on 6 September about the 30 hours of free childcare. I welcome her involvement in the all-party group on childcare and early education, and look forward to attending its meetings in due course.

I almost feel as if I am living in a parallel universe. I spend a lot of time visiting nurseries; indeed, yesterday I met someone who owns six nurseries in the south of England that are engaged with the scheme and delivering childcare on the basis of it.

Tracy Brabin: I think I mentioned the parallel universe to the Minister in the Chamber. The nursery provider in his example has six nurseries and may be able to square the circle, but we are also concerned about the smaller providers.

Mr Goodwill: Precisely. Indeed, the proprietors of many smaller providers often work in their nursery, so their costs are not necessarily higher.

There has been some confusion about the number of children who are eligible. Children become eligible as they turn three. We predicted that there would be approximately 200,000 eligible children in September, followed by another 100,000 or so after Christmas and Easter. Those are the figures that we have always borne in mind. We also estimated that only about 75% of parents would apply for the scheme—a similar figure to the proportion of more disadvantaged families who apply for the free 15 hours of care for two-year-olds.

Alex Cunningham: Will the Minister give way?

Mr Goodwill: May I make some progress? A lot of points have been made in the debate, and I would like to answer some of them.

I am sure that all hon. Members present join me in acknowledging that, for many families with young children, childcare is not just an issue, but the issue. In many cases, the costs of childcare are a huge barrier to work, particularly for those in lower-paid jobs. Some parents still spend over a third of their take-home pay on childcare—and when I say childcare, I mean good-quality early years educational experiences. Indeed, 93% of the delivery is good or outstanding.

The Government's priority is to ensure that parents who want to work after having children can do so, and that the cost of childcare is not a barrier. We therefore delivered in September on our promise to double the free childcare available for working parents of three and four-year-olds. We are also supporting parents with childcare costs, through working tax credits and universal credit—where up to 85% of the costs are covered—and tax-free childcare, which provides a 20% subsidy that is worth up to £2,000 per child per year and up to £4,000 per year for disabled children. That answers the point made by the hon. Member for Stockton North (Alex Cunningham) about particular help for disabled children.

Alex Cunningham: Will the Minister give way?

Mr Goodwill: I have very little time left, so I will make some progress now and give way at the end if I have time.

The Government are committed to giving every child the best start in life, whether their parents work or not. The 30 hours of free childcare are helping the lowest-paid working parents to manage their finances and have more money left over for their children's needs. A lone parent needs to earn only around £6,500 a year to access the 30 hours of free childcare. Parents can apply for the 30 hours if they have a job offer; in answer to the hon. Member for Stalybridge and Hyde (Jonathan Reynolds) and the SNP Front-Bench spokesperson, the hon. Member for Central Ayrshire (Dr Whitford), I can confirm that we can issue a code on the basis of a job offer even when Her Majesty's Revenue and Customs has no track record of a person's income.

Dr Whitford: The problem is that a job may start quite quickly. Having a ticket does not mean that someone has found a place. That is the advantage of already being in a place.

Mr Goodwill: As the hon. Lady points out, we have tranches of entry, so anyone who has an offer in August for a job that will start in September could get a code. The situation is similar for people who want more hours. We have been as flexible as possible in ensuring that those codes can be given. We take people's word for it that their job offer is real, but when they confirm the code it becomes apparent.

This provision builds on the existing 15 hours a week of high-quality early learning that workless households of two, three and four-year-olds are entitled to. We know that starting education early makes a difference to long-term attainment and earnings, and that work is

the best route out of poverty to transform children's life chances. I heard this week from a school principal who had supported parents of two-year-olds getting the free hours to retrain and take up employment when their child became eligible for 30 hours. That is a fantastic outcome from a programme in its infancy. The 30 hours is making a real difference.

Jonathan Reynolds: I cannot believe that the Minister is not receiving representations that list the problems with this policy. Let me give him an example that I could not fit into my speech in the time available: my children's school is ending free provision for under-fours, because the funding simply does not work as it has worked in the past. There is actually a net reduction in provision. Is he honestly saying that he is not receiving messages like that from around the country?

Mr Goodwill: I am surprised to hear that from the hon. Gentleman, because Tameside council in his area received a 25% increase in the hourly rate given after our review. We are putting our money where our mouth is.

As hon. Members will know, we rolled out the policy with a pilot that delivered for 15,000 children, and on 1 September, we rolled it out nationally, so that all eligible parents could join the 15,000 families in our pilot areas already benefiting from 30 hours. As expected, demand for the 30 hours offer has been high, and more than 216,000 parents have successfully received eligibility codes for the autumn term. I am pleased to be able to update the House: 90% of those codes have been checked by a provider on behalf of a parent seeking a 30 hours place. That is up 19 percentage points from 71% when I last reported, which is fantastic progress.

Of course, that figure may still continue to increase slightly, but I want to be clear that I do not expect it to reach 100%, because we cannot predict parents' choices and situation. People's circumstances will change. Not every person who successfully applied for a 30-hours code will decide to seek a free place for their three or four-year-old. Some parents will want to stick with a provider who does not offer 30 hours; other parents who applied for tax-free childcare and were eligible for 30 hours and who were issued a code will not want to take up that place because they might use the tax-free childcare offer. The figure may increase slightly, and I will keep the House updated.

Alex Cunningham: Before the Minister concludes, I would like him to return to provision for disabled children. I accept that there is additional money in the system that was promised, but provision simply is not ramping up to the extent needed. What more can the Minister do, beyond funding, to encourage providers to give us facilities for disabled children?

Mr Goodwill: Children with special needs certainly need special provision, and we are keen to ensure that we can continue to deliver that. As we move from the old statements to plans in mainstream education, it is proving an effective way to identify the children most in need. We must also consider how to help those in their early years as well.

Liz Twist: Will the Minister give way?

Tracy Brabin: Will the Minister give way?

Mr Goodwill: No. I have very little time—three minutes—and I need to make a few points.

I am hearing fantastic individual stories showing the extraordinary impact that 30 hours childcare is having on families up and down the country. For example, a local employer in Staffordshire recently told us that parents who work at their factory no longer have to hand over their children in the car park as one parent clocks off and the other clocks on. Families like that are now enjoying family time together, rather than passing each other like ships in the night.

I will quickly cover one or two of the points made in the debate. The hon. Member for High Peak and the hon. Member for Colne Valley (Thelma Walker) mentioned nurseries no longer being able to charge for lunches or additional hours. That is not the case. The early education strategy guidance is clear that providers can charge parents for meals and consumables, and for hours outside the free entitlement. Parents must not be required to pay any fee as a condition of taking up a free entitlement place. Many parents with a long working day need additional hours, and the system includes great flexibility,

Tracy Brabin: I thank the Minister for giving way. Does he intend to cap those costs? Such charges will be what keep nurseries' lights on and their staff employed. Will there be a two-tier system, and will he cap the costs?

Mr Goodwill: Nurseries are entitled to charge for additional hours and meals, nappies and other consumables, and they are free to charge what they wish, but a parent with a code can shop around and get a place that meets their exact requirements. As I said, 90% of the codes issued have now been taken up by providers. We are seeing many flexible arrangements: for example, a nursery and a childminder may work together to deliver provision.

I must conclude, but there are a number of other points that I would like to have made. I will write to hon. Members to answer their specific points when I get the opportunity. I am proud of how the 30 hours childcare offer is transforming families' lives. Parents up and down the country are enjoying more time with their children, more money in their pockets and less stress because the programme is cutting the cost of childcare. I hope that the hon. Member for High Peak has a few moments for a winding-up speech.

4.29 pm

Ruth George: I thank all my colleagues who have made such excellent speeches and good points. I simply ask the Minister to revisit the costings and meet providers to learn from them, especially those in outstanding settings employing graduate and fully qualified staff in order to provide the best-quality childcare.

4.30 pm

Motion lapsed, and sitting adjourned without Question put (Standing Order No. 10(14)).

Written Statements

Thursday 12 October 2017

BUSINESS, ENERGY AND INDUSTRIAL STRATEGY

Clean Growth Strategy

The Minister for Climate Change and Industry (Claire Perry): The Government are today publishing the clean growth strategy—an ambitious strategy to cut emissions while keeping costs down for consumers, creating good jobs and growing the economy. This is an important component of our modern industrial strategy. We are also laying our responses to the Committee on Climate Change's 2017 progress report to Parliament and publishing a suite of related documents.

Clean growth can make a real difference to people's lives, from reducing energy bills and improving air quality, to supporting new technologies and boosting earning power in high-quality jobs.

We start from a position of strength. We have already made significant progress towards our legally binding 2050 target to reduce emissions by at least 80% against 1990 levels. We exceeded the target emissions reductions of our first carbon budget (2008 to 2012) by 1% of the budget level and we project that we will outperform against our second and third budgets covering the years 2013 to 2022 by almost 5% and 4% respectively.

The UK is a world leader in cutting emissions while growing the economy. Provisional statistics indicate that UK emissions in 2016 were 42% lower than in 1990 and 6% below those in 2015. At the same time, the UK's GDP has increased by 67% since 1990 showing that a strong, growing economy can go hand in hand with reduced emissions. On a per person basis, this means that we have reduced emissions faster than any other G7 nation and led the G7 group in growth in national income over the period.

The global transition to a low-carbon economy offers huge growth opportunities which the UK is well placed to take advantage of as a core element of our industrial strategy. Our low-carbon sector already employs over 230,000 people directly and another 200,000 through supply chains. Analysis for the Committee on Climate Change estimated that the low-carbon economy has the potential to grow 11% per year between 2015 and 2030—four times faster than the rest of the economy.

While we have performed strongly to date, the task ahead is significant. The clean growth strategy sets out policies and proposals across the whole of the economy and the country including business, housing, transport, power, the natural environment and the public sector.

Low-carbon innovation is at the heart of our approach, with over £2.5 billion of Government investment from 2015 to 2021. This forms part of the largest increase in public spending on UK science, research and innovation in almost 40 years.

The clean growth strategy is an important milestone in the UK's work to cut emissions and grow the economy. But it is not the end of the process. Clean technology is developing at a rapid pace and costs are falling faster than many predicted—for example, the cost of offshore wind has halved in two years. We look forward to

working with colleagues across both Houses and the devolved Administrations, and with people and organisations across the country, to ensure the UK can continue to lead the world in clean growth.

[HCWS158]

EU Environmental Council

The Minister for Climate Change and Industry (Claire Perry): I will attend the EU Environment Council, which will take place on 13 October in Luxembourg.

Following adoption of the agenda, the list of "A" items will be approved.

Under legislative proposals, the Council will debate two proposals with the aim to get an agreement in the Council of Ministers:

A regulation of the European Parliament and of the Council on binding annual greenhouse gas emission reductions by member states from 2021 to 2030 for a resilient energy union and to meet commitments under the Paris agreement and amending regulation No 525/2013 of the European Parliament and the Council on a mechanism for monitoring and reporting greenhouse gas emissions and other information relevant to climate change. This is known as the effort sharing regulation (ESR).

A regulation of the European Parliament and of the Council on the inclusion of greenhouse gas emissions and removals from land use, land use change and forestry into the 2030 climate and energy framework and amending regulation No 525/2013 of the European Parliament and the Council on a mechanism for monitoring and reporting greenhouse gas emissions and other information relevant to climate change. This is known as the land use, land use change and forestry regulation (LULUCF).

Under non-legislative proposals, the Council will seek to adopt conclusions on the EU priorities for the third meeting of the United Nations Environment Assembly (UNEA-3), and on the preparations for the 23rd session of the conference of the parties (COP 23) to the United Nations framework convention on climate change (UNFCCC).

The following items will be discussed under any other business:

1. Reports on recent international meetings:

Sixth session of the meeting of the parties (MOP 6) to the convention on access to information, public participation in decision-making and access to justice in environmental matters (Aarhus convention),

Joint high-level segment under the meetings of the parties to the Aarhus convention and its protocol on PRTRs,

Third session of the meeting of the parties (MOPP 3) to the protocol on pollutant release and transfer registers,

First meeting of the conference of the parties to the Minamata convention on mercury (COP 1), (Geneva, 24-29 September 2017)

13th meeting of the conference of the parties to the United Nations convention to combat desertification (UNCCD COP 13)

2. A more transparent, more effective and safer assessment of chemical substances.

3. Importance, for the implementation of the Paris agreement, of good co-ordination and coherence between the integrated national energy and climate plans for 2030 and the long-term emissions reduction strategies, as well as of minimum quality, comparability and transparency standards.

4. 50th session of the international seminar "Science for Peace the World Over" (Erice, Italy, 20-23 August 2017).

The UK has also secured an additional AOB to encourage those member states who are ready to proceed with early ratification of the Kigali amendment to the UN Montreal protocol to protect the Earth's ozone layer to do so in time for the 30th anniversary meeting of the parties to the protocol, in Montreal this November.

Last October, agreement was reached in Kigali to amend the protocol to phase down hydrofluorocarbons (HFCs) globally by around 85% by the mid-2040s. This could avoid up to 0.5 °C of global warming by the end of the century, making a major contribution to the Paris climate goal of a 2 °C limit. The amendment will come into force in 2019 as long as at least 20 countries have ratified by then.

[HCWS161]

TREASURY

Spending Authority

The Chief Secretary to the Treasury (Elizabeth Truss):

It is important that Departments can start spending to prepare for Brexit when they need to do so. Managing public money requires that expenditure on new services must rest on specific legislation. However, delaying spend until legislation has reached Royal Assent could jeopardise readiness for Brexit.

To address this, for the small proportion of spending affected, Ministers can issue a technical direction, allowing critical spending to be incurred ahead of Royal Assent, whilst ensuring transparency to Parliament.

In these cases, the use of a direction will be a matter of timing. Departments will still need to ensure spending is in all other respects regular, proper, feasible and good value for money, in the usual way. I have asked my officials to write to all Departments explaining this process. They will also write to the Public Accounts Committee—this letter will be published to ensure full transparency.

As confirmed yesterday, by the Prime Minister to the House and by the Chancellor to the Treasury Committee, the Treasury has committed over £250 million of additional spending in 2017-18 to prepare for Brexit from the reserve. Departmental allocations will be set out at supplementary estimates in the usual way. An update on Brexit spending will also be provided at the autumn Budget.

[HCWS162]

HEALTH

General Practice Indemnity

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

I am today updating the House on recent developments regarding indemnity arrangements for NHS general practice in England.

The Government are committed to ensuring that general practice is an attractive long-term career option that gives stimulus and stability to our brightest medical graduates. Therefore, today I have announced that the Department of Health is planning, subject to examination of relevant issues, the development of a state-backed indemnity scheme for general practice in England.

Rising cost of indemnity is a great source of concern for general practitioners (GPs). Our ambition is to deliver a more stable and more affordable system for GPs and their patients. The scheme could provide financially sustainable cover for future, and potentially historic, claims arising from the delivery of NHS services.

The Department has benefited from the engagement with the four Medical Defence Organisations (MDOs) and GP representatives over recent months. Any new scheme should meet the needs of current and future GPs, be in the interest of patients and represent value for money for taxpayers. Transfer of historic liabilities from MDOs to a new scheme would be dependent on satisfactory negotiation with the MDOs.

We will explore with GP representatives how to embed new indemnity arrangements, including the future costs, into GP contract negotiations. The Department will set up a stakeholder group and arrange a first roundtable next month with the Royal College of General Practitioners, the British Medical Association and other GP representatives to gather views from general practice and agree how best to engage with the sector going forward.

Any scheme would take at least 12 to 18 months to establish and require careful negotiation. GPs should continue to ensure they have appropriate indemnity cover in line with General Medical Council requirements to enable them to practise. NHS England has already committed to provide additional funding to GP practices to cover the estimated annual indemnity inflation for 2016-17 and 2017-18. NHS England has also announced additional money for indemnity cover over the coming winter.

Indemnity arrangements are a devolved matter and the Department will continue to liaise with the devolved Administrations, who will make their own decisions about indemnity provision in their territories.

[HCWS159]

TRANSPORT

Rail Infrastructure Funding 2019 - 2024

The Secretary of State for Transport (Chris Grayling):

I am today publishing my final statement of funds available for the railway in England and Wales for control period 6, which covers the years 2019 to 2024. This follows my publication of a high level output specification and initial statement of funds available on 20 July.

The high level output specification made clear that the Government are determined that the railway becomes more focused on issues that matter most to passengers—such as punctuality and reliability. It therefore focused on the operation, maintenance and renewal of the railway—areas which are crucial to delivering a more reliable railway. At the time of its publication, the Government deferred publication of a final statement of funds available, following more work to establish Network Rail's costs and the scope for efficiency savings across control period 6.

This work has now concluded. On the basis of further work by Network Rail, of continued scrutiny by the Office of Rail and Road (ORR)—including through its independent reporter, Nichols—and through work by my Department and HM Treasury to challenge costings, Government are now in a position to set out their funding envelope for control period 6.

At this stage we expect around £47.9 billion to be spent on the railway across control period 6. Of this, we expect up to £34.7 billion to be provided directly via Government grant, with the remainder coming from a combination of track access charges and income from other sources, such as Network Rail's property portfolio. These amounts will be refined during the regulatory process, which will produce by summer 2018 detailed draft amounts for the 2019 to 2024 period for consultation. Budgets will be set at route level, as part of the devolution of more accountability and authority to Network Rail routes, driving change in the organisation. The regulatory process will conclude with a final determination in October 2018.

During this process I expect the regulator to provide a strong efficiency challenge to maximise value for money, and the ORR has substantially changed its regulatory approach to help achieve this.

We have some of the most intensively used railways in Europe, and this investment focuses on the essential work needed to ensure their safety and reliability, including funding to support a significant increase in renewals activity compared to the current period, and increased maintenance spend to allow Network Rail to meet the challenges of a busier network. This investment recognises the critical importance of these activities in preserving the day to day operation of the railway.

I believe that a renewed focus on core railway activities will help return train performance to the levels that passengers expect and deserve. Overall, this significant funding demonstrates Government's continued commitment to investing in the railway for the benefit of passengers, communities, the supply chain and the wider economy.

The Government have already made clear that they expect new enhancements to the rail network to be developed outside of the regulatory system. However, the statement of funds available published today includes funding to continue to take forward the enhancements that were deferred from control period 5. In line with

the new process for enhancements these schemes will continue to be subject to ongoing consideration to ensure they deliver the best results for both rail users and taxpayers. In addition to this, I am making funding available for the early-stage development of new enhancement schemes. I will announce further details on a new process for taking forward enhancements later in the year. We need to ensure investment best addresses the needs of passengers and freight, and that funding commitments appropriately reflect the stage of development of those enhancements.

Furthermore, the statement of funds available also includes funding for continued investment in improvements to both the accessibility of the railway and the rail freight network. Our commitment to funding accessibility improvements in the railway further emphasises our drive to ensure that the railway is accessible to all. The Government have recognised the crucial role that rail freight plays in supporting the economy and the environment and our continued investment in the freight network recognises this.

Given the need to spend public money wisely and to incentivise the industry to do so, I believe the funding envelope published today is stretching yet achievable. I will continue to push Network Rail to improve its effectiveness and efficiency. In particular I support an ambitious approach to route devolution, so that Network Rail is more focused on its customers. I will also modernise the Government's oversight and assurance arrangements for Network Rail to properly reflect its public sector status. I have taken steps to ensure that this money is spent more effectively and that the problems with cost and delivery which occurred during control period 5 are not repeated. I will also continue to drive improvement across the wider industry, including the franchising system. I will update this House further on my plans for wider rail strategy in the near future. I am arranging for copies of the statement of funds available to be placed in the Libraries of the House.

The statement of funds available can be viewed online at:

<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2017-10-12/HCWS160/> .

[HCWS160]

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