

Tuesday  
17 October 2017

Volume 629  
No. 34



**HOUSE OF COMMONS  
OFFICIAL REPORT**

**PARLIAMENTARY  
DEBATES**

**(HANSARD)**

**Tuesday 17 October 2017**

---



# House of Commons

*Tuesday 17 October 2017*

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

## PRAYERS

[MR SPEAKER *in the Chair*]

## Oral Answers to Questions

### FOREIGN AND COMMONWEALTH OFFICE

*The Secretary of State was asked—*

#### Libya

1. **David Linden** (Glasgow East) (SNP): What recent discussions he has had with representatives from other UN Security Council member states on the protection of civilians in Libya. [901171]

**The Secretary of State for Foreign and Commonwealth Affairs (Boris Johnson):** I have regular discussions with our P3 partners—the French and the Americans—and with Italy, Egypt and the United Arab Emirates on how we can bring together the international community in support of the United Nations plan for Libya, which in our view offers by far the best hope for that country and the best prospect of security for all its people.

**David Linden:** The Foreign Secretary has been widely deplored for stating that Sirte could be the new Dubai if “they...clear the dead bodies away.”

This is just the latest gaffe from the Foreign Secretary. Will he do the right thing and apologise, or will he resign?

**Boris Johnson:** We must all be aware of the reality in Libya, and indeed in Sirte: there is a tragic absence of security and the problems of that city have yet to be resolved. But when they are resolved—they will be addressed, and are being, with the help of this country—the people of Libya will indeed have fantastic economic prospects, and that is the objective of this Government.

**Mr Philip Hollobone** (Kettering) (Con): The power vacuum in Libya is sucking in economic migration from the rest of Africa, causing deaths in the Mediterranean as migrants try to flee to the European Union. What can the Foreign Secretary do to make sure that the international community recognises the scale of the problem that it faces in this benighted part of the world?

**Boris Johnson:** As I have been saying, the key thing is to bring together all the sides in Libya—the two halves of the country, Mr Swehli, Mr Saleh, Prime Minister al-Sarraj and of course General Haftar—to change the Skhirat agreement of 2014 to get a new political settlement

and then to have elections, and through those elections to produce a unified Government that we believe offer the prospect of peace and security in Libya.

My hon. Friend also raises the problem of illegal immigration, which the UK is of course doing a great deal to combat.

**Fabian Hamilton** (Leeds North East) (Lab): When challenged about his recent “clear the dead bodies” remarks, the Foreign Secretary said that his only critics were those with

“no knowledge or understanding of Libya.”

Can he therefore respond to Guma el-Gamaty, the head of the Libyan Taghyeer party, who said:

“Libyans fought and died fighting Islamic State in Sirte... Many remain where they fell... It is insensitive to talk about those bodies as if they are some obstacle to British businessmen enjoying beer and sunbathing. The very least he should do is apologise to the families of the young men who died?”

Will the Foreign Secretary now directly apologise to those families today?

**Boris Johnson:** By far the best thing this Government and this House can do is to get behind the plan this Government are promoting to bring security to Libya and to Sirte, which would do honour to all those who fell fighting Daesh in Libya. That is the way forward for that country, and that is the course we are promoting.

**Wendy Morton** (Aldridge-Brownhills) (Con): Does my right hon. Friend agree that while the only way forward on Libya is for the international community to support Ghassan Salamé’s UN road map, the UK still has a unique part to play?

**Boris Johnson:** That is a very good point, because one of the difficulties in Libya over the last few months and years has been the tendency of actors across the international landscape to try to come up with their own plans, which has allowed the various parties in Libya to play one part of the international community off against another, and not to do the deals that are necessary. What needs to happen now is for the various parties in Libya to put aside their selfish interests and co-operate in the name of the country as a whole.

**Stephen Gethins** (North East Fife) (SNP): I am sure that the Foreign Secretary agrees that the UK has a special responsibility to Libya, given the 2011 military action and the aftermath. How does he think his comments have impacted on the relationship?

**Boris Johnson:** I can tell the hon. Gentleman that we have very good relations with all parties in Libya. One of our objectives, which remains undimmed, is to bring those parties together so as to form a unified Government of Libya.

**Stephen Gethins:** The Foreign Secretary is certainly right to say that he has managed to bring people together in Libya. Quite remarkably, he has been criticised across the political divide, as well as by a former British ambassador, and he was described as having “dishonoured” the sacrifice of those who fought and died in Sirte. Will

he now retract his comments, and will he tell us whether he is the best placed to take forward a relationship with Libya?

**Boris Johnson:** I do not believe that political point scoring of this kind or trivialising the reality—*[Interruption.]* Ignoring the reality of the security situation in Sirte does no favours to the people of Libya. They want to see the international community concerted and co-ordinated around the UN plan so that their children can have the opportunities that are currently being denied to their own generation in Libya. That is what we are working to achieve.

#### Kashmir

2. **Helen Hayes** (Dulwich and West Norwood) (Lab): What steps he has taken to support a negotiated settlement to the disputed status of Kashmir. [901172]

**The Minister for Asia and the Pacific (Mark Field):** As the hon. Lady will recognise, the UK's long-standing position is that it is for India and Pakistan to find a lasting solution to the situation in Kashmir, taking into account the wishes of the Kashmiri people. It is not for the UK either to prescribe some sort of solution or to play a mediation role.

**Helen Hayes:** In the context of continued reports of human rights violations in Kashmir, will the Minister commit to placing human rights and a peace process for Kashmir firmly on the table as part of any new trade and labour market negotiations with India and Pakistan?

**Mark Field:** I am very happy to do that. I visited India only last month and was able to discuss the Kashmiri situation. I am hoping to go to Pakistan in the next few weeks, and I will do likewise there. I think all of us in the House recognise that there are human rights concerns throughout both India-administered and Pakistan-administered Kashmir. We continue to encourage all states to ensure that domestic laws are in line with international standards but, as the hon. Lady rightly says, those human rights issues need to be taken into account when it comes to trade and all the other important work that goes on.

**Thangam Debbonaire** (Bristol West) (Lab): There have been threats from both sides to target nuclear facilities, and talks at the South Asian Association for Regional Co-operation have broken down, so what exactly will the Government and the Foreign Secretary do to defuse those tensions and promote dialogue?

**Mark Field:** Obviously we will do our part within the international community—as a member of the P5 at the UN, for example—to encourage all sides to maintain a positive dialogue, but the pace and scope of that must be for India and Pakistan to determine. We cannot insist on that. As I have said, we will continue to discuss the Kashmiri issue at every opportunity, both here in London, and out in Islamabad or New Delhi.

#### Somalia

3. **Sir Henry Bellingham** (North West Norfolk) (Con): What steps his Department is taking to help to defeat terrorism in Somalia. [901173]

**The Minister for Africa (Rory Stewart):** I should like to begin by expressing strong condolences on behalf of the British Government, and indeed the whole House, following the horrifying situation in Mogadishu—this was one of the largest bombs ever. Almost 300 people were killed and 500 were injured. As part of the United Kingdom's response to that terrorist incident, we have provided support through the counter-terrorist police and the joint operations centre. More broadly, through the London Somalia conference, we are supporting the security infrastructure of the Somali state.

**Sir Henry Bellingham:** I join the Minister in offering heartfelt sympathy and prayers to President Mohamed Abdullahi Farmajo and his people at this dreadful time. This was the most lethal bomb ever let off in Africa, yet it has received minimal coverage in the west. What more can we do to redouble not only security input but our development efforts, so that we can give the Somali people hope for the future and enable them to triumph over this evil?

**Rory Stewart:** The UK Government are doing three things. First, we are providing £170 million in drought response to Somalia, where people are dying of starvation. Secondly, through the London Somalia conference, we have given new energy to the international community, and a focus on economic development and security. The most important thing we need to do at the moment, however, is to focus on the relationships between Mogadishu and the federal member states, where tensions are rising daily.

18. [901189] **Chris Evans** (Islwyn) (Lab/Co-op): Like the Minister and the hon. Member for North West Norfolk (Sir Henry Bellingham), I offer my condolences to the people of Mogadishu following Saturday's terrible incident. Al-Shabaab, which has claimed responsibility for the attack, has recruited fighters from this country in the shape of Thomas Evans and Samantha Lewthwaite, who were killed in 2015. What guarantee can the Minister give that people trained by terrorist groups such as al-Shabaab are not allowed back into the country, and that the authorities will come down on them if they do come back?

**Rory Stewart:** I want to reinforce how horrifying the attack was and emphasise the threat that al-Shabaab poses to Somalia and the broader regions, and to the United Kingdom. I also reiterate our absolute abhorrence of and determination to clamp down on any British citizen who involves themselves with a group of such extreme horror.

**Mr Khalid Mahmood** (Birmingham, Perry Barr) (Lab): On behalf of the Labour party, I associate myself with the comments about the despicable act by al-Shabaab in Mogadishu. Together with our European partners, we must step up our efforts to destroy that organisation and to help Somalia to achieve lasting peace and stability. To that end, will the Minister assure the House that, whatever the terms of our exit from the European Union, our joint efforts with the EU in Somalia will carry on in exactly the same way?

**Rory Stewart:** We remain very committed to working not only with the European Union but, critically, with the African Union, whose troops have taken a lot of

pain and sacrificed their lives to keep Somalia together. The US, the EU and the African Union need to work together until the Somali security forces can build themselves up to ensure that the progress that we have made over the past 10 years is guaranteed for the future.

### Cyprus

4. **Dan Carden** (Liverpool, Walton) (Lab): What steps he is taking to support a negotiated solution to the disputed status of Cyprus. [901174]

**The Minister for Europe and the Americas (Sir Alan Duncan):** Following the collapse of the Cyprus talks at Crans-Montana in Switzerland in July, there has inevitably been a pause in any further negotiations. We are encouraging all parties to reflect on any steps that they might now take towards constructive future talks.

**Dan Carden:** I thank the Minister for that answer. It is disappointing that the talks have collapsed, but more progress seemed to have been made than at any point previously. Will he continue to work to put the human rights of all Cypriots at the top of the agenda?

**Sir Alan Duncan:** Like the hon. Gentleman, we all share the disappointment at the collapse of the talks. As he rightly says, they were as close as they have ever been, perhaps for decades, to reaching a settlement. Getting a unified Cyprus is the principal objective of the talks, in which human rights will of course play their proper part.

**Theresa Villiers** (Chipping Barnet) (Con): The UK Government have made it clear that they are not pressing to retain their status as a guarantor power in Cyprus. Will they advise the other guarantor powers that they should take the same approach?

**Sir Alan Duncan:** Along with the UN, we remain flexible as a facilitator to try to bring about a unified Cyprus. However, our sovereign base areas will, of course, remain. They are not subject to negotiation, except in terms of some territory that we might cede, if that were to help.

### West Bank

5. **Julie Elliott** (Sunderland Central) (Lab): What estimate he has made of the number of instances of demolitions, settlement expansion and land appropriation in the west bank. [901175]

**The Minister for the Middle East (Alistair Burt):** We are gravely concerned by demolitions, by the eviction of Palestinians and by the increased pace of settlement advancement, including the discussions this week of plans for 3,000 new settlement units to be constructed on the west bank. Such actions undermine both the physical viability of the two-state solution and Israel's commitment to it.

**Julie Elliott:** I thank the Minister for that answer. I recently visited the communities of Khan al-Ahmar and Susiya in Area C of the west bank, both of which are under threat of demolition. I was surprised that both have received significant investment from the EU

and therefore from the British taxpayer. Will the Minister tell me what representations he has made to the Israeli Government about that?

**Alistair Burt:** I visited Susiya in August to talk to members of the community about the pressures that they were under. We maintain a continued interest in legal arguments in relation to both Khan al-Ahmar and Susiya, and we regularly make it clear to the Israeli authorities that activities there and other settlement actions are deeply concerning, and undermine the intentions that we all have for a viable two-state solution and a movement towards peace.

**Oliver Dowden** (Hertsmere) (Con): I join the Minister in agreeing that such settlements are not in any way conducive to peace, but does he agree that what is required in the end is a negotiated settlement involving the other countries in the region? That will inevitably involve an element of land swap, which the Palestinians have accepted in the past.

**Alistair Burt:** It does and, as many of us are aware, the outline of the parameters of a peace agreement, including some degree of land swaps, is known. However, the encroachment in recent years of Israeli settlements on areas well beyond those anticipated to be part of a future land swap undermines the credibility of the so-called commitment to that answer.

17. [901188] **Dr Philippa Whitford** (Central Ayrshire) (SNP): It is 100 years since the Balfour declaration promised not just a Jewish homeland but to protect the rights of non-Jewish communities in Palestine. What I saw on the west bank during my recent visit amounts to conquest by concrete and totally undermines any possibility of a two-state solution. With Palestinian reconciliation providing new impetus, will the UK Government recognise their responsibility to re-establish a meaningful peace process?

**Alistair Burt:** We work extremely hard to play our part in fulfilling that second half of the Balfour declaration. I met one of the negotiators appointed by President Trump at the United Nations General Assembly in New York, and I was recently in Israel to talk to people there. We believe it is absolutely essential to make progress on the middle east peace process, which is not something to be managed but something to be solved, and the United Kingdom is bending all its efforts to seek to do so, particularly in this sensitive year.

23. [901194] [R] **Joan Ryan** (Enfield North) (Lab): Does the Minister agree that Hezbollah poses a serious threat to Israel's security and presents a significant barrier to peace in the middle east? Does he share my concern about recent reports that Iran has been constructing rocket factories for Hezbollah in Lebanon, and that the terrorists now have weapons capable of hitting any part of Israel?

**Alistair Burt:** The short answer is yes. Hezbollah appears to have been rearmed in recent years, and the conflict in Syria has provided the opportunity for Iran to supply more weapons—and more dangerous weapons—to Hezbollah. The possibility of a confrontation remains high. Those who have been committed to violence

should renounce that commitment and make progress on reconciliation among the Palestinians on that basis, and all the parties involved should seek the peace we all want in the region.

### Russia

6. **Mr Barry Sheerman** (Huddersfield) (Lab/Co-op): What steps he is taking to improve Britain's relationship with Russia. [901176]

**The Secretary of State for Foreign and Commonwealth Affairs (Boris Johnson):** We cannot have a normal relationship with Russia, given how it has behaved in Ukraine and Syria, and given its continuing behaviour in the cyber sphere, but we must engage with Russia, which is what we will do and are doing, to further mutual interests where they exist.

**Mr Sheerman:** I urge the Secretary of State and his whole team to reread George Kennan's famous 1947 article on containment, because Kennan predicted that the then Soviet Union, now Russia, would come forward to destabilise Europe, the United States and Japan. Will the Secretary of State also note what Hillary Clinton said yesterday: there is "a new...cold war and it is just getting started."?

**Boris Johnson:** I remember reading George Kennan's article many years ago and it contains much wisdom. The tragedy is that, in many ways, Russia is behaving as though there is a new cold war, and our objective is to prevent the situation from getting any worse by constraining Russia and ensuring that we penalise it for its malign and disruptive activities. However, it is also our objective to engage where we can, which is why I will be going to Russia later this year.

**Sir Hugo Swire** (East Devon) (Con): A hundred years ago this month saw the start of the Russian revolution, which unleashed misery and purges against millions of Russian people. Although we are right to remind future generations and younger people about the evils of the past, for example through Holocaust Memorial Day, does my right hon. Friend agree that we owe it to the younger generation to educate them about the warped and failed Marxist-Leninist ideology that continues to unleash misery across the world? People should be very worried about that.

**Boris Johnson:** Absolutely. It is also worth reminding people that it was the Labour party that sneered at working people who tried to rise up against such regimes, and it was the Labour party that supported and connived in the repressive activities of Moscow for decades.

**Jo Swinson** (East Dunbartonshire) (LD) *rose*—

**Sir Vince Cable** (Twickenham) (LD) *rose*—

**Mr Speaker:** Ah, the leader and the deputy in hot competition. On this occasion, my instinct is to side with the deputy. I call Jo Swinson.

**Jo Swinson:** Thank you very much, Mr Speaker. Amid reports that Russia is hacking into the smartphones of NATO troops and that—[*Interruption.*]

**Mr Speaker:** Order. This is very unseemly. The hon. Lady is putting a pertinent inquiry to the Foreign Secretary, to which I know he will wish to listen undisturbed.

**Jo Swinson:** Amid reports that Russia is hacking into the smartphones of NATO troops and the ongoing revelations about the Russian online involvement in the US election, what is the Foreign Secretary's assessment of the cyber threat posed to this country by Russia and what are his Government doing about it?

**Boris Johnson:** We are continually monitoring Russian activity in that sphere. I can tell the hon. Lady that the Russians have been up to all sorts of mischief in many countries, but so far we cannot yet pinpoint any direct Russian cyber-attacks on this country.<sup>1</sup>

**Tom Tugendhat** (Tonbridge and Malling) (Con): Will my right hon. Friend give the House an assessment of the impact of the Criminal Finances Act 2017 on Russian relations? Following on from the question asked by the hon. Member for East Dunbartonshire (Jo Swinson), perhaps he will assure me and others in this House that this Act will be used to prevent corrupt, human rights-denying and human rights-abusing Russian oligarchs from using London to launder their ill-gotten gains?

**Boris Johnson:** I can tell my hon. Friend that only yesterday, at breakfast, I met Vladimir Kara-Murza, a distinguished leader of the Russian Opposition and a journalist, who paid tribute to this country for being one of the few European countries to implement what is, to all intents and purposes, a Magnitsky Act. People on this side of the House can be very proud of the role they have played—in fact, people on both sides of the House can.

### Counter-terrorism

7. **Mr Jim Cunningham** (Coventry South) (Lab): What recent steps his Department has taken to support implementation of the Government's counter-terrorism strategy overseas. [901177]

**The Secretary of State for Foreign and Commonwealth Affairs (Boris Johnson):** Broadly speaking, there are two, mutually contaminating ecosystems of terror that we face, one is at home and one is abroad. What the UK is doing overseas is to drive out the terrorists from the spaces they currently occupy, be that in Iraq, Syria, Libya or Nigeria. We are having a great deal of success in that. The ungoverned space occupied by terrorists has been greatly reduced in the past year. In addition, we are working to increase aviation security around the world and, above all, at the UN, with the resolution agreed last month, to bring Daesh fighters to justice.

**Mr Cunningham:** Following last year's decision to strip the Foreign Office of its responsibilities for co-ordinating the UK's diplomatic counter-terrorism relationships, what reassurances can the Foreign Secretary provide that his Department's unique expertise in this area is not being lost?

**Boris Johnson:** I believe the hon. Gentleman is referring to the JICTU—Joint International Counter Terrorism Unit—arrangement we have across government. I think

1.[*Official Report, 14 November 2017, Vol. 631, c. 2MC.*]

he would accept that in view of what I have said about the mutually contaminating ecosystems of terror that we face, where people are being radicalised online here at home and people are in the ungoverned spaces, be it in Iraq, Syria or wherever, a one-Government approach has to be taken to all this by Her Majesty's Government. It is right therefore that we co-ordinate with the Home Office to tackle this, but we are also tackling it overseas. One aspect of international diplomacy which the Prime Minister has been leading is countering online radicalisation and taking more than 270,000 pieces of illegal terrorist material off the internet.

**Mr Richard Bacon** (South Norfolk) (Con): May I remind the Foreign Secretary that 20 million Russians died in the second world war, without which we might have lost the war? Does he agree with Sir Tony Brenton, the former British ambassador to Russia, that despite Russia's being a leading nuclear power, a member of the UN Security Council, a fundamental source of hydrocarbons and other vital raw materials, and a leading player in the middle east, we are, through "pointless sanctions" and "demonisation", doing everything we can

"to push Russia into China's arms"?

Does the Foreign Secretary agree with Sir Tony Brenton that this may prove to be

"the geopolitical blunder of a generation"?

**Boris Johnson:** I am grateful to my hon. Friend for pointing out Russian sacrifice in the war. He is quite right to allude to it, although I might also point out that probably 30 million people died in Stalin's purges and famines and various other things associated with communism which, as I say, were indulged by the Labour party. *[Interruption.]* It is true. My hon. Friend's point about engagement is valid, and that is what we are doing.

**Liam Byrne** (Birmingham, Hodge Hill) (Lab): One of the things we need from cross-Government co-ordination is for British citizens who fought for Daesh to be prosecuted for genocide and war crimes. More than 400 people from this country have fought in that conflict and come back here, but not a single one has been prosecuted for either genocide or war crimes. Surely that must change.

**Boris Johnson:** The right hon. Gentleman makes a good point. As he knows, they are guilty of a crime—what they have done in going to fight overseas is a crime—and they should be brought to justice. What we have done overall is to call for the evidence that we need to prosecute them to be gathered by the special investigative team that has just been set up by the UN, thanks to the UK's agency.

**Crispin Blunt** (Reigate) (Con): Did my right hon. Friend notice Tony Blair's remarks over the weekend in which he recognised that the international community was wrong not to enter into dialogue with Hamas when it was elected in 2006? In the light of the deal between Hamas and Fatah that has been brokered by Egypt, is there not now another opportunity to engage Hamas in a dialogue in order to draw it into a constructive position and at least have a chance of making it a more constructive player?

**Boris Johnson:** I am grateful to my hon. Friend for that question; he brings great learning to this subject. In the end, there might be the prospect of Hamas being brought in—of course that must be right—but before that can happen it has to renounce terror, to recognise Israel's right to exist, to cease and desist from vile and anti-Semitic propaganda and to abide by the Quartet principles. Nevertheless, what he says has a profound truth; if only Hamas would listen to it and act on what he says.

### Hurricane Support

8. **Chris Davies** (Brecon and Radnorshire) (Con): What steps his Department is taking to support British overseas territories and other countries recently affected by severe hurricanes in the Caribbean. [901178]

10. **Nigel Huddleston** (Mid Worcestershire) (Con): What steps his Department is taking to support British overseas territories and other countries recently affected by severe hurricanes in the Caribbean. [901181]

14. **Toby Perkins** (Chesterfield) (Lab): What assessment the Government have made of the current humanitarian and future rebuilding needs of those British overseas territories affected by Hurricane Irma. [901185]

**The Secretary of State for Foreign and Commonwealth Affairs (Boris Johnson):** The whole House can be proud of the way the country responded. We have committed £62 million to meet the immediate—*[Interruption.]* Excuse me, Mr Speaker; I am answering Questions 10 and 15 together with Question 8—

**Mr Speaker:** Or even Questions 10 and 14. I realise that these are not the sort of matters with which the right hon. Gentleman ordinarily has to preoccupy himself. They may seem a mere trifle, but they are quite important in parliamentary terms.

**Boris Johnson:** I am obliged and I stand corrected, Mr Speaker. I am answering Questions 8, 10 and 14 together, because they all relate to the impact of the hurricane.

The House can be proud of the way in which the country responded. We have provided £62 million to meet the immediate humanitarian needs. We deployed 2,000 military personnel and delivered 600 tonnes of aid. We fielded fantastic quantities of calls, not least from colleagues, some of whom I see are present behind me. I am chairing an inter-ministerial group to support a long-term recovery plan to get those overseas territories and British citizens back on their feet.

**Chris Davies:** Does my right hon. Friend agree that the swift UK response was unreasonably criticised by some? We should recognise the efforts of our outstanding aid workers and our military.

**Boris Johnson:** I am grateful for the sentiment that my hon. Friend has expressed and his willingness to come to the defence and support of our military and our aid workers. I saw from my own direct experience that they did an absolutely fantastic job. I will not hide it from the House: I was surprised to see on the news—before the hurricane had even finished—that I had received a letter denouncing the UK's performance and

our response from the Chairman of the Foreign Affairs Committee, my hon. Friend the Member for Tonbridge and Malling (Tom Tugendhat). I thought that was hasty, and I hope to be able to explain to him when I appear before his Committee, as I shall shortly, that I thought it was a premature judgment.

**Nigel Huddleston:** Can the Foreign Secretary say what assessment has been made of the effectiveness of our help so far in getting the islands up and running again and open for business?

**Boris Johnson:** I really must advise my hon. Friend that the extent of the damage is so considerable that he must see it for himself. It is quite extraordinary. Hon. Members should understand that the British Virgin Islands and Anguilla have seen nothing like this for generations, and it will take time, but we are committed and we will be there for the long term.

**Toby Perkins:** The Foreign Secretary is right to pay tribute to the British armed forces for the part they played in the overseas territories, but it is also right to recognise that the contribution that the British Government made both immediately and in the days after Hurricane Irma was considerably less than that of their counterparts in Holland and France in their overseas territories. It is absolutely crucial that, going forward, the investment that the islands need means that those people no longer look with envy to their French and Dutch counterparts.

**Boris Johnson:** The hon. Gentleman is completely in error when he says that. In point of fact, both the French and the Dutch appealed to us at various times for help with their own needs, and, of course, we were very glad to supply that. We are now working with them and the Americans to make sure that we have a joined-up plan to react in the event of any future hurricanes.

19. [901190] **Dr Caroline Johnson** (Sleaford and North Hykeham) (Con): I should like to recognise the significant effort that our servicemen and women and others are putting into the momentous task of the relief effort. After the emergency response is over, it is crucial that there is sustained support. What will the Secretary of State's Department be doing to ensure that crucial infrastructure such as health and education get fully back up to speed?

**Boris Johnson:** As I have said, there is a long-term plan to restore those overseas territories to full economic health, and it will take a long-term commitment from this country. I want all those British nationals there to realise that this Government are absolutely determined to vindicate their rights and to give them the support that they need.

**Helen Goodman** (Bishop Auckland) (Lab): Following the hurricanes, the British overseas territory has a reconstruction bill of about £4 billion. The Government are providing grants to the Dominican Republic, but seem to be relying on private sector loans for the British Virgin Islands. With the loss of EU funding, is it not time that the Government stopped trying to fiddle the definition of overseas aid and set up a dedicated scheme and used the contingency reserve for the first year?

**Boris Johnson:** If I may humbly correct the hon. Lady there has been no loss of EU funding so far. As she will understand, EU funding will continue for some years—let me put it like that. [*Interruption.*] In the meantime, my right hon. Friend the Secretary of State for International Development has made it clear that, one way or the other, we will get through the very considerable sums that are needed—whether it is through the Caribbean Community or the Caribbean Development Bank. The assessments of the requirements are only now coming in. We must wait to see exactly what the bill and the requirements are before we start pushing out the money. When we have a full understanding of the requirements, we will ensure that the UK stands behind the plan.

### Rohingya People

9. **Gerald Jones** (Merthyr Tydfil and Rhymney) (Lab): What recent representations he has made to his Myanmar counterpart on the treatment of the Rohingya people. [901179]

12. **Mr Gavin Shuker** (Luton South) (Lab/Co-op): What recent representations he has made to his Myanmar counterpart on the treatment of the Rohingya people. [901183]

**The Minister for Asia and the Pacific (Mark Field):** The Foreign Secretary spoke to Aung San Suu Kyi on 7 and 17 September. I met her in Naypyidaw in Burma on 27 September, and the Deputy Foreign Minister at the UN General Assembly on 20 September. We called for an end to the violence in Rakhine state, a safe return for refugees, full humanitarian access, and, most importantly, implementation in full of the Annan Commission's recommendations.

**Gerald Jones:** We are seeing the heartbreaking pictures and hearing the tragic stories of the plight of the Rohingya people on a daily basis now. Will the Minister increase his representations? Specifically in the light of the evidence of the atrocities by the Myanmar armed forces, does he feel that the decision to lift the EU sanctions against the military regime was premature?

**Mark Field:** I thank the hon. Gentleman for his thoughtful question. What is going on in Rakhine is a human tragedy and a humanitarian catastrophe. When the UN lifted sanctions in 2011, it was trying to encourage a road towards democracy, which has obviously happened with the election that took place only 18 months ago. With hindsight, one might argue that these sanctions were lifted prematurely. However, a lot of Burma watchers would say that the sanctions did not have a huge effect. There was not a great deal of money from the Burmese military in western bank accounts in the way that applies, for example, to sanctions for Russia, China and elsewhere.

**Mr Shuker:** The United Nations High Commissioner for Human Rights described what is happening in Myanmar as

“a textbook example of ethnic cleansing”.

I happen to agree with him. Does the Minister?

**Mark Field:** As I said, it is a humanitarian catastrophe out there. Sadly, this increasingly appears to be an accurate description of the situation. It is now essential

for the Burmese authorities to enact the positive measures that were announced by the State Counsellor, Aung San Suu Kyi, on Thursday evening. They include the establishment of a new civilian-led body to oversee refugee returns and the development of Rakhine into a state in which all communities can live together sustainably.

**Jim Shannon** (Strangford) (DUP): Terrible acts of brutality and violence have been carried out against the Rohingya people. Is it the Minister's intention to ensure that the Burmese army will be charged with war crimes for what they have done?

**Mark Field:** That is a matter for the UN. The issue of genocide is a legal one and it will be determined at UN level. I understand that there is some frustration and a perception that diplomatic advancement has been slow. We have taken a lead in this. There have been two closed meetings and an open meeting of the UN Security Council. The truth is that a headlong rush to get a Security Council resolution along these sorts of lines would most likely end up being vetoed by the Chinese or the Russians. We need to move together as an international community, recognising that these serious crimes must be properly dealt with.

### Catalonia

11. **Jonathan Edwards** (Carmarthen East and Dinefwr) (PC): What representations he has received on the independence referendum held in Catalonia on 1 October 2017. [901182]

**The Minister for Europe and the Americas (Sir Alan Duncan):** I discussed Catalonia with the Spanish ambassador to the UK on 11 October. Our embassy in Madrid regularly discusses the issue with the Spanish Government. We also routinely engage with the Catalan regional Government on matters that fall properly within their competence.

**Jonathan Edwards:** The referendum provided a clear mandate for independence with over 92% of voters voting yes, despite horrific violence by the Spanish authorities. Yesterday pro-independence leaders were detained and charged with sedition. Surely the British Government and the international community should now be guided by the words of Woodrow Wilson:

“Self-determination’ is not a mere phrase. It is an imperative principle of actions”.

We should support the values of peace and democracy, not the forces of oppression.

**Sir Alan Duncan:** It is the rule of law that needs to govern the decision affecting the future of Catalonia. We fully defend the rule of law and actively assert that this can take place only within the proper workings of the Spanish constitution.

### Malaysia: General Election

13. **Mr Chris Leslie** (Nottingham East) (Lab/Co-op): If he will encourage his counterpart in Malaysia to welcome Commonwealth observers at the forthcoming general election in that country. [901184]

**The Minister for Asia and the Pacific (Mark Field):** We encourage all countries, including Malaysia, to conduct open and transparent election processes. Naturally that should include external observation missions, which I believe—and I am sure the hon. Gentleman believes—are important to achieving a legitimate democratic outcome.

**Mr Leslie:** I welcome the Minister's statement. Election observers can help to check that electoral registration in constituencies and districts, campaign finance and polling day are all above board. Will the Minister do what he can to help our friends in Malaysia show the entire world that these elections can be free and fair?

**Mark Field:** I very much hope so. As the hon. Gentleman points out, Malaysia is an important partner for the United Kingdom, with co-operation across a range of areas, including security, prosperity, education, foreign policy and Islamic finance. He will be glad to know that I have a routine meeting—tomorrow morning, no less—at the Foreign Office with the high commissioner to Malaysia, and I will ensure that his heartfelt views are put forward.

### Daesh

15. **Ross Thomson** (Aberdeen South) (Con): What diplomatic steps his Department is taking to assist the international campaign to bring Daesh to justice. [901186]

**The Minister for the Middle East (Alistair Burt):** I was proud, on 21 September this year, to speak at the United Nations Security Council when it unanimously adopted a UK-drafted resolution, which involved the deployment of an investigative team to Iraq to help bring Daesh perpetrators to justice. The United Kingdom is giving material and moral support to this work.

**Ross Thomson:** I thank the Minister for his answer. Will he confirm what discussions he has had with key partners in the region with regard to the reconstruction and stabilisation of the area for the long term in a post-Daesh world?

**Alistair Burt:** Absolutely. I have been to the region twice in recent months to speak to Iraqi authorities about what is happening to make sure that areas formerly occupied by Daesh are given support. We strongly support the work being carried out on behalf of the UK Government through the Department for International Development to make sure there is stabilisation. We recognise not only that these areas need physical reconstruction but that the political reconciliation that brings different sides together to work in effective local governance is a key part of the solution for the future.

**John Woodcock** (Barrow and Furness) (Lab/Co-op): The UK is leading the global coalition's efforts to disrupt and counter Daesh's communications. Can the Minister broadly say what we are now doing differently, as a result of our learning against this fast-moving and fluid organisation, from what we were doing a couple of years ago?

**Alistair Burt:** It is a good question. There is a certain amount that can be said and cannot be said. We are all aware that Daesh operates in an increasingly

sophisticated way. It should never be underestimated. Those who are fighting in the region fight not just physically but through the internet and through the spread of false ideological information and the like. The UK takes certain steps to deal with this, in company with partners, through cyber-protection and the like. I can assure the hon. Gentleman that as Daesh's attempts to infiltrate the minds of people have stepped up, so have our attempts to counter that.

### CHOGM

16. **James Duddridge** (Rochford and Southend East) (Con): What plans he has to engage with parliamentarians before the Commonwealth Heads of Government Meeting in the UK in April 2018. [901187]

**The Minister for Asia and the Pacific (Mark Field):** We are, of course, supporting the UK Commonwealth Parliamentary Association's plans to hold a detailed forum for Commonwealth parliamentarians in February 2018, before CHOGM. As my hon. Friend will know, we intend to have a range of contemporary issues discussed, including security, prosperity, climate change and all aspects of human rights, ahead of the national debates that will take place at the Commonwealth summit in April 2018.

**James Duddridge:** I thank the Minister for that reply, specifically because it advertises an event this afternoon offering colleagues the opportunity to find out more about the forum. What specific opportunities will there be for parliamentarians at CHOGM and in the two years after CHOGM, when the UK is in the chair?

**Mark Field:** My hon. Friend, a former Minister, makes a valid point. There is no point having large-scale meetings such as CHOGM if we see them as an end in themselves. We need to have plans for the future, and I think those plans are afoot. Let us be honest: there has never been a more important time for us to be networked in, whether with the Commonwealth or a range of other international institutions, on all the issues—particularly around security and prosperity—that should be close to the hearts of all British parliamentarians.

**Liz McInnes** (Heywood and Middleton) (Lab): The nation of Sudan may have expressed its interest in joining the Commonwealth, but will the Minister make it clear that, despite Donald Trump's recent lifting of sanctions on Sudan—a decision welcomed by this Government—there is no way we will allow into the Commonwealth a Sudanese regime that continues to brutally persecute ethnic and religious minorities and to perpetrate the most outrageous abuses of human rights?

**Mark Field:** I very much understand the shadow Minister's concern. My hon. Friend the Minister for Africa made it clear in meeting Sudan people only yesterday that we are pushing for further reforms. As she rightly says, it would be very premature at this juncture for there to be any application to join the Commonwealth, and it would obviously be a matter for other Commonwealth members to approve.

It is also important to point out that the Commonwealth, as a body, is much respected, particularly in Africa. One looks at countries such as Rwanda and Mozambique,

which were never part of the British empire, but which have joined the Commonwealth. That is a big sign of approval for it, but obviously these things need to be done in a properly concerted manner.

### Topical Questions

T1. [901161] **Jeff Smith** (Manchester, Withington) (Lab): If he will make a statement on his departmental responsibilities.

**The Secretary of State for Foreign and Commonwealth Affairs (Boris Johnson):** The whole House will wish to join me in condemning the atrocity in Mogadishu on Saturday, which claimed at least 281 lives. Those who inflicted this heinous act of terrorism on a thriving capital city achieved nothing except to demonstrate their own wickedness. We offer our profound condolences to the Government and people of Somalia. Britain shall not rest in our efforts to restore stability in a country that has suffered for too long.

**Jeff Smith:** I agree with the Foreign Secretary's comments on the terrible events in Somalia.

In March, the Foreign Secretary told this House that the Labour party had been "far too pessimistic" about Donald Trump. He said specifically that the nuclear deal with Iran

"was going to be junked",

but

"it is now pretty clear that America supports it."—[*Official Report*, 28 March 2017; Vol. 624, c. 116.]

Does the Foreign Secretary think that those comments perhaps demonstrate that he has a lack of political judgment?

**Boris Johnson:** If I may say so, perhaps the hon. Gentleman's question demonstrates that he has a lack of understanding of what has taken place, because, as he will readily appreciate, the United States has not abrogated, or "junked", the joint comprehensive plan of action. The JCPOA remains alive; it remains intact. It is our intention in this Government, working with our French and German friends, and with China and Russia, as well as with the rest of the European Union, to keep that deal alive, because that is in the interests of the whole world.

T5. [901165] **Sir Edward Leigh** (Gainsborough) (Con): Even if the Americans have 100% reliable intelligence to find every single nuclear site and rocket launcher in North Korea, the regime has thousands of guns mounted in caves near the border ready to bomb Seoul. In these circumstances, will the Foreign Secretary encourage the Trump Administration to pursue diplomacy in Korea, as in Iran? To coin a nostrum, "Jaw-jaw is better than war-war."

**Boris Johnson:** My hon. Friend is completely right. The best way forward is to continue with what I think is the common policy on both sides of the House, which is to encourage the Chinese to intensify the economic pressure on Pyongyang with a view to getting it round the table, and that is what we are doing.

**Emily Thornberry** (Islington South and Finsbury) (Lab): At our last session of questions, the Foreign Secretary agreed with the hon. Member for Kettering (Mr Hollobone) that if the EU demanded a single penny in the Brexit divorce bill, then they could “go whistle”. A month later, the Foreign Secretary said—*[Interruption.]* I appreciate that accountability is difficult for the right hon. Gentleman, but he ought to listen. He said:

“We are law-abiding, bill-paying people”

who will

“meet our legal obligations as we understand them”,

so can he clear up this issue today? Does he accept that there will be a divorce bill or not, and if so, how much should the bill be?

**Boris Johnson:** I must very humbly and apologetically correct the right hon. Lady, because she is not faithfully representing what I said. [HON. MEMBERS: “She is.”] She is not. What I said in answer to an hon. Friend on these Benches was that some of the sums I had heard spoken of were, in my view, or in the view of my hon. Friends, eye-watering and far too high. The figure I heard was €100 billion. Would Labour Members cough up €100 billion? Would you, or you, or you? I think they would, the supine, protoplasmic, invertebrate jellies. I think that is the sort of money they would readily fork out. I think it is too much.

**Mr Speaker:** I hope the *Hansard* reporters caught the full flavour of that. We will inspect the *Official Report* tomorrow.

**Emily Thornberry:** I do not think that has really cleared up a great deal, but let me try another question.

Again at our last session, the Foreign Secretary told this House—*[Interruption.]*

**Mr Speaker:** Order. I cannot believe that the Foreign Secretary conducted himself in that way when he was a schoolboy. Or perhaps he did, which might explain some matters.

**Emily Thornberry:** Let me just quote again from the last session of Foreign Office questions, when the Foreign Secretary told the House:

“There is no plan for no deal”.—*[Official Report, 11 July 2017; Vol. 627, c. 141.]*

Five days ago, he said that

“we must make the right preparations...for a no-deal scenario.”

We know that the Cabinet cannot stop fighting about the Brexit that they want, but it would be a start if our flip-flopping Foreign Secretary could stop fighting with himself.

**Boris Johnson** *rose*—

**Emily Thornberry:** I have not asked the question yet, Boris. Which is it: the *Telegraph* article or the Florence speech—the lion roars or the lion wants to stop this malarkey? Apart from his own fading ambitions, what exactly does the Foreign Secretary believe in?

**Mr Speaker:** The right hon. Lady should not refer to the Foreign Secretary by his first name. It is rather vulgar.

**Emily Thornberry:** I do apologise, Mr Speaker.

**Mr Speaker:** Not the name, but merely the mention of it. It is unseemly and insufficiently reverential.

**Boris Johnson:** I would not dream of calling the right hon. Lady by any name other than Lady Nugee. May I say to her that, in fact, there is a ruthless and an iron consistency that applies not just to everything I have said, but to all the statements made by Conservative Members? We are united behind the principles of the Lancaster House speech, the article 50 letter and every jot, tittle, comma, syllable and every other item of punctuation in the Florence speech. I suggest that she adopts it as well.

T8. [901169] **Stephen Kerr** (Stirling) (Con): Will my right hon. Friend review the case of my constituent Jamie Harron, who was arrested in Dubai recently? Will he review the Foreign Office travel advice for Dubai in the light of this case and others like it?

**The Minister for Africa (Rory Stewart):** May I begin by expressing our condolences to Mr Harron, who has been through a very difficult situation? We are grateful to my hon. Friend for raising this specific case. Consular staff have spoken to Mr Harron’s family, we have dealt with Mr Harron himself, we have provided consular access for friends to visit him and we have provided access to the best legal advice. He is currently on bail, awaiting sentence for an alcohol-related offence. The point about the travel advice is one that we take very seriously, and we continue to review it on a regular basis.

T2. [901162] **Chris Evans** (Islwyn) (Lab/Co-op): Members of the Coptic Church come from all over south Wales to Risca, to worship at St Mary’s and St Abu Saifain. The congregation have looked on in horror at the terrorist attacks on fellow Coptics in Egypt. Just this weekend, an archbishop was assassinated outside Cairo by an Islamic extremist group. What assurance can the Minister give the congregation at St Mary’s and St Abu Saifain that the Government are doing everything they can to protect brethren who are simply following their religion?

**The Minister for the Middle East (Alistair Burt):** I thank the hon. Gentleman for raising that matter of real seriousness in Egypt. I met leaders of the Coptic Church just last week with the support of His Grace Bishop Angaelos, and I am going to the Coptic service later today to express further solidarity. We raise these matters directly with the Egyptian Government, who view these terrorist attacks with the same degree of horror as we do, and who are doing all in their power to stop them. We will continue to urge just that.

**Nadhim Zahawi** (Stratford-on-Avon) (Con): I refer the House to my entry in the Register of Members’ Financial Interests. Will the Foreign Secretary join me in thanking Ambassador Frank Baker for all his tireless work in Iraq? He has worked with the Foreign Secretary, Secretary Tillerson and the Iraqi Prime Minister to put together a deal that would have avoided the catastrophic situation that now plagues the country between the Kurds and Baghdad. Will the Foreign Secretary urge all sides to come back together around the negotiating table on that framework and negotiate a deal?

**Boris Johnson:** I want to thank my hon. Friend very much for his work in this sphere. There is no one who knows the Kurdistan Regional Government or Kurdistan better than he does. Clearly, to a great extent the troubles that are now befalling that area were anticipated. We saw this coming, and we warned our friends in Kurdistan that it would happen. My hon. Friend also did a great job of warning them. We now have to manage a very difficult situation, and it calls for calm heads and negotiation.

T3. [901163] **Jamie Stone** (Caithness, Sutherland and Easter Ross) (LD): Will the Foreign Secretary respond to claims by a senior German politician, Michael Fuchs, that the Foreign Secretary is a significant factor in holding back progress in Brexit talks? Does he believe that his recent interventions on Brexit help or hinder these negotiations?

**Boris Johnson:** I refer the hon. Gentleman to the answer I gave a moment ago. The Government are united on a very coherent policy, and we made a very generous offer. If I may say to the gentleman that he quotes, whose name I did not, alas, catch, it is up to our friends and partners in the EU to look seriously at the offer we are making, particularly on citizens, and to make progress. Everybody wants to make progress, and everybody wants to give the 3.2 million EU citizens in this country the maximum possible reassurance and security. That can only happen once our friends and partners decide to get serious in these negotiations.

**Anna Soubry** (Broxtowe) (Con): May I thank the Foreign Secretary, notwithstanding our differences, for his personal intervention in the case of a constituent of mine who, along with her 22-month-old son, was rescued from Dominica by our Government—I am very proud of that—and brought back to this country safely? Unfortunately, she is not entitled to any benefits for three months, and she is relying on the generosity of the great people of Broxtowe. In the circumstances, will my right hon. Friend at least look at the bill for her flight home and consider waiving it?

**Boris Johnson:** I am grateful to my right hon. Friend, who I know has campaigned assiduously for the rights of this particular constituent, and I congratulate her on everything she has done. Unfortunately, that kind of agreement would set all sorts of precedents, but we will look at the particular case and we will certainly see whether we can come up with a payment plan to extend the period of the loan.

**Mr Speaker:** Splendid.

T4. [901164] **Ian Austin** (Dudley North) (Lab): We should all be very worried about the malevolent involvement of the Iranian hard-line al-Quds force using American heavy weapons against our brave allies the Kurds. Will the Minister make it clear that Iraqi forces must not enter the four provinces of the Kurdistan region, and that the only way forward is co-operation in Kirkuk and wider dialogue based on the Iraqi federal constitution, which is supposed to guarantee Kurdish rights?

**Alistair Burt:** I thank the hon. Gentleman for his question. I spoke this morning to the Foreign Minister of Iraq, and I am speaking later to representatives of

the Kurdish Regional Government to do exactly what is being expressed in the House—to urge caution on all sides, and to continue a careful dialogue to make sure that there is no possibility of a miscalculation leading to conflict. It is essential that matters are pursued on a constitutional basis, but there is a difficulty at the moment in getting accurate information about precisely what is happening in the region. We are doing all we can to verify all stories, but we are also doing all we can to cool down the situation.

**Zac Goldsmith** (Richmond Park) (Con): This Government have promised protection to an area of ocean equal in size to India, covering Pitcairn, St Helena and much more. I think it is a source of huge pride for our country, but we are not all the way there yet, so I hope the Minister can provide an update on progress, specifically in relation to Ascension Island and Tristan da Cunha, both of which have been promised protection—in 2019 and 2020, respectively.

**The Minister for Europe and the Americas (Sir Alan Duncan):** I am very happy to update my hon. Friend in due course on the exact details of those two, but I think we can all bask in the reflected historic glory, as it were, of having pretty much the largest ocean protection area in the world, apart from the United States, which made ours one of the most effective voices at the oceans summit in Washington last year.

T6. [901166] **Stephen Timms** (East Ham) (Lab): My constituent Mrs Edna Dolor is very relieved that her frail elderly parents in Dominica—poisoned by contaminated water, beyond the reach of aid, denied telephone contact—are today boarding the first of the four planes it will take to get them back to the UK. She makes the point that because news about aid drops can be spread only by word of mouth, people such as her parents have not had access to the aid. The Foreign Secretary has talked about a long-term plan. How long does he think it will take to get Dominica back on its feet?

**Boris Johnson:** As the right hon. Gentleman will know, the failure of communications has greatly exacerbated the difficulties. One of the things we have been trying to do is to restore mobile communications as fast as possible. We are putting in a £5 million aid package to Dominica through the Department for International Development, and the Prime Minister of Dominica, Roosevelt Skerrit, has written to our Prime Minister to express his profound gratitude for the Government's response.

**Stephen Crabb** (Preseli Pembrokeshire) (Con): I strongly welcome the Foreign Secretary's earlier remarks about Hamas, but does he share my deep concern about the groups linked to Islamic State that now have a presence in Gaza and Sinai and that, even in recent days, have been firing rockets into southern Israel?

**Alistair Burt:** I thank my right hon. Friend for his question. Absolutely—rooting out those terrorist organisations in Gaza and Sinai is hugely important, not only for those who live in the immediate target area but for wider regional peace. There can be no peace without a rejection of violence, particularly rocket attacks in relation to Israel, but there are indications that something is going on that may help the process of peace in the area.

**Several hon. Members** *rose*—

**Mr Speaker:** I know that we are out of time, but that does not trouble me too much. There are many colleagues whom I wish to call on these very important matters, so brevity is required. I call Dr Philippa Whitford; very briefly—well done.

T7. [901168] **Dr Philippa Whitford** (Central Ayrshire) (SNP): On my recent trip, I visited Gaza, where the humanitarian situation is appalling. In Northern Ireland, all parties were involved in achieving peace, so will the UK Government change their approach to Hamas and include it, to isolate those extremist groups?

**Alistair Burt:** The short answer is no, as the Foreign Secretary indicated earlier, until there is movement on the Quartet principles. However, resolution to improve the humanitarian situation in Gaza is urgently needed, and we are doing all that we can to support that.

**Fiona Bruce** (Congleton) (Con): Do Ministers share concern about the apparent continuing erosion of the one country, two systems principle in Hong Kong following the disappearances of booksellers, the recent imprisonment of a democratically elected representative and, last week, the refusal of entry into Hong Kong on a purely private visit by UK citizen and human rights campaigner Ben Rogers, who is watching our proceedings today? If so, what action is the Foreign Office taking?

**The Minister for Asia and the Pacific (Mark Field):** I thank my hon. Friend for her question. It is fair to say that broadly UK-Hong Kong relations remain strong, and there is bilateral work. However, I very much accept her position. We are very concerned that Ben Rogers, a UK national, was denied entry into Hong Kong on 11 October in absolute disregard of the one country, two systems principle. The Foreign Secretary has issued a statement, and the Foreign Office director-general for economic and global issues summoned the Chinese ambassador on this issue over the past few days. We have also made representations to Beijing, and I shall write to Carrie Lam in Hong Kong in the days ahead.

**Mr Speaker:** I thank the Minister of State for what he said, and the Foreign Secretary for issuing that statement. Ben Rogers is an outstanding and articulate champion of freedom, democracy, human rights and the rule of law in Asia and elsewhere, well known to Members on both sides of the House. His treatment was utterly scandalous, and those responsible have certainly not heard the last of it—of that we can be sure. I call Paula Sherriff.

T9. [901170] **Paula Sherriff** (Dewsbury) (Lab): I refer to my entry in the Register of Members' Financial Interests. What is the UK Government's position on the recognition of Palestine? Did the Minister see the recent YouGov poll, commissioned by the Council for Arab-British Understanding and *Arab News*, that showed a majority of respondents in favour, with only 14% in opposition?

**Alistair Burt:** The UK Government position is that Palestine will be recognised when it is in the best interests of the peace process to do so, which leaves the matter quite open.

**Robert Courts** (Witney) (Con): West Oxfordshire has been celebrating the 80th anniversary of the foundation of Royal Air Force Brize Norton this weekend with a magnificent sculpture at the main gates. The extraordinary history of that station is exemplified by its response to our hurricane relief programme. Will the Foreign Secretary join me in celebrating that response and provide an assessment of the contribution that the station made to our humanitarian hurricane response?

**Boris Johnson:** I am grateful to my hon. Friend for giving me the opportunity to congratulate RAF Brize Norton on its anniversary and all its achievements in tackling the consequences of the hurricane. Along with colleagues on the Government Benches, I used RAF services during trips to the region, and the station will continue to be absolutely vital to getting those areas back on their feet.

**Hilary Benn** (Leeds Central) (Lab): In view of the Foreign Secretary's self-declared "ruthless consistency", will he tell the House why he now thinks that we should accept the judgments of the European Court of Justice during the transitional period that the Prime Minister has announced the UK will now seek?

**Boris Johnson:** As the right hon. Gentleman knows very well, the implementation period that we have suggested is still under negotiation, so we will have to see the result of that negotiation. We do not know as yet whether our friends and partners will accept the suggestion of an implementation period. What we do know is that we have made a fair—we think reasonable—suggestion on money, citizenship, the Northern Ireland question, rights and privileges, and so on. It is now up to our friends and partners to decide how they will respond. If we are going to get on to that kind of question, now is the time for them to do so.

**Several hon. Members** *rose*—

**Mr Speaker:** Order. Colleagues who have already spoken are greedily indicating a desire to contribute again. I am keen to accommodate colleagues, but there is a limit.

**Mrs Maria Miller** (Basingstoke) (Con): Reports from Cameroon describe barbaric clashes between security forces and civilian opposition. The internet and phone lines have been cut, and constituents of mine with family members in the country are rightly concerned about their welfare. What can my hon. Friend do to help stop the worsening crisis and help people find out about their family members?

**Rory Stewart:** Clearly, the situation in Cameroon is very disturbing. As my right hon. Friend suggests, the Anglophone community has been particularly victimised in terms of internet access, which has now been restored. We call on all parties to refrain from violence and to respect the rule of law, and call particularly on the Government of Cameroon to exercise restraint and address the root causes of the dispute.

**Hannah Bardell** (Livingston) (SNP): The Secretary of State may be aware of the tragic and unexplained death of my constituent Kirsty Maxwell, who died in Benidorm in April this year. Her family are distraught, as the

investigation's progress has been very slow and there are a number of issues. Will the Secretary of State meet me and Kirsty's family to discuss what further support can be given at this very difficult time?

**Sir Alan Duncan:** I am very happy to meet the hon. Lady in the first instance to discuss this; we would like to extend all the consular assistance we possibly can to anyone in such circumstances.

**Jack Lopresti** (Filton and Bradley Stoke) (Con): Given the grave situation in the Kurdistan region of Iraq, what does my right hon. Friend think will be the impact on our currently deployed British Army teams who are training the peshmerga as we speak?

**Alistair Burt:** At present, I do not think there is any reason to change the arrangements of the armed forces who have worked with the peshmerga and have done such an outstanding job to push back Daesh. What we are all hoping for is that there will be no conflict in the area and that the determination already expressed by both sides to prevent any conflict will lead to a peaceful resolution of the current difficulties.

**Joanna Cherry** (Edinburgh South West) (SNP): As Amnesty International among others has pointed out, the disproportionate use of force by police against civilians is contrary to international law. What representations has the Minister made to his Spanish counterparts about the treatment by Spanish police of civilians voting in the Catalan independence referendum?

**Sir Alan Duncan:** People understand that we do not wish to see scenes such as that, but it is the duty of everyone in this House personally to uphold the rule of law. I very much regret that Scottish National party Members considered it appropriate to call themselves "official" observers at what was an illegal referendum.

**Helen Whately** (Faversham and Mid Kent) (Con): Yesterday's red skies were a timely reminder of the Russian revolution 100 years ago, which brought such chaos and suffering. In the light of indications that Russia seeks to destabilise western democracies, does the Secretary of State share my concern that Russia's state broadcaster appeared to be providing a platform to Jeremy Corbyn's Labour party and its campaign to inflict socialism on the UK?

**Mr Speaker:** Order. This tendency to name people is very unseemly. I said earlier that it was vulgar. If it was vulgar from the illustrious figure of the shadow Foreign Secretary, it is also vulgar from the hon. Member for Faversham and Mid Kent (Helen Whately). The tendency must cease.

**Boris Johnson:** I am very grateful for my hon. Friend's excellent question. If we study the output of Russia Today and consider the state of the press in Russia at present, we see that it is a scandal that Labour Members should be continuing to validate and legitimate that kind of propaganda by going on those programmes. *[Interruption.]* I am assured by my ministerial team that none of them does so.

**John Cryer** (Leyton and Wanstead) (Lab): Further to the questions about Kashmir, we are talking about two states with nuclear arms possibly edging towards a conflict, and we should all take that seriously. Given our unique historical relationship with both countries, cannot pressure be brought to bring the two sides together to engage in some sort of meaningful dialogue?

**Mark Field:** It is the 14th minute of injury time already—unlucky for some, I think. I refer the hon. Gentleman to my earlier answers on this issue. We understand that clearly there is a worry: as the hon. Gentleman rightly said, both India and Pakistan are nuclear states and the world can ill afford this flashpoint. From my own discussions in India and Afghanistan—I am going to Pakistan next month, as I said—there seems to be a lessening of some of the tensions. We can take nothing for granted, but ultimately this must be an issue for India and Pakistan rather than anyone else.

**Mr Speaker:** I remind the Minister that we are in injury time, and that is at least in part because questions and answers at Foreign Office questions are always longer. As a Clerk of the House once said to me, "Mr Speaker, I think that Ministers tend to feel that they're addressing not merely the House but the world."

**Dr Julian Lewis** (New Forest East) (Con): I warmly thank the Foreign Secretary for suggesting that he and I should visit the BBC Monitoring Service at Caversham Park before the crazy decision is implemented next year to sell off the site and break our link with the similar American operation there. Will he remonstrate with his officials, however, on the grounds that 45 minutes for a walk-through on a Thursday is not long enough for him to see what is going on there? Given also—*[Interruption.]*—that the Chairman of the Foreign Affairs Select Committee cannot accompany us, should the visit not be altered?

**Mr Speaker:** Emotional intelligence has a premium.

**Boris Johnson:** I am looking forward immensely to the trip with my right hon. Friend, and I can tell him from my own experience that an immense amount can be accomplished in 45 minutes.

**Patrick Grady** (Glasgow North) (SNP): Is the Foreign Secretary aware that it was former Governor of New York Mario Cuomo who said we should campaign in poetry but govern in prose? The next time we hear the Foreign Secretary quoting Kipling, will he be campaigning or governing?

**Boris Johnson:** The SNP contrives to govern neither in poetry nor in prose. It should begin governing to start with.

**Mr Speaker:** Finally and—he has promised—briefly, I call Sir Hugo Swire.

**Sir Hugo Swire** (East Devon) (Con): What are the chances of getting the Chennai Six home by Christmas?

**Rory Stewart** *rose*—

**Mark Field:** Much as I would like my hon. Friend to take over this particular matter, I will answer.

I know that this case, which my right hon. Friend raises with me whenever I see him on the parliamentary estate, is very close to his heart. I raised it this month during my visit to India and spent a day in Chennai, when I had a chance to visit the men in prison. It was heart breaking, but the determination of those men and their families is to be much admired. I also saw the families in my office at the Foreign and Commonwealth Office. I should take this opportunity to thank my right hon. Friend and other MPs across the House who represent the Chennai Six. I know that a huge amount of work has been done. I cannot make any promises, and I do not want to raise expectations that we cannot meet, but we are doing our level best here and in India to bring them back as soon as possible.

**Joanna Cherry** (Edinburgh South West) (SNP): On a point of order, Mr Speaker.

**Mr Speaker:** I believe that the point of order springs directly out of questions, and for that reason I will take it now—otherwise it would come after statements—but it must be done briefly.

**Joanna Cherry:** I seek an apology from the Minister for Europe and the Americas, the right hon. Member

for Rutland and Melton (Sir Alan Duncan), who is no longer in his seat. The SNP did not send official observers to the Catalanian referendum. The Catalanian Government invited observers from across Europe and the Israeli Knesset. In addition to me, other Members of the House and a peer of the House of Lords, Lord Rennard, were present. We were there as international parliamentary observers, just as Conservative Members were in Gibraltar in 2002 at the request of the Gibraltar Government, despite that being an illegal referendum. I would like an apology and the record set straight.

**Mr Speaker:** I have understood the hon. and learned Lady, but we do not need to delve into the archives and refer back to 2002 and comparable examples. I recognise it is something that a distinguished legal practitioner is accustomed to doing, but we are short of time. If Ministers want to apologise, they can, but they are not under any obligation to do so.

**Boris Johnson** *indicated dissent.*

**Mr Speaker:** I am afraid that the Foreign Secretary is shaking his head. It is clear that he does not wish to apologise. The hon. and learned Lady has made her point with force and eloquence, however, and it is on the record; it will be in the *Official Report*. If that does not satisfy her, I hope it at least mollifies her.

## International Investment

12.49 pm

**The Secretary of State for Business, Energy and Industrial Strategy (Greg Clark):** The United Kingdom has a deserved reputation as one of the most open economies in the world, one that welcomes international investment and the benefits it brings. Our position as the fifth-largest economy in the world has been built on international trade and investment. Today's Green Paper affirms our commitment to that approach, and sets out proposed reforms of our scrutiny of foreign investment to ensure that our national security is protected.

An open approach to international investment must include appropriate safeguards. It is vital that the UK Government can deliver on their primary duty to safeguard national security and ensure that the interests of the British people are protected, and it is important for the Government to have both knowledge of potential national security risks to the UK and the ability to act where necessary. Our review has highlighted the need for that to be updated to take account of the changing structure and size of companies in sectors that are critical to our national security. Our reforms will bring the UK in line with many major developed economies. We want to develop clear, consistent and proportionate rules which will enable us to scrutinise the ownership of our infrastructure, but which will also be well understood and will give international investors the clarity and transparency that they require.

We are proposing a two-stage approach. First, I am updating our current arrangements by consulting on amendments to the Enterprise Act 2002 to enable the Government, if necessary, to intervene in mergers that fall outside the current provisions. In most sectors, the thresholds in the Act allow the Government to intervene in mergers on public interest grounds only if the acquired company has a UK turnover of more than £70 million, or if the share of supply is 25% or more of the market. The thresholds are no longer appropriate for certain sectors, particularly those in which smaller companies may hold technologies that are critical to national security. For those sectors, we are proposing to introduce amendments through secondary legislation that would lower the turnover threshold to £1 million and remove the requirement for the merger to increase the share of supply to 25% or more.

Specifically, I am consulting on amendments to the thresholds for the dual use and military sector, and certain parts of the advanced technology sectors. The first relates to items that are currently subject to export controls. Hostile actors should not be able to acquire such items, or knowledge about how to make them, by buying UK-based businesses. The second relates to companies that are involved in the design of computer chips and quantum technology. Advanced technologies can create threats that are difficult to detect, and may mean that devices could be directed remotely should a hostile actor gain access.

The Green Paper also seeks public views about options for broader reforms to the way in which we scrutinise investment for national security purposes. In particular, we are seeking views on two proposals: broadening the range of transactions that the Government are able to review for national security purposes, and the introduction

of mandatory notification of foreign investment in certain parts of the economy that are critical for national security, such as the civil nuclear and defence sectors. The Government intend any reforms to be firmly targeted at national security. While the national security assessment must, by its very nature, remain confidential, we will also seek to provide greater certainty and clarity for businesses in respect of the process itself. Our proposals will ensure that our arrangements for protecting national security are aligned with the practices in other major countries, and are more robust in response to the evolving nature of national security threats and technological change.

Let me say something about takeovers more generally, outside the area of national security. We have held discussions with stakeholders, including the Takeover Panel, about the current process. Those discussions have covered the need for more information and time to allow for the assessment of takeover bids by interested parties, and to enable assurances given during the takeover process to be properly assessed and compliance-scrutinised. We believe that the changes recently proposed by the Takeover Panel would improve the UK's takeover rules, and we look forward to the conclusion of the consultation.

The Government will also act, when appropriate, to ensure that public funds are protected in mergers. In particular, we will take steps to ensure that Government-funded research and development grants can be clawed back following a takeover if the new company would have been ineligible to receive the grant, or if the purpose for which the grant was made has changed.

Let me now turn to an international investment announcement that was made late last night. On Tuesday, I briefed the House on the trade dispute brought by Boeing against Bombardier. My colleagues and I have been constantly engaged from the outset, and have considered all the alternatives that we can bring to bear to resolve the dispute. I am pleased to be able to tell the House that yesterday the boards of Bombardier and Airbus announced plans for a joint venture involving the C series aircraft. The deal is expected to be completed by the second half of next year. I have spoken directly to the chairman of Bombardier and the chief executive of Airbus about the joint venture specifically, and I have also discussed the matter with Chrystia Freeland, Canada's Minister of Foreign Affairs. My top priority has been to emphasise the importance of giving certainty to Bombardier's high-quality UK workforce, now and in the future.

As the House well knows, the Shorts factory in Belfast employs more than 4,200 highly skilled workers and supports a supply chain of hundreds of companies and many more jobs across the United Kingdom. Airbus also has a large presence in the UK, employing more than 15,000 people, and is firmly rooted in the UK's advanced-technology industrial base. It is in all our interests for the C series to be successful. Both Bombardier and Airbus have made a number of important commitments to me, including commitments that C series wing manufacturing will continue in Belfast, and that the strategy will be one of building on existing strengths and commitments.

This announcement offers the potential to protect the interests of Bombardier's Belfast workers and the UK supply chain. The UK is already Airbus's wing factory for the world, and the announcement reinforces that position. The trade dispute brought by Boeing against

Bombardier's C series remains in place. We consider Boeing's action to be totally unjustified, unwarranted and incompatible with the conduct that we would expect of a company that has a long-term business relationship with the United Kingdom. We reject entirely any suggestion that our support for Shorts contravenes international rules. We will continue to work to see the dispute resolved while Bombardier and Airbus complete their merger.

I remain in close contact with Airbus, Bombardier, and the Canadian and US Governments. I will be speaking to the chairman of Bombardier and the chief executive of Airbus again later this week for an update on progress. I will, of course, continue to meet the representatives, and to meet Members of Parliament with constituency interests, who have been assiduous in standing up for their constituents. I will do everything I can to secure, at all times, the best possible future for Bombardier's Belfast workforce and its UK-based suppliers.

I commend my statement to the House.

12.56 pm

**Rebecca Long Bailey** (Salford and Eccles) (Lab): The news that Bombardier and Airbus will be forming a partnership will be welcome to the thousands of Airbus and Bombardier staff who are employed in the United Kingdom, but can the Secretary of State confirm that he has received unequivocal assurances from Airbus and Bombardier about the security of UK jobs in the long term? The pairing of two cutting-edge product lines is very exciting for the future of aerospace manufacturing, but it should not be an excuse for the Government to diminish their efforts to ensure that the unfair tariffs imposed in the United States are dropped. Will the Secretary of State give more details about the further action that he proposes to take? For example, has he written to the European Commission?

Britain clearly wants to be open to investment, despite reports that the Office for National Statistics is revising its investment position downwards. However, it would be naive to allow key businesses to be at risk from people who have no interest in the long-term success of a business, its workers and its pensioners, or in the long-term interests of the British economy.

Today's proposals are welcome, but I have some concerns. First, I am concerned about the delay in the presenting of the proposals. In the last year or so, we have seen mergers that have called into question the adequacy of our merger regime to defend vital economic interests: jobs, research and development, and the significance of the company involved to the supply chain, to name but a few. For instance, our biggest chip manufacturer, ARM, was sold to Japan's SoftBank. ARM is one of the jewels in our crown, developing cutting-edge chip design and generating thousands of jobs, yet there was no guarantee that R and D—or investment, or jobs—would be protected in the long run. The best that our takeover regime could generate was post-offer undertakings by SoftBank for five years on some of those issues.

That is not an isolated example in the high-tech world. The UK firm Imagination Technologies was sold to Canyon Bridge just a few weeks ago, and our automobile sector has also witnessed the shortcomings of the takeover regime. PSA's purchase of Opel and Vauxhall raised concerns about jobs and investment. Yet again, our

takeover regime was unable to guarantee that those things would be protected, and this week we have heard about the risk of voluntary redundancies. My first question to the Secretary of State is this: why did it take so long, given the manifest deficiencies in the regime to which we drew his attention earlier this year?

My second concern relates to the inadequacy of the proposals. They seem to lower the threshold tests that must take place before the competition authorities and the Government can scrutinise a merger. However, those lower tests apply only to the dual-use and military sector, and to companies that are involved in the design of computer chips and quantum technology. But there are other high-technology sectors that are also in need of the same protections, including life sciences, and food, chemical and automobile manufacturing, to name but a few on a very long list of sectors and business areas that are systemically important to UK plc. These powers would have given no assurances to companies like Unilever, for example, who might try to resist a takeover and have been calling for better safeguards in the takeover regime overall.

Similarly, it is not clear how these powers would have helped in many of the cases I have mentioned where they potentially do apply. Indeed, this morning when the Secretary of State was asked whether these powers would have altered the takeover of ARM, he stated that the turnover of that firm already qualified for scrutiny so this would have made no difference.

So, finally, does the Secretary of State agree that his proposals, while welcome, on the thresholds in particular, fail to protect companies that still fall within them, and will he confirm what further action he proposes to take, because action is desperately needed?

**Greg Clark:** I am grateful to the hon. Lady for her response and questions. On Bombardier, I am grateful for her recognition—which I hope and think is shared across the House and certainly in Northern Ireland—that this is a very positive step forward. I have been very clear that we will continue to seek to strike out and resolve the trade dispute that has been brought by Boeing. Given what we have been doing during the weeks since the initial complaint was made, I do not think anyone could accuse the Government of being anything other than full-hearted in our attempts to resolve this, and our efforts, with our Canadian Government counterparts, to find a secure source of guarantees for Belfast have been widely welcomed this morning.

In terms of the assurances given, Bombardier and Airbus have clearly said they regard the Belfast wing operation as foundational. They expect to expand the production, which means good prospects for those jobs in Northern Ireland and the supply chain across the United Kingdom. That is extremely good news. We will continue to pursue to the point of resolution the trade dispute. The hon. Lady asked about the European Commissioner: my right hon. Friend the International Trade Secretary has discussed this personally with the European Commissioner for Trade. We will leave no stone unturned in seeking a resolution of this dispute.

On the proposals in the Green Paper on international investment, I would have thought the hon. Lady should welcome the fact that we continue to be the third-biggest destination in the world for overseas investment. One of the major strengths of our economy is that we have a

[Greg Clark]

reputation for dependability and openness, and it is important that we preserve that while upgrading our systems of scrutiny to make sure that the national interest is protected, particularly in the case of national security. In saying that, I note that the hon. Lady suggests that there has been some delay in so doing, but the changes we are making were changes that were not made during 13 years when the Labour party had the chance to address these matters. I hope she will respond to the consultation and welcome it.

It is right that the threshold should be dropped in order to admit small companies: everyone knows that as technology develops, smaller companies can have a critical role to play in producing products that are part of a wider system. It is right to have that degree of scrutiny. But when the hon. Lady reads the Green Paper she will see that, in addition to those initial changes, we are consulting on whether there should be a wider set of powers to require the mandatory notification of mergers in other sectors of the economy, and we make some proposals around that. It is right to consult on that, but it would not be right for every single transaction in the economy to be required to go through an administrative process when it does not pose a threat to our national interest. That is the purpose of the consultation, and I hope she will welcome it.

The hon. Lady raises the question of Unilever. One of the features of the proposed takeover of Unilever was that the company—correctly, in my view—did not feel it had the time to prepare a proper defence of itself, given the current takeover rules. Following conversations that we have had, the Takeover Panel is proposing a more substantial period in which, at the request of the target company, it will have longer to prepare that defence. That will be welcomed across the economy. This is a consultation by the Takeover Panel so we will wait for that to conclude, but I have welcomed it as a positive step forward.

**Amanda Milling** (Cannock Chase) (Con): Does my right hon. Friend agree that the record levels of inward investment demonstrate a strong vote of confidence in Britain, showing that we are open for business and an outward-looking and world-leading nation?

**Greg Clark:** I agree: it is a proud boast that we are the No. 3 nation in the world. We are by no means the biggest nation in the world, but to be No. 3 behind the US and China in terms of foreign direct investment is a real vote of confidence in this economy, and that is something I and my team and my colleagues across Government will always work hard to extend.

**Drew Hendry** (Inverness, Nairn, Badenoch and Strathspey) (SNP): I am grateful to the right hon. Gentleman for an advance copy of his statement.

The Scottish National party supports measures that best protect our citizens and measures that relate to national security. However, it is not clear why these proposals have been brought forward now, so can the right hon. Gentleman tell us why now, and what the UK Government's long-term strategy is?

We also believe it is vital that Parliament is fully involved in this process. Will the right hon. Gentleman confirm that that is the case?

Finally, on military technology, the UK Government must look to their own track record. Will the right hon. Gentleman confirm that the same degree of stringent oversight and scrutiny is to be applied to arms sales abroad?

**Greg Clark:** I am grateful to the hon. Gentleman for his questions, although I am surprised that he did not want to welcome the investment decision in Bombardier. In response to his—perfectly reasonable—question, “Why now?”, it is right to upgrade our systems for scrutiny periodically. A national security risk assessment was carried out recently, which correctly pointed out that smaller companies have the potential to pose a threat to national security, and these measures respond to that. We are publishing a Green Paper; Parliament is being invited to scrutinise it, as the essence of a Green Paper is that it is published for Parliament, as well as people in the outside world, to examine. On military technology and the scrutiny of arms sales, I think the hon. Gentleman should know that that is already subject to a licensing procedure.

**Bob Stewart** (Beckenham) (Con): Will my right hon. Friend confirm to the House that robust due diligence is always carried out on foreign investment when it might afford other Governments control of systems that are closely linked to national security, such as the grid?

**Greg Clark:** That is the essence of the proposals, and it is necessary to update them from time to time in line with the recommendations that arose from the national security risk assessment. It is very important—it is the first duty of Government—to make sure that we are protected from hostile threats.

**Sir Vince Cable** (Twickenham) (LD): I welcome the Secretary of State's recognition of the need to widen the public interest test, but express some disappointment that his definition of it does not appear to include cases where British companies that are fundamental to the science base would be at risk of acquisition, as in the abortive Pfizer AstraZeneca bid, and more recently in the successful bid for ARM, Aveco and the many smaller companies now being acquired on the back of a cheap pound.

**Greg Clark:** I am grateful to the right hon. Gentleman for his comments. He will be aware that under European law we are limited in the public interest test to questions of national security, financial stability and media plurality. That is the situation that exists, hence the proposals that we have are around strengthening national security. I ask the right hon. Gentleman to study the Takeover Panel proposals to give a longer period for the scrutiny of any bids in the public domain, allowing the target company to respond, because from what I have seen so far, that has received a very positive response in corporate Britain, and when that consultation concludes I very much hope it will be enacted.

**Sir Desmond Swayne** (New Forest West) (Con): There are occupants of the Treasury Bench to whom I once taught economics, and I used to tell them that the United Kingdom owned more assets overseas per capita than any other nation on earth. Do we still believe in the free movement of capital?

**Greg Clark:** We certainly do, and I am delighted that my right hon. Friend has been part of the process of educating generations of Conservative Front Benchers. In fact, the UK's stock of overseas investment is second only to that of the United States of America. For this country to be second only to the United States in terms of the value of the assets that we own overseas is a remarkable achievement, and he is right to pay tribute to that.

**Gavin Robinson** (Belfast East) (DUP): I sincerely thank the Secretary of State and the Energy Minister, the hon. Member for Watford (Richard Harrington), for their steadfast support for Bombardier and Belfast. Does the Secretary of State acknowledge that, in encouraging a union between Bombardier and Airbus, Boeing has scored a spectacular own goal? Will he continue his commitment to supporting that partnership, both in terms of the tariff proposition from the US International Trade Commission and of the regulatory considerations to come?

**Greg Clark:** I will indeed, and I want to pay tribute to my hon. Friend, who is the constituency Member for the Bombardier Shorts plant in Belfast. No part of the United Kingdom could have a more vigorous representative of the interests of its constituents than his constituency. He and his colleagues have played an important role in this process. The reaction of Boeing is clearly a matter for that company, but I have been clear that as long as that unjustified and unmerited complaint is being pursued, we will vigorously defend it. We think that the complaint is without merit. As I said when I last updated the House, it is in everyone's interest that the complaint should be withdrawn so that the relationship that Boeing seeks to have with this country should not be marred by the unjustified action that it is taking. My hon. Friend has my commitment on this.

**Mr Marcus Fysh** (Yeovil) (Con): I welcome the Government's attention to this area. I note that research and development in areas of critical national security often occur in the small and medium-sized enterprise sector. Has my right hon. Friend given any thought to how these proposals might impact on the propensity of people to invest in that sector?

**Greg Clark:** It is important that investors, especially those starting up a firm for the first time, should reflect on the fact that the UK is the best place in the world to establish new scientific and technological companies. They can invest with confidence. The ability to scrutinise investments should not put anyone off establishing a firm in this country. It is often possible to deal with security concerns through conditions and undertakings, and getting that framework clear and in place will give confidence to investors in the future.

**Mark Tami** (Alyn and Deeside) (Lab): I welcome the Bombardier announcement—it is very good news. However, future Airbus investment in the UK will depend on a Brexit deal that allows the company to operate as it does now. The company has been very clear about that, and it will mean having a deal rather than no deal. For example, if a wing leaves Broughton but then needs further work, British Airbus employees can leap on to a plane and follow it. They might be away for days or even weeks. Will that be able to continue post Brexit?

**Greg Clark:** My colleagues and I meet regularly not only with Airbus but with the whole of the aerospace industry, which is one of our most successful industries, and we are well aware of how the sector and the companies within it work. This informs our negotiations to allow us to ensure that that way of working can continue.

**Alan Mak** (Havant) (Con): I welcome the Secretary of State's statement and the investment in Bombardier. As the fourth industrial revolution accelerates and new technologies emerge, will he consider introducing a call-in mechanism to allow flexibility when the Government scrutinise transactions for national security concerns?

**Greg Clark:** My hon. Friend is a great champion of the need to prepare for the fourth industrial revolution, if we are to benefit from it. Part of the reason for this Green Paper is consistent with the high standards that we have always had in this country for ensuring that our systems are up to date. We are suggesting that, in certain sectors that are relevant to national security, it would be possible, subject to the results of the consultation, to scrutinise transactions to assess whether they posed a problem.

**John Woodcock** (Barrow and Furness) (Lab/Co-op): It is surely right to add smaller companies to the national security process, but this is only a Green Paper and secondary legislation takes time. Given how fast these fields of technology are moving, what are the Government doing right now to mitigate the risk of what we want to legislate to deal with in the future?

**Greg Clark:** The proposals can be introduced through secondary legislation, and I hope that they will find favour with the House so that we can proceed with that. There is an ability to act through other measures if there is a threat to national security, but the essence of these proposals is that this can be done in anticipation, rather than when a threat has crystallised. This is the right way to proceed, rather than waiting for a threat to be identified as imminent. This is about being prepared.

**Kevin Foster** (Torbay) (Con): I welcome the Secretary of State's statement and particularly the news about Bombardier. Does he agree that the Brexit vote was about us going out into the world and being part of the international trading community, not about withdrawing behind a wall? Will he therefore reassure me that, despite what we are saying about considerations of national security, we will remain an open advocate of free trade in the world?

**Greg Clark:** It is precisely because we are a leading advocate of free trade and open investment that it is necessary to have the right framework in place so that people can invest with confidence. In fact, in many cases, the steps that we are taking bring us into line with our competitor nations when it comes to trade, and I am absolutely confident that this regime will be respected and applied.

**Tom Brake** (Carshalton and Wallington) (LD): On the subject of companies developing dual-use technology, can the Secretary of State confirm that as well as introducing powers to stop those companies falling into

[Tom Brake]

foreign hands, he will ensure that they will still be able to recruit workers from the EU? Those workers will often not be particularly well paid, as they might be graduates working in start-up companies. Also, will he clamp down on companies here that use subsidiaries in other countries to avoid UK export controls and sell dual-use technology that can be used to clamp down on dissent in middle east countries?

**Greg Clark:** On the right hon. Gentleman's second point, an export control regime deals with these matters. On his first point, while the scope of the Green Paper is extensive, it is not a consultation on immigration policy. There will be other opportunities to pursue that.

**Robert Jenrick** (Newark) (Con): I broadly welcome the proposals to change the takeover code and protect national security assets, especially smaller companies, but will the Secretary of State consider adopting a new principle that for every new policy that could be construed—however unfairly—as being protectionist or anti-business, at least two new policies should be brought forward that state as loudly as possible that Britain is open for business and a free trading country committed to free enterprise?

**Greg Clark:** We are saying loudly and clearly that we depend on free trade, and that free trade depends on our having clarity in the rules so that investors in our companies know what scrutiny they will be subject to. That is something that business has wanted, so it is good that we are going to be clear about that.

**Alan Brown** (Kilmarnock and Loudoun) (SNP): These proposals are welcome as far as they go, but if, thinking about the bigger picture, we are looking at transparency in safeguards relating to foreign investment, we will

need to stamp out the laundromat money-laundering schemes that channel billions of pounds through the UK. What steps are the Government taking to eliminate the vehicles for that practice, including the Scottish limited partnerships?

**Greg Clark:** My hon. Friends in the Treasury are, as the House knows, active and vigorous in pursuing measures against money laundering, and that approach is an important part of this regime's reputation for applying high standards.

**Wendy Morton** (Aldridge-Brownhills) (Con): I welcome the Secretary of State's statement and his recognition of the importance of not only large strategic businesses, but the supply chain. Does he agree that it is vital that the rules for the scrutiny of foreign investment are clear, certain and proportionate?

**Greg Clark:** That is exactly what is proposed in the Green Paper. The focus is on national security, which is an important responsibility for the Government. It is important that investors and businesses know the procedures so that they can have the greatest certainty when conducting business, including when contemplating takeovers.

**Tom Pursglove** (Corby) (Con): Will my right hon. Friend say a little more about the role of industrial strategy in helping to harness international investment?

**Greg Clark:** One of the strengths of the UK's economy is our reputation for innovation and discovery through the application of science. Our industrial strategy deepens our commitment to that. We have seen the biggest increase in public investment in research and development for more than 40 years. Part of our strategic approach means establishing companies that make use of that technology, and having a regime under which companies that do use that technology can be confident about taking in foreign investment is part and parcel of the positive, mature regime that we want to establish.

## EU Exit Negotiations

1.21 pm

**The Secretary of State for Exiting the European Union (Mr David Davis):** With permission, Mr Speaker, I will update the House on the fifth round of negotiations with the European Union. In view of the fact that the October European Council is this week, I will also review the progress of the five negotiation rounds since June.

While the negotiations have been tough at times, both Michel Barnier and I have acknowledged the new dynamic created by the Prime Minister's speech in Florence. That momentum was maintained during October, and both negotiating teams have continued to work constructively together. Since June, we have steadily developed our shared political objectives. Nevertheless, there is still some way to go to secure our new partnership, but I am confident that we are on the right path.

I will now take the House through each of the negotiating issues in turn. On citizens' rights, we have made further progress towards giving British citizens in the EU, and EU27 citizens in the UK, the greatest possible legal certainty about the future. Our legal orders will be distinct and different in the future. Last week, we explored how we will ensure that the rights we agree now will be enforced in a fair and equivalent way. We also explored ways in which we can fully implement the withdrawal treaty into UK law, giving confidence to European citizens living in the UK that they will be able to directly enforce their rights, as set out in the agreement, in UK courts.

The two sides also discussed ways of ensuring the consistent interpretation of our agreement. Although we have not yet arrived at single model to achieve that, we have explored a number of options. We should also not lose sight of the fact that we have made significant progress in that area since June. We have reached agreement on the criteria for residence rights, the right to work and to own a business, social security rights, rights for current family members, reciprocal healthcare rights, the rights of frontier workers, and the fact that the process for securing settled status in the UK will be streamlined and low cost. However, there are of course still some issues outstanding for both sides, including the rights: to continue to enjoy the recognition of professional qualifications; to vote in local elections; to onward movement as a UK citizen already resident in the EU27 and to return; to bring in future family members; and to export a range of benefits. In many of those areas, it is a straightforward statement of fact that our proposals go further and provide more certainty than those of the Commission, but both sides are trying to find pragmatic solutions. In the fourth round, we offered the guaranteed right of return for settled citizens in the UK in exchange for onward movement rights for British citizens currently living in the EU. We look forward to hearing the Commission's response to that offer.

I recognise that there has been some concern regarding the new system that European citizens will have to use to gain settled status in the UK. While there will be a registration process, I confirmed last week that the administration process will be completely new, streamlined and, importantly, low cost. Furthermore, any EU citizen

in the UK already in possession of a permanent residence card will be able to exchange it for settled status in a simple way and will not need to go through the full application process again. The tests associated with the process will be agreed and set out in the withdrawal agreement. As a result of our productive discussions, the Commission is also able to offer in return similar guarantees to British citizens in the EU. Those clarifications from both sides have helped to build further confidence.

This round also saw further detailed discussions on Northern Ireland and Ireland. In a significant step forward, we have developed joint principles on the continuation of the common travel area and associated rights. The joint principles will fully preserve the rights of UK and Irish nationals to live, work and study across these islands. They will also protect the associated rights to public services and social security. To provide legal certainty, the principles recognise that the withdrawal agreement should formally acknowledge that the UK and Ireland will continue to be able to uphold and develop bilateral arrangements.

Our teams have also mapped out areas of co-operation that function on a north-south basis, and we have started the detailed work to ensure that that continues once the UK has left the EU. We also agreed a set of critical guiding principles to protect the Belfast or Good Friday agreement in all its dimensions, and we are working on the necessary steps to make that a reality. Throughout the process, we have reaffirmed our commitment to the rights of the people of Northern Ireland to choose to be British or Irish, or both. I have set out before our shared determination to tackle the unique circumstances of Northern Ireland by focusing on creative solutions, and we have begun to do so. But we cannot fully resolve the issues without also addressing our future relationship. As the Prime Minister said in her statement to the House last week:

"We owe it to the people of Northern Ireland—and indeed to everyone on the island of Ireland—to get this right."—[*Official Report*, 9 October 2017; Vol. 629, c. 43.]

On the financial settlement, discussions continued in the spirit fostered by the Prime Minister's significant statements in her Florence speech. The Prime Minister reassured our European partners that they will not need to pay more or receive less over the remainder of the current budget plan as a result of our decision to leave. She reiterated that the UK will honour the commitments we have made during the period of our membership. Off the back of that, we agreed in the September round to undertake a rigorous examination of the technical detail on which we needed to reach a shared view. That work has continued. It has not been a process of agreeing specific commitments—we have been clear that that can come only later—but it is an important step, so that we will be able to reach a political agreement when the time comes.

Finally, on separation issues, we have continued to work through the detail on a range of issues, particularly areas relating purely to our withdrawal, such as nuclear safeguards, civil judicial co-operation, and privileges and immunities. While we have made good progress, the remaining issues are dependent on discussions about our future partnership. We are ready and well prepared to start those discussions.

Our aim remains to provide as much certainty as possible to businesses and citizens on both sides. I have made no secret of the fact that to fully provide that

[Mr David Davis]

certainty we must be able to talk about the future. We all must recognise that we are reaching the limits of what we can achieve without considering our future relationship. The Prime Minister's speech in Florence set out the scale of our ambition for the new partnership with the European Union. She also laid out our case for a simple, clear and time-limited period of implementation on current terms. At the European Council later this week, I hope the leaders of the EU27 will recognise the progress made and provide Michel Barnier with the mandate to build on the momentum and spirit of co-operation we now have. Doing so will be the best way of allowing us to achieve our joint objectives and move towards a deal that works for both the UK and the EU.

There has been much discussion of what will constitute sufficient progress. Let me be clear that sufficient progress, and the sequencing of negotiations, has always been a construct of the EU, not the UK. Negotiations require both parties not just to engage constructively, but to develop their positions in advance. For the UK's part, I have always been clear that we will be conducting these negotiations in a constructive and responsible way. We have been entirely reasonable. The work of our teams and the substantial progress that we have made over recent months proves that we are doing just that, and we are ready to move these negotiations on. I commend this statement to the House.

1.29 pm

**Keir Starmer** (Holborn and St Pancras) (Lab): I thank the Secretary of State for advance sight of his statement.

No one should underestimate the seriousness of the situation in which we find ourselves. At the first hurdle, the Government have failed to hit a very important target, which leaves EU citizens in the UK and UK citizens in Europe in a continued state of uncertainty. There is insufficient progress on Northern Ireland, and it appears that the deadlock on the financial settlement is such that both sides are barely talking.

The Secretary of State says he is confident that we are now on the right track. I cannot fault him for his confidence in his own negotiating ambitions. The problem is that most of those ambitions have failed to materialise. One ambition was that the sequencing of talks would be the row of the summer and that he would not agree, but he agreed by coffee time on day one. His suggestion that sequencing and the concept of sufficient progress are EU constructs leaves out the fact that he agreed to them and signed up.

The Prime Minister and the Secretary of State were right to go to Brussels last night. Obviously, I would like to claim that was in response to the letter I wrote to the Secretary of State last Thursday, but even I recognise that would probably be over-claiming for my letter. Because of the seriousness of the situation, both sides—I include the EU—need to do whatever they can to break the impasse by Friday. More flexibility is needed on both sides by Friday.

I hear what the Secretary of State says about the Florence speech, which was an important speech, but he would be on stronger ground if what the Prime Minister said in Florence had not been immediately

undermined by the self-interested antics of some Cabinet members. I also hear what the Secretary of State says about the statement of intent last night to accelerate the process. Given the glacial speed so far, it is not exactly a high ambition—a car going from 2 miles per hour to 4 miles per hour is accelerating, but it is still going slowly.

If we want investment in our economy to continue, and if we want businesses to stay here and others to come, we need to start talking about transitional arrangements now. Those transitional arrangements need to be on the same basic terms as now—in the single market and within a customs union. Every passing week without progress on transitional arrangements makes things worse for businesses, not better. We need to make progress this week, before December.

We also need to drop the nonsense about no deal. Only fantasists and fanatics talk up no deal. No deal is not good for the UK, is not good for the EU and is not what the Secretary of State wants, but he must now realise that the slow progress of these talks raises the risk of no deal.

We need the Secretary of State to answer these critical questions from the Dispatch Box today. What does he intend to do between now and Friday to deliver on the commitment to accelerate the talks? What words does he want to hear on Friday to evidence that progress? How confident is he, on a scale of one to 10, that he will hear those words? And what does he intend to do if he fails?

**Mr Davis:** As ever, we get carping from the right hon. and learned Gentleman and not a single proposal or suggestion. It is interesting that he does not have another strategy, and we have a measure of that because he started by criticising the fact that citizens' rights have not been resolved, whereas on Sunday he said, "I agree with David Davis, who says you cannot simply separate out the issues we are dealing with now and the later issues." He talks about Northern Ireland in the same terms: "To be fair to David Davis, he is right on issues like Northern Ireland. There is only so far you can get before we move to the next phase." When he has to appear reasonable on Peston he is very different from when he has to appeal to his Back Benchers here.

The simple truth is that there has been extremely productive activity in these negotiating rounds. Mr Barnier is going to the European Council on Friday to present his case, which I hope will argue for more progress both on transition and on the future relationship, but it is for him to make that persuasive case on the day. I know from my own visits across Europe, and Mr Barnier will also know this, that a large number of the 27 member states want to do the same.

The right hon. and learned Gentleman talks about talking up no deal. I cannot think of a time, a day, a moment when I have talked up no deal. We are in the middle of a negotiation, and we want to negotiate in good order and with good faith on both sides, but if we do not prepare for all outcomes, we will leave ourselves exposed to an impossible negotiation. We saw that again this weekend when he and the shadow Chancellor said, "Oh, we'll pay in perpetuity for access to the single market. We'll pay whatever it takes. £100 billion. £200 billion. Whatever it takes."

The simple truth of the matter is that the right hon. and learned Gentleman carps and carps, but he has no options of his own.

**Sir William Cash (Stone) (Con):** My right hon. Friend has said that in the discussions we have also explored ways in which we can fully implement the withdrawal treaty in UK law. Does that suggest he has in mind legislative enactment of the withdrawal treaty? When he talks about the role of the UK courts, does he mean that the enactment will be overseen by our courts, and not by the European Court of Justice?

**Mr Davis:** A range of models are available for how we bring the withdrawal treaty into British law—British law, not European law—and the key criterion I am applying is that it gives certainty to those EU27 citizens who are here now that their rights will be preserved. It will, of course, be adjudicated by British courts.

**Several hon. Members** *rose*—

**Mr Speaker:** Order. Just before I call the Scottish National party spokesman, I remind the House that Members who arrived in the Chamber after the statement started should not be standing. Some experienced Members are standing when they should not. I am afraid it is too bad if they got their timing wrong. Members should keep an eye on the annunciators and get into the Chamber in time for the statement. It is a considerable discourtesy to turn up late, not having heard some of the statement, and then expect to be called, so please do not.

**Several hon. Members** *rose*—

**Mr Speaker:** Order. I said that Members who arrived late should not be standing. The message is clear, and it ought to be heeded. It is discourteous to ignore it. End of subject.

**Peter Grant (Glenrothes) (SNP):** I am grateful to the Secretary of State for advance sight of his statement.

About a year ago, the Prime Minister said that we cannot expect a running commentary, but in truth we would not have to run very fast to keep up with the negotiations. The right hon. and learned Member for Holborn and St Pancras (Keir Starmer) has already commented in similar terms to the BBC's Laura Kuenssberg, but he might have added that, before pressing the accelerator, we should check whether we are heading towards or away from a cliff edge.

We have seen one humiliation after another for this Government. They tried to drive a wedge between the Commission and the 27 sovereign states from which it takes its mandate and authority, so will the Secretary of State assure us that the Government will stop playing these games and accept the Commission's mandate, rather than attempting to undermine it and thereby undermine their own position? He claims that the UK is being reasonable, but is it reasonable to go in with red lines already firmly dug into the sand before the negotiations have even started? That does not look too reasonable to me.

The Secretary of State assures us that he has never talked up no deal, but he has not talked it down, either. Other influential voices in his party talk up no deal all the time. The Prime Minister still has not withdrawn her claim that no deal is better than a bad deal. Rather than just not talking up no deal, will the Secretary of State absolutely rule out no deal today as the worst of all possible deals?

Finally, on the rights of EU nationals living here, I had a distressing meeting last week with representatives of the Fife Migrants Forum. They told me of their first-hand experience of immensely talented, hard-working young people who have made Fife their home but who are now making plans to head back to Poland, Slovakia or wherever else, not because they do not like living in Scotland but because they do not think the United Kingdom will make them welcome. Will the Secretary of State commit to guaranteeing in law the rights of those citizens, rather than continuing to use them as negotiating capital?

**Mr Davis:** There were three questions there, which I will take in sequence. First, on separating the 27, nothing could be further from the truth; the worst thing for the UK would be for us to have to deal with fragmentary groups of the European Union, as we would never get an answer and that would lead us to the Walloon Parliament outcome on the Transatlantic Trade and Investment Partnership and the Canadian treaty, so we have not done that at all. However, we should also talk to each of the 27 to see what their own interests are, as those of Poland and Lithuania may differ from those of littoral states such as Holland or Belgium, and differ again from those of Spain and Italy. We talk to all of them on a continuous basis to make sure we know what they want.

To pick up the hon. Gentleman's last point, about his Polish constituents, let me say that we also go to those Governments to explain precisely what we have on offer. There have been times in the past few months when the European institutions have not reflected what we intended to do. For example, in a perfectly legitimate and reasonable mistake, Guy Verhofstadt said that we were not going to give European citizens the right to vote in local elections. That was not true, so we corrected it directly with the Governments.

As for no deal, the issue is straightforward: we are intending, setting out and straining every sinew to get a deal. That will be the best outcome, but for two reasons we need to prepare for all the other alternatives. The first is that it is a negotiation with many people and it could go wrong, so we have to be ready for that. The second is that in a negotiation you always have to have the right to walk away: if you do not, you get a terrible deal.

**Mr Owen Paterson (North Shropshire) (Con):** Today, a report estimated that should we move to a tariff regime, the German motor car industry alone could lose between 8,600 and 29,400 jobs. It is massively in the interests of the UK and our 27 partners that we establish reciprocal free trade based on a recognition of conformity of standards. In his conclusion, the Secretary of State says that he recognises that we have reached the limits of what we can achieve without consideration of our future relationship. When are our partners going to recognise that it is massively in their interests that we establish reciprocal free trade and start talking about our end trading relationship?

**Mr Davis:** My right hon. Friend makes a good point. Of course it is absolutely in everybody's interest that we have an outcome that encourages free trade in all directions, across the EU and with us. The simple truth is that we are in a negotiation and they are using time pressure to

[Mr David Davis]

see whether they can get more money out of us—that is what is going on, as is obvious to anybody. That will take some time, but I am sure we will get there in time to get a decent outcome for everybody.

**Hilary Benn** (Leeds Central) (Lab): As evidence mounts that leaving the EU with no deal would involve an unacceptably high price, it is also clear that although the Prime Minister's speech in Florence improved the atmosphere, it has not broken the logjam in the negotiations. Will the Secretary of State tell the House what the Government now propose to do or to offer so that the talks can move on to phase 2 and in particular to the nature of the transitional arrangements, for which British businesses are waiting because they urgently need to know that those arrangements will happen and what their terms may be?

**Mr Davis:** First, I say to the right hon. Gentleman that he should not jump to conclusions, as we have yet to hear the Council conclusions on Friday. Let us wait to see what they are before we make the next move; if I do, I probably will not make it from the Dispatch Box—I will probably make it in Brussels. On the implementation period, transition period or whatever he wants to call it, the Prime Minister has made it clear from this Dispatch Box that things will be as close as possible to where we currently are for up to or about two years. That was what her estimate was and I have no reason to differ from it.

**Several hon. Members** *rose*—

**Mr Speaker:** I mentioned the poor timekeeping of several colleagues, and I stand by that, but I wrongly accused the hon. Member for South West Wiltshire (Dr Murrison) of being late for this statement and he quite properly corrected me. He was in fact here and I had not been conscious of it, so my apologies to him and let us hear his question.

**Dr Andrew Murrison** (South West Wiltshire) (Con): I am very grateful, Mr Speaker. What expectation does my right hon. Friend have that on Friday a decision will be made that sufficient progress has been made on the people issues of the island of Ireland, which would very much be welcomed, but that, given that any decision on goods and services across what we hope will continue to be a soft border cannot be made without second-guessing any future UK-EU relationship, this should be carried over into the next phase?

**Mr Davis:** My hon. Friend is right to say it is difficult to come up with a solution to create an invisible border if we do not know what the border around the rest of the United Kingdom will be. I think that, over time, the European Union has come to a similar view, although it may never have said so explicitly. I do not want to predict what the conclusions will say when they come out on Friday, but I suspect they will pay proper attention to the fact that we have made quite a lot of progress on Northern Ireland, possibly as much as we can.

**Mr Pat McFadden** (Wolverhampton South East) (Lab): I have sympathy with the Secretary of State because he has to come here every month to report on negotiations that resemble the holding pattern at Heathrow airport,

where the planes go round and round but never actually move forward. May I return him to this crucial issue of no deal? Members of his party have spent the past two or three days touring TV studios saying that they are relaxed about that outcome, yet the Resolution Foundation and the International Trade Policy Observatory have today published a report saying that it would mean added costs for families of between £250 and £500 per year, with the burden falling most heavily on families in the midlands and the north. Is he relaxed about that kind of additional burden on hard-working families?

**Mr Davis:** If I thought it reflected the reality, I would not be relaxed about it, but the simple truth is that it does not. It does not reflect the effect of free trade and the free trade deals, and it does not reflect what we would have to do in those circumstances. [Interruption.] The hon. Member for Bermondsey and Old Southwark (Neil Coyle), from a sedentary position—he has not been here very long and obviously thinks this is the way to do it—shouts that I am talking up no deal. No, I am not. I am dealing with scaremongering and I am knocking down scaremongering, so I think the answer there is no.

**Anna Soubry** (Broxtowe) (Con): May I commend my right hon. Friend for his statement and the advance in the negotiations made by both him and the Prime Minister? Does he agree that it is not just within this House where there is no majority for no deal, but that by their vote on 8 June the British people did not give this Government any mandate for no deal, because not only would it be bad for everybody in England, Wales and Scotland, but it would be particularly bad for our friends in Northern Ireland?

**Mr Davis:** I would say two things to my right hon. Friend. First, the election gave us a bigger mandate than it gave the Opposition. Secondly, we are seeking to get a deal, as that is by far and away the best option. The maintenance of the option of no deal is both for negotiating reasons and for sensible security; any Government doing their job properly will do that.

**Chris Bryant** (Rhondda) (Lab): If there is no deal, agricultural products from Wales will probably face tariffs in Europe, and European agricultural goods coming into the UK will face tariffs. That will dramatically increase the cost of family food budgets, which is wrong and bad for my constituents. The Secretary of State for Transport has a brilliant answer to this; he says that we are just going to grow more food. In order to grow more food in this country, will we not need agricultural workers from elsewhere in Europe and the common agricultural policy to remain? Might we not just be better off staying in the EU?

**Mr Davis:** I am very fond of the hon. Gentleman, but if he wants to look at the pricing of food, he should look at how much of it is down to the common external tariff barrier on food.

**Mr Shailesh Vara** (North West Cambridgeshire) (Con): Those who threaten economic Armageddon if we leave the EU without a deal are, in effect, engaging in “Project Fear 2”. Does my right hon. Friend agree that “Project Fear 1” did not materialise and there is every possibility that “Project Fear 2” will not either?

**Mr Davis:** My hon. Friend is right about that. I am not a great believer in mathematical forecasting, but I can tell him that if he really wants to look at an independent view of what a World Trade Organisation outcome would look like, he could look at an OECD report out today, which says that growth will continue.

**Mr Chris Leslie** (Nottingham East) (Lab/Co-op): The Secretary of State must be gutted that after not one, two, three or four, but five rounds of negotiation we still have not even a sign of this potential for a transitional arrangement, which is so essential for businesses. They are not necessarily thinking of the cliff edge in March 2019; that cliff edge is beginning at the end of this calendar year, when businesses are starting to look at relocating to other jurisdictions. Will he therefore tell us specifically, because this week's European Council is mission critical, who he will be talking to between now and Friday to make sure we get that transition done this week?

**Mr Davis:** We are in a negotiation. As the hon. Gentleman quite rightly points out, we have been talking for five rounds so far, and indeed I had another meeting with Mr Juncker and Mr Barnier last night. Let us just see what the European Council comes out with on Friday, shall we?

**Nicky Morgan** (Loughborough) (Con): The Secretary of State said in his statement that

“we cannot fully resolve the issues without also addressing our future relationship”.

He is obviously right in saying that, but is it not also the case that it is impossible to address the future relationship if talks do not take place? Will he therefore resist the siren voices who are tempting him to say that if there is no progress this week, we should get up and walk away? If we get up and walk away, we will never solve the issues that he talked about in his statement.

**Mr Davis:** There are no plans to get up and walk away.

**Caroline Lucas** (Brighton, Pavilion) (Green): With it looking increasingly likely that the Prime Minister's claim that no deal is better than a bad deal might be put to the test, and with new research out today—not only the report mentioned by the right hon. Member for Wolverhampton South East (Mr McFadden) but the OECD report—indicating that that would result in an horrendous economic situation, will the Secretary of State assure the House of Commons that it will have a meaningful opportunity to vote on what would be a disastrous outcome of the current gridlocked negotiations? That vote is going to be crucial because this is not what the referendum was about.

**Mr Davis:** During the passage of the European Union (Notification of Withdrawal) Act 2017, the Government gave an undertaking that there will be a vote on the deal.

**Mr William Wragg** (Hazel Grove) (Con): Mr Juncker used the uncharacteristic analogy of ordering 28 beers; does my right hon. Friend agree that our moving into the second phase of negotiation on our future trading arrangements would be a welcome sign of a “Sober October” in which minds are clear and focused on what is in the best interests of both the UK and the EU?

**Mr Davis:** My hon. Friend puts it better than I can.

**Heidi Alexander** (Lewisham East) (Lab): Will the Secretary of State set out the implications of the Prime Minister's Florence speech for the UK's relationship with EU regulatory bodies such as the European Medicines Agency during transition? Will we in effect seek to remain a member of such organisations, despite our having formally left the EU?

**Mr Davis:** As the Prime Minister said in her Florence speech, we start by identifying the regulatory position, and the question is then how we manage divergence. Britain will bring the control of such matters back within its own shores, and we will then have a procedure between us by which we manage divergence.

**Mr David Jones** (Clwyd West) (Con): I commend my right hon. Friend on the patience and good humour with which he conducts the negotiations. At what time does he think he will be obliged to inform the EU that that patience is not infinite and that if it continues to refuse to discuss the future relationship, which is after all prescribed by article 50 and which is something we want to do, we will assume that it is not serious about doing so and therefore consider other options?

**Mr Davis:** I think I learned patience and good humour from standing at the Dispatch Box and dealing with that lot on the Opposition Benches. The simple answer to my right hon. Friend is that I expect the EU to do what is in its own best interests. That is what normally happens in a negotiation and that is what will happen in this one. As my right hon. Friend the Member for North Shropshire (Mr Paterson) stated earlier, there are massive interests for the EU in getting a deal, and that is what will happen.

**Emma Little Pengelly** (Belfast South) (DUP): I thank the Secretary of State for his statement. I particularly welcome the references to Northern Ireland and the related progress that has been made. Sadly, thus far, too much of the focus by too many has been on the obstacles to be overcome in relation to a hard border. Does the Secretary of State agree that the best approach is to get the best possible trading relationship with the Republic of Ireland, ergo minimising any obstacles to be overcome? Does he commit to keep emphasising that point to the Taoiseach, speaking for the United Kingdom of Great Britain and Northern Ireland on these matters?

**Mr Davis:** The hon. Lady is entirely right. It is important to the Republic of Ireland not only because it intends to maintain the peace process and an invisible border, but because the direct interests of the Republic of Ireland are in maintaining a very good trading relationship with the UK. I think the trade between us is worth around £1 billion a week, so the Republic of Ireland would not want to see that handicapped.

**Rishi Sunak** (Richmond (Yorks)) (Con): Will my right hon. Friend confirm that the Government will initiate the implementation phase only if our final relationship with our European allies has been agreed, at least in principle, so that what is meant to be a transitory state of affairs does not become a permanent bridge to nowhere?

**Mr Davis:** There are two answers to my hon. Friend. First, we will try to get the nature of the implementation phase agreed as soon as possible so that, as the right hon. Member for Leeds Central (Hilary Benn) said, businesses can take it into account. Secondly, my hon. Friend is right that such a transition phase will be triggered only once we have completed the deal itself. We cannot carry on negotiating through it, because our negotiating position during a transition phase would not be very strong.

**Mike Gapes** (Ilford South) (Lab/Co-op): The Secretary of State claimed that progress has been made on the questions of EU citizens here and British citizens living in other EU countries. Will he confirm that British citizens living in other EU countries will maintain the protections of the European Court of Justice for the foreseeable future, whether or not we are inside the EU?

**Mr Davis:** I am not sure that I heard the hon. Gentleman correctly. Did he ask about EU citizens here or UK citizens there?

**Mike Gapes:** UK citizens there.

**Mr Davis:** Yes, UK citizens in the EU will of course maintain the protection of the ECJ, because by being inside the EU they will be within the ECJ's remit.

**Mr Marcus Fysh** (Yeovil) (Con): Is it sensible to allow the EU to focus on the nature of an implementation phase before we are clear about what the final relationship is? Would not it be a good idea at this point to have Crawford Falconer, who is very experienced in trade negotiations, involved in the negotiations with the EU in a principal position?

**Mr Davis:** Mr Falconer works at the Department for International Trade, of course, but we are in constant communication with him. With respect to the sequencing of decisions on the implementation phase and the ongoing relationship, my hon. Friend is correct in theory, but in practice we need the implementation phase to be decided early for it to be beneficial to a large number of companies. In his response to the statement, the right hon. and learned Member for Holborn and St Pancras (Keir Starmer) pointed out that some companies will have to make decisions at the end of this year or in the first quarter of next year so that they are able to carry out any necessary changes, so we want to get things under way as quickly as possible.

**Helen Goodman** (Bishop Auckland) (Lab): Further to the question asked by my hon. Friend the Member for Lewisham East (Heidi Alexander), some representatives from the pharmaceutical industry came to see me last Thursday, and they are desperate for some clarification on future trading relations and regulation. If they do not get some certainty, investment is going to be put back or spent in other countries. Nobody thinks that we should give the EU a blank cheque, but can the Secretary of State not see that if arguing about every £5 billion takes so long that we lose more in GDP, it is not worth it?

**Mr Davis:** First, the Under-Secretary of State for Exiting the European Union, my hon. Friend the Member for Worcester (Mr Walker), had a meeting with the industry this morning, and not for the first time. I have met industry representatives a couple of times as well.

Secondly, part of the point of the implementation phase is that it gives them an extra two years of decision making, and that is well within their decision cycle. Thirdly, as for giving a blank cheque, that is Labour's policy.

**Kelly Tolhurst** (Rochester and Strood) (Con): I very much welcome the update that my right hon. Friend has given the House. As we leave the EU, the talented people and their businesses will drive our economy forward, whatever the outcome of the deal, because that is what we do in British business. Does my right hon. Friend agree that it is now time for the EU to move on with trade discussions and that British businesses that operate throughout Europe should be lobbying the Commission and the member states in which they operate so that the EU moves forward and we can start to see some clarity and certainty?

**Mr Davis:** I entirely agree with my hon. Friend, and, indeed, a number of British businesses are doing just that.

**Alan Brown** (Kilmarnock and Loudoun) (SNP): As I have told the House before, my wife is an EU citizen, and I can assure the Secretary of State that his comments today will not give her any more comfort about her settled status in the future. What EU citizens want are guarantees. On the process to which he has alluded, what does a streamlined system look like? What does low cost mean, because I am sure that his definition is different from that of my constituents? How many additional resources will be employed by the Home Office to put that system in operation?

**Mr Davis:** The Home Office is already working on that and we will be publishing a White Paper in due course and bringing a Bill to that effect before the House.

**Richard Drax** (South Dorset) (Con): The decision to leave the EU in its entirety has been made, and any other consequence will be a betrayal of that vote. Is it not right and logical that a no-deal option has to be on the table in the event that we are forced, through bad negotiation and lack of will on the other side, to stay in an organisation that we voted to leave?

**Mr Davis:** My hon. Friend's point is entirely logical.

**Wes Streeting** (Ilford North) (Lab): The writing is on the wall and the warning signs are there for the economy, whether on growth, foreign direct investment, and the decisions that businesses are already taking in anticipation of there being no deal or no agreement on transition as soon as business needs it. Despite that, the Chancellor has been savaged not by the Opposition but by members of his own party for no reason other than drawing to the attention of this House and the public the risks associated with making a series of bad judgments, or indeed no judgments at all, about our future relationship with the European Union. Given that many firms, including manufacturing firms with supply chains in the EU, will be making irreversible decisions before Christmas about jobs and activity, what assurance can the Secretary of State give them this afternoon that there will be a transitional deal before manufacturing and every other sector are faced with a series of unpalatable decisions?

**Mr Davis:** One thing that I will say to the hon. Gentleman about his fantasy economics—I can put it no better than that—is that people like him have been talking down the economy for two years. They said that there would be recession in the economy immediately following a Brexit decision, but the reverse has been true: we have higher employment than we have ever had; lower levels of unemployment than we have had for 30 or 40 years; and the economy is growing as fast as it has done.

**Will Quince** (Colchester) (Con): Will my right hon. Friend assist me? Not to countenance a no-deal scenario would surely be writing a blank cheque to the European Union. Is it, in his view, naivety in negotiating strategy or is it in fact a vehicle for those who wish us to stay within the European Union against the wishes of the British people?

**Mr Davis:** It is a good question, but it is not really for me; it is a question for those on the Labour Front Bench. My hon. Friend is quite right that it does not hold up as a negotiating strategy.

**Kerry McCarthy** (Bristol East) (Lab): The core cities represent nearly 20 million people in the UK and a significant sector of our economy. Michel Barnier is meeting them soon. Why, despite repeated requests, has the Secretary of State not met them?

**Mr Davis:** I have been meeting mayors of the major cities at my behest and not at anybody else's, starting with the Mayors of London, Liverpool, Manchester and Teesside and others will follow.

**Tom Brake** (Carshalton and Wallington) (LD) *rose*—

**Wera Hobhouse** (Bath) (LD) *rose*—

**Mr Speaker:** On this occasion, it is youth before seniority.

**Wera Hobhouse:** Thank you, Mr Speaker. The Secretary of State has said in his statement that we have made further progress on certainties for EU citizens in this country. May I tell him what creates great uncertainty for people? Those EU nationals who have lived here for many years and now want to apply for British passports are being delayed because they have to apply for settled status first. Can he explain why those citizens cannot apply for British citizenship straight away, rather than being delayed, which causes yet more uncertainty?

**Mr Davis:** I must say, with respect to the hon. Lady, that that is news to me. If she sends the individual case to me, I will take it up with the Home Office for her.

**Tom Brake:** This is something that the Minister's office will not have to leak to Guido Fawkes. Does the Secretary of State accept that some of the consequences of crashing out of the EU will be: destabilising the lives of millions of EU citizens in the UK and of UK citizens in the EU; gridlock at our ports; and a loss of investor confidence in sectors as varied as the creative industries, the automotive sector and the food and drink sector? Will he rule out once and for all the so-called no-deal option, even if it does appeal to some of the fanatics on his Back Benches, and work instead towards a solution that keeps the United Kingdom in the single market and the customs union permanently?

**Mr Davis:** The first thing that I point to is the right hon. Gentleman's wonderful selective choice of fantasies—none of them is true. He has ignored the fact that inward investment in the UK was at record levels in the first half of this year. As he raises the point about how a letter of his came to the attention of Guido Fawkes—he did it in a point of order yesterday and has alluded to it again today—let me tell him that that letter came to me via a journalist who already had full knowledge of its entire contents. I am afraid that he has no apologies coming from me on that either.

**Mr Speaker:** That discussion can continue on a subsequent occasion.

## Points of Order

2.5 pm

**Barbara Keeley** (Worsley and Eccles South) (Lab): On a point of order, Mr Speaker. In health oral questions on 16 October, the Health Secretary answered questions on the mental health workforce. It was clear that two of his answers were not correct. He stated twice that the mental health workforce had increased by 30,000 staff, but, as I understand it, the correct figure is about 690. There has been an attempt today to correct the record, but it is still not correct. Although the questions were about mental health staff, the corrections are about the total numbers of NHS clinical staff. May I ask through you, Mr Speaker, that the Health Secretary makes a further correction to give the House the correct figures for mental health staff?

**Mr Speaker:** I have heard what the hon. Lady has said. It is up to any Member who errs to take responsibility for the correction of the record. It cannot be ultimately for the Chair to seek to arbitrate where there might be a dispute as to which is the correct statistic in a particular case. The hon. Lady, who is extremely experienced and dextrous in the use of parliamentary devices to achieve her objective, should keep a beady eye on the situation and if there is neither a correction forthcoming nor what she regards as an adequate or fully accurate correction, she can, through the Table Office, table further questions, which might elicit the same. On the whole, it is presumably desirable to reach a conclusion on these matters sooner rather than later. If that point is obvious to the hon. Lady, I trust that it will be similarly obvious to the Minister concerned.

**Emma Hardy** (Kingston upon Hull West and Hessle) (Lab): On a point of order, Mr Speaker. May I seek your advice on a matter relating to the A63 road in my constituency, known locally as Castle Street? It is a major route into the city and many of my constituents are worried about the lack of clarity on this issue. On 17 July, I wrote to the Transport Secretary to invite him to

meet me. It has taken two-and-a-half months for his Parliamentary Under-Secretary of State to write to inform me that the Department does not propose to meet me at this point. This is a massive discourtesy and a huge insult to my constituency and neighbouring constituencies, which have seen repeated delays to the Castle Street development. I seek your advice, Mr Speaker, about how I can encourage the Secretary of State to meet me on this incredibly important issue to my local economy.

**Mr Speaker:** I think the hon. Lady has just done so through the device of the point of order. I am grateful to her for giving me notice that she wished to raise this matter and I do take it very seriously. It is an important matter for her and for her constituents and it is certainly unsatisfactory—a point that I have made frequently over the years—if Ministers do not respond promptly to Members' inquiries. A Member should not have to wait two-and-a-half months for a ministerial reply. I am afraid that I cannot offer her a sure route for securing a meeting with the Secretary of State—*[Interruption.]* Perhaps I can be allowed to respond to the point of order without people chuntering from a sedentary position. I cannot offer the hon. Lady a sure route for securing a meeting with the Secretary of State or even with the Under-Secretary. It is for the Minister concerned to decide whether or when to meet with a Member about a constituency matter, and there may occasionally be factors that legitimately make a meeting untimely, but my emphasis is on the word occasionally. On the whole, I think it is reasonable for Members who ask for a meeting with a Minister on a constituency matter to expect that such a meeting will be facilitated. It might not necessarily be with the Secretary of State, but such a meeting should usually be facilitated. The hon. Lady has put her concern on the record. No doubt, it will have been heard on the Treasury Bench and will be relayed to the Department. If she does not achieve the meeting she seeks, she might wish to ask the advice of the Table Office on other avenues that are open to her to pursue, but I hope that it will not be necessary for her to explore those alternative avenues.

## Channel 4 (Relocation)

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

2.10 pm

**Jack Brereton** (Stoke-on-Trent South) (Con): I beg to move,

That leave be given to bring in a Bill to require Channel 4 to relocate its headquarters outside London; and for connected purposes.

Channel 4 is a publicly owned broadcaster and has undoubtedly made a huge contribution to British broadcasting. I am in no doubt that many Members on both sides have enjoyed watching the hours of quality broadcasting, from “Countdown” to “Gogglebox”, and from “Grand Designs” to “Come Dine with Me”. Indeed, I am sure there are many programmes that hon. and right hon. Members may not want to admit in this Chamber to watching, but they enjoy them all the same. However, the value of Channel 4 and the contribution it makes could have a much greater transformative impact if it were to relocate outside London.

Being in public ownership means that Channel 4 has a responsibility to the nation, not just in the innovative and boundary-probing programming that it rightly produces, but in the way in which it is organised and run. Truly, it must be operated for the benefit of all parts of our country, throughout all the nations and regions that make up the UK. We should consider the effects of the BBC’s relocation to Salford Quays, with the creation of MediaCityUK. The regeneration that comes from such investments has a much wider ripple effect beyond the transfer of the headquarters, staff and offices. With the right location, such moves can significantly boost prosperity across a whole region and help support thousands of jobs. As the Secretary of State said at the Select Committee on Digital, Culture, Media and Sport last week, more people are employed at Salford Quays today than there ever were when they were docks. That is a direct effect of a public service broadcaster fulfilling its remit in its most inclusive sense.

Channel 4 could have a significant transformative impact on a new location, with the potential to anchor wider regeneration and deliver jobs over and above those which move out of the capital. Very careful consideration must be given to location in order to maximise and extract value. There could be an open competition to decide on the new location, allowing interested areas and sites to put forward their case, ensuring that the site that delivers the greatest impact and fulfils the needs of Channel 4 is selected. This is not just about the benefits a move could have on a specific area; many organisations could have a similar impact from relocating their headquarters. There is greater significance in and much wider benefits from helping to rebalance the institutions of broadcasting within the UK to reflect much more effectively the diverse communities in our constituencies across the country, and to bring a fresh perspective.

The realities faced on a daily basis by my constituents in Stoke-on-Trent South and those in many constituencies throughout the UK are very different from those experienced in London. As I said, Channel 4 produces some phenomenal programmes that are greatly valued, but this could be so much better. If Channel 4 relocated out of London, the organisation and its employees

would experience directly the true vibrancy and diversity across the nations and regions of the United Kingdom. The programmes it produces could be drawn from a much more diverse palette, giving a much greater scope, depth and quality to what we see on our screens.

As a commissioning organisation, Channel 4 has huge potential to support the wider broadcasting and creative sectors across the countries and regions of the UK. Many small and medium-sized businesses right across the country could contribute significantly to diversifying the content produced by Channel 4, but currently all the decisions are made in London and many companies and organisations are not getting a fair chance. A move would have much greater knock-on benefits across the industry, helping to support and create more highly skilled jobs outside London. Location is hugely important not only to extract the greatest benefit from our media, but to ensure that there are the skills available in the workforce to match the demands of the organisation.

There are a number of extremely interesting suggestions for a potential future location for this national broadcaster. They come from a number of areas across the country, including from my area, Stoke-on-Trent. Many parts of our country have the wealth of skills and creativity—both in industry and academia—needed to support the relocation. I know from visiting Staffordshire University that our academic institutions across the country have state-of-the-art digital and media facilities. For example, Staffordshire University is now rated the best in the country for computer gaming.

Industries and universities right across the country are leading the way in the digital and creative sectors. The move of Channel 4 out of London would further support this success and mean that more of those skills could be retained in other parts of the UK. This is the critical point: we are currently seeing a brain drain of skills and employment opportunities from across our country towards London. The Bill aligns with the Government’s industrial strategy to help to rebalance the economy, driving prosperity right across the country. I hope that all hon. Members can support that aim.

The further benefit that a move could realise is to counteract the consequences of an overheating property market in London. Land is much cheaper and more freely available outside London, particularly in areas like mine, meaning that the costs of development and moving have the potential with the right location to be significantly lower. Much of the cost of the move could probably be made back from the sale of Channel 4’s current headquarters site on Horseferry Road.

The cost of property also has an important effect on the likely quality of life of those working for Channel 4. Outside London, workers are likely to be able to afford a much better quality of life. The average house price in the Cities of London and Westminster constituency in quarter 1 of 2017 was £1,275,000 compared with £122,150 in my constituency of Stoke-on-Trent South. The Bill does not specify a location to which Channel 4 should move, but it secures the principle of a move away from London and would allow for the process in selecting a new location and facilitating the move once a location is agreed.

I encourage Members on both sides of the House to back this Bill and ensure that Channel 4 can continue to improve the quality and range of its broadcasting to reflect the entire UK.

*Question put and agreed to.*

*Ordered,*

That Jack Brereton, Ross Thomson, Ruth Smeeth, Andrew Bowie, Michael Fabricant, Rachel Maclean, Mr. Graham Brady, Gareth Snell and Eddie Hughes present the Bill.

Jack Brereton accordingly presented the Bill.

*Bill read the First time; to be read a Second time on Friday 26 October 2018, and to be printed (Bill 111).*

## **New Southgate Cemetery Bill [Lords]**

*Third Reading*

2.20 pm

**Theresa Villiers** (Chipping Barnet) (Con): I beg to move, That the Bill be now read the Third time.

This private Bill was introduced in the other place in January 2016. It is being promoted by New Southgate Cemetery and Crematorium Ltd to enable it to use the burial space in the New Southgate cemetery more effectively and to provide greater capacity for new interment and burial in future years. The cemetery lies in my constituency, close to the boundary with Enfield.

The promoters, which I will refer to as the NSCC for brevity, are responsible for the administration of the cemetery under the terms of the Great Northern London Cemetery Act 1976. In 1990, ownership of part of the cemetery was transferred to the National Spiritual Assembly of the Baha'is of the United Kingdom. The cemetery has real significance for the Baha'i community because one of its greatest spiritual leaders, Shoghi Effendi, is buried there. I understand that the Baha'i National Spiritual Assembly has expressed its support for the Bill.

People may ask why I am here today talking about cemeteries. Well, put simply, the problem is that the New Southgate cemetery is running out of space. Some 180,000 interments have been carried out there, but only around 1,800 burial spaces remain. With an average of 180 burials a year, all spaces are likely to be full within 10 years if action is not taken. The Bill would address that problem by granting two new powers to the NSCC and the Baha'is. Those are based on powers already available to local authority-run cemeteries in London under section 9 of the Greater London Council (General Powers) Act 1976 and section 74 of the London Local Authorities Act 2007.

First, clause 3 would provide the promoters and the Baha'is with the power to extinguish rights of burial in grave spaces in the cemetery where a right of burial has not been exercised for 75 years or more. That would enable them to reclaim unused graves and make them available for new burials. Before those powers can be exercised, the Bill requires notices to be displayed in a cemetery and published in newspapers. The NSCC would also need to serve notices on the registered owner of a grave, the Commonwealth War Graves Commission and Historic England. The Bill provides that if the registered owner of the burial right objects, the right of burial cannot be extinguished. If anybody else objects, the right cannot be extinguished without the Secretary of State's consent. Compensation is payable where burial rights are extinguished.

The second main power conferred by the Bill is set out in clause 4 and would enable the promoters and the Baha'is to reuse existing graves. That would involve the following process: removing remains, excavating the grave to its deepest possible depth, reintering the disturbed remains in a casket at the bottom of the deeper grave and using the additional space above the reintered remains for new burials.

Under the Bill, that could be done only where two conditions are met: first, that no burial has taken place for at least 75 years; and, secondly, that no exclusive burial right previously existed, or the right of burial has been extinguished using the provisions in the Bill. If the

Bill is adopted, the NSCC or the Baha'is would be able to authorise re-use without the current requirement for a licence from the Secretary of State under section 25 of the Burial Act 1857.

Before exercising this power, the NSCC and the Baha'is would have to give notice, as I described earlier in my remarks. If an objection is made by the registered owner of the extinguished right of burial, the owner of a memorial on the grave or the relative of a person buried there, the powers may not be used for a further 25 years. The Bill requires the promoters and the Baha'is to keep records of any memorial removed, and a public record of the disturbance and reinterment of remains.

Prior to the promotion of the Bill, the promoters consulted cemetery users, local authorities, various religious orders and the Commonwealth War Graves Commission on what they intended to propose in it, and the response to that consultation was positive. No petitions were deposited against the Bill in either House.

The Bill was given a Second Reading by this House following a debate on 29 November 2016, where it was proposed by the former Member of Parliament for Enfield Southgate, David Burrows. I take the opportunity to pay tribute to his work on the Bill and on so many other important parliamentary and constituency matters. We miss him.

Consideration of the Bill took place in an Unopposed Bill Committee on 24 January 2017. I gather that the Chairman of Ways and Means pointed out during those proceedings that cemeteries can sometimes be important wildlife habitats—a sentiment with which I wholeheartedly agree. Concern was expressed about a statement by the promoters regarding the maintenance of the cemetery and potential habitats, and corrections were subsequently made.

A constituent also got in touch to challenge a statement regarding the extent of tree protection orders. She believed that the TPOs referred to in Committee all related to land that had been sold by the NSCC and that no longer formed part of the cemetery. I took that up with the NSCC. I am encouraging it, of course, to do all it can to protect trees in the cemetery. It has acknowledged that, while some of the trees in the cemetery are indeed covered by TPOs, not all are. It has also confirmed that, while the TPO referred to does cover the land that was sold, it also still covers some of the trees in the cemetery. That exchange led to a further correction of the evidence.

It is regrettable that these corrections were needed, but the NSCC has given a commitment to carry out a nature conservation assessment prior to any exercise of the powers conferred by clause 4. That assessment would comply with the standards set out in the technical guidance on the reuse and reclamation of graves in London local authority cemeteries, which is dated October 2013, or any subsequent replacement document.

I should make it clear to the House that the Bill does not give the promoters any additional powers with regard to trees, wildlife or nature conservation. The NSCC remains bound by the same rules on planning, conservation and TPOs as any other landowner. Nothing in the Bill changes that.

In response to other matters raised in Committee, three further undertakings were given by the NSCC. First, it undertook that, within three months of the Bill receiving Royal Assent, it will publicise the power to extinguish burial rights in the cemetery in a newspaper

circulating in the Greater London area. Secondly, before exercising any of the powers conferred by clause 4 of the Bill, the NSCC will carry out a survey of the faith groups most affected by the Bill's proposals, to ensure that relevant faith and cultural sensitivities are taken into account fully in exercising the powers conferred by the Bill. The results of that exercise will be published along with proposed best practice. Thirdly, the NSCC undertakes not to sell for commercial gain any memorial that is removed under clauses 3 or 4 without the consent of the registered owner.

To demonstrate its compliance with the three undertakings I have outlined, the promoters have promised to send the Ministry of Justice a copy of the relevant publication or assessment, so that Ministers can place it in the Library of the House if they feel that is appropriate. Compliance with the final undertaking can be monitored under clause 5, which requires the promoters to make a record of each memorial removed and to deposit a copy of that record with the Registrar General.

Parliament was dissolved for the general election before this Bill received its Third Reading, but the Bill was revived in this Parliament. I hope that the House will support the Bill today in order to give New Southgate cemetery a sustainable future for the benefit of my constituents and the local community. It is a sensible measure that is needed to ensure that we have more burial space in north London for my constituents in Chipping Barnet and for residents living in a wider area in the boroughs of Enfield and Barnet and beyond. The changes proposed are relatively modest and reflect the position that already applies in relation to cemeteries owned by local authorities. It is only because New Southgate cemetery happens to be privately owned that statute does not already provide the powers sought in the Bill. The promoters have given important undertakings about how those powers will be exercised. As a result of this debate, these are now formally on record, including the commitment to notify the Minister at the Minister of Justice in the relevant circumstances.

There are important cultural reasons to back this legislation. Barnet and Enfield are among the most ethnically diverse boroughs in the country and are home to people of many different faiths. Burial is preferred over cremation for many in the Catholic and Greek Orthodox communities. The NSCC tells me that its experience with the black Caribbean community has also indicated a preference for burial by many families.

Moreover, as I pointed out on Second Reading, there are important conservation reasons for supporting the Bill. If we fail to take steps to ensure that we use our existing burial space effectively, pressure will grow for new cemeteries. Establishing those on green-belt land or in other suburban green spaces would damage the quality of life for my constituents and would also see a loss of valued wildlife habitats. That is one of the reasons I am opposing such a proposal for a new burial ground on the green belt in Arkley in my constituency.

For all those reasons, I appeal to the House to support the Bill. I very much hope that it will be given its Third Reading this afternoon.

2.31 pm

**Mr Christopher Chope** (Christchurch) (Con): I thank my right hon. Friend the Member for Chipping Barnet (Theresa Villiers) for her very full introduction to this

[Mr Christopher Chope]

Third Reading debate. I objected to the Third Reading going through on the nod because I thought it important that the undertakings given in Committee were recorded in this Chamber so that everybody could look back and see the nature of those undertakings.

I echo my right hon. Friend's tribute to our colleague who lost his seat at the general election. David Burrowes was an outstanding Member of Parliament. He was a really easy-going colleague and we had many a wry laugh not just about this Bill but lots of other things. He had a great twinkle in his eye, which I am sure he has not lost as a result of his electoral experience.

I would also like to thank you, Mr Deputy Speaker. With private Bill procedure, one often thinks that if the business goes to an Unopposed Bill Committee there will not really be any effective scrutiny and it will go through on the nod. The record of the role that you played in the Unopposed Bill Committee shows that you were rigorous in exploring matters and putting questions to the promoters, some of which they answered more easily than others. As a result, they wrote to you on 2 February setting out the four undertakings, which I will not repeat because my right hon. Friend the Member for Chipping Barnet has already referred to them. In securing those undertakings through your expert cross-examination, you have done everybody a great service. You have also put it on record that this sometimes obscure private Bill procedure never suffers if we have proper scrutiny, whether it be in debates on the Floor of the Chamber or in Committee.

This Bill now has the support of everybody, I think. We also have a written memorandum, to which my right hon. Friend did not refer in much detail. The one I have here is signed for and on behalf of New Southgate Cemetery and Crematorium Ltd and dated 5 September 2017, but another one in almost identical terms was issued in March this year. The memorandum sets out more detail and background on the way in which the cemetery will be maintained in future. Apart from the safeguards set out in the memorandum and the undertakings, there is also the fact that the promoters will send those undertakings to the Ministry of Justice, so that the Minister may place the information in the Library of the House. I hope that my hon. Friend the Minister is able to confirm that that will happen, because it is important that when people look back at these proceedings years hence, they are easily able to access the documentation. I wish this Bill a safe passage.

2.35 pm

**The Parliamentary Under-Secretary of State for Justice (Dr Phillip Lee):** I congratulate my right hon. Friend the Member for Chipping Barnet (Theresa Villiers) on moving the Third Reading of this private Bill. I associate myself with her comments and those of my hon. Friend the Member for Christchurch (Mr Chope) with regard to the former Member for Enfield Southgate. In addition to all those comments, which I support, I would say that if there is one thing I remember about him, it is his core decency. As a consequence, he really is a loss to the House.

As I said on an earlier occasion, we are participating in one of Parliament's less used procedures. It is nevertheless significant, in that it enables organisations to seek to disapply or modify the general law in relation to their

own powers. Our debate here today, like earlier discussions on this Bill, has been aimed at ensuring that the promoters have put in place, or have agreed to observe, appropriate measures to ensure the proper exercise of the modifications to the law that they seek. I am grateful to all hon. Members both here and in another place who have contributed to this important process during the Bill's passage. The result is a comprehensive and robust set of provisions that will enable New Southgate cemetery to continue to serve its communities into the future while ensuring that appropriate safeguards are in place.

As I have said before, the Bill addresses the needs of New Southgate cemetery, and the Government do not wish to prevent the cemetery from remaining viable in this way. On Second Reading, I confirmed that I was satisfied with the engagement that the promoters had undertaken with faith groups using the cemetery. In a subsequent letter to my hon. Friend the Member for Christchurch, I expressed my expectation that in exercising the powers conferred by this Bill, the New Southgate cemetery burial authorities would continue to ensure that relevant faith and cultural sensitivities are taken into account and would continue to have due regard to available guidance and best practice. This issue was explored further in some detail in Committee. As a result, the promoters have given a written undertaking that before exercising any powers under clause 4, they will carry out a survey of the faith groups affected to ensure compliance with my expectations, and will publish their findings and proposed best practice. I am grateful to the Committee for securing this undertaking and to the promoters for agreeing to it.

Also as a result of discussion in Committee, the promoters have given an undertaking to publicise in a Greater London newspaper, within three months of Royal Assent, the power to extinguish burial rights in the cemetery. They have also given an undertaking that before exercising any powers under clause 4, they will carry out a nature conservation assessment of the cemetery grounds in accordance with the technical guidance current at the time. Again, I am grateful to those who have proposed and agreed to these undertakings.

Of course, giving undertakings is one thing and carrying them out is another. My hon. Friend the Member for Christchurch is rightly concerned to ensure that the promoters' compliance with these conditions is demonstrated to Parliament. In answer to the question on tree protection, this particular cemetery will, in any event, be obliged to comply with any tree preservation orders that are in place. As my right hon. Friend the Member for Chipping Barnet indicated, the promoters have agreed to provide to the Ministry of Justice copies of the documentation arising from the three undertakings on the newspaper advertisement, the findings of the faith groups survey and best practice, and the nature conservation assessment. They will also be publishing the documents on their website. I give an undertaking of my own to the House today that on receipt of those documents, I will place them in the House Libraries, where they will be available for scrutiny by Members. I hope that that mechanism will satisfy the concerns raised by my hon. Friend the Member for Christchurch.

The promoters have given a fourth undertaking to the House—not to sell for commercial gain any memorial removed under sections 3 or 4 of the Act without the consent of the registered owner. Compliance with this

condition will be monitored by means of the requirement for the burial authority to keep a record of each memorial that is removed and to deposit a copy of that record with the Registrar General. It would also be possible to scrutinise the burial authority's accounts, which, as it is a registered company, are published.

In conclusion, I want to thank my hon. Friend the Member for Christchurch for securing this debate and for his diligence in seeking to put on record the means by which the promoters will demonstrate compliance with their undertakings to this House. I trust that the explanations provided have allayed his concerns, and I am grateful to all who have contributed to today's proceedings.

**Mr Deputy Speaker (Mr Lindsay Hoyle):** With the leave of the House, I would like to bring in Theresa Villiers.

2.40 pm

**Theresa Villiers:** With the leave of the House, Mr Deputy Speaker, I would like to say a very few words. As others have done, I thank my hon. Friend the Member for Christchurch for his always assiduous scrutiny of private Members' business. I express my gratitude to the Minister for the work that he has done to agree the undertakings, and for his promises about the work that the Ministry of Justice will carry out as a result of those undertakings. I thank my constituent who contacted me about this Bill to express her concerns about nature conservation at the cemetery. Finally, I thank you, Mr Deputy Speaker, for your careful scrutiny of the process. I am happy to commend this Bill to the House and I hope it will command a majority this afternoon.

*Question put and agreed to.*

*Bill accordingly read the Third time and passed.*

## Middle Level Bill: Revival

*Motion made, and Question proposed,*

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

2.42 pm

**Kevin Foster (Torbay) (Con):** I am grateful for the opportunity to support the revival of this important Bill and pleased to have the chance, once again, to discuss it on the Floor of the House.

Some Members will recall that the Middle Level Bill received its Second Reading on 29 March 2017, following a debate including a range of contributions from hon. and right hon. Members, but it was lost at the Dissolution of Parliament ahead of the general election. I do not intend to repeat the whole of my speech from that debate—[*Interruption.*] It is lovely to hear a request from Labour Front Benchers for more, but I will contain myself, despite their obvious enthusiasm. I will set out the basic details of the Bill and the reasons why we should legislate, as well as what has happened since we last debated the measure and the changes that have been proposed to respond to concerns raised in petitions and by my hon. Friend the Member for Christchurch (Mr Chope), who has assiduously followed the progress of this Bill.

To be clear, the Bill is being promoted by the Middle Level Commissioners, a statutory corporation constituted under the Middle Level Act 1862. The commissioners provide flood defence and water level management to the Middle Level area and are the navigation authority for the Middle Level river system. Many Members who have seen the title of the debate on the Order Paper will probably wonder what the Middle Level is. The Middle Level is the central and largest section of the Great Level of the Fens, which was reclaimed by drainage during the mid-17th century. The area is bounded to the north-west and the east by the Nene and Ouse washes, to the north by the previously drained marshland silts, and to the south and west by low clay hills.

The Middle Level river system consists of more than 120 miles of watercourses, approximately 100 miles of which are statutory navigations, and it has a catchment of just over 170,000 acres. Virtually all the fenland within the Middle Level catchment lies below mean sea level. The Middle Level Commissioners, together with the local internal drainage boards, therefore operate a highly complex flood protection and water level management system to balance the various water uses and requirements, and to alleviate the risk of flooding to land and properties. The efficient operation of the system is vital to the safety and prosperity of the more than 100,000 people who live and work in the area and the 26,000 properties that depend on it. But for the operations of the commissioners and the local boards, much of the fenland would be underwater for a lot of the year, access from higher ground would be cut off, and many of the present land uses would be completely impossible.

Although the Middle Level was built primarily for drainage reasons, it has gone on to be used by a range of craft, particularly pleasure craft and motorboats. That brings us to the key point with any legislation: why

[Kevin Foster]

do we need to legislate? The current system of regulation is hopelessly out of date and based on a different era of waterways usage. Our forebears in the 19th century viewed canals as a practical method of transporting goods and a working location, rather than as an attractive place for a holiday, hence measures such as an exemption from charges relating to manure-carrying. The success of many waterways today in recreation is due to the fact that they have a system of regulation and income generation that reflects the needs of boat users today, rather than those of the 19th century. That is why the current legal framework for the Middle Level needs to be updated.

That legal framework does not include adequate provision for the registration of vessels used on the waterways, or for the levying of charges for the use of the waterways and associated facilities. In particular, the commissioners may levy charges only on commercial traffic, not on pleasure craft. That is presumably because, in the past, the extent of commercial traffic was considered sufficient to pay for the costs of navigation. Again, that shows a different understanding of the use of waterways. However, commercial traffic on the Middle Level is now virtually non-existent. Almost all the vessels are pleasure craft, and they benefit from an exemption from charging under the old Acts.

**Bob Stewart** (Beckenham) (Con): I thank my hon. Friend—he is a very good friend—for giving way. I am listening to him with rapt attention, and I heard him say that the entirety of the Middle Level is below sea level. I do not know the area, so could he tell me if that means that the rivers cannot get out—does the stuff have to be pumped out?—and traffic on the waterways cannot get out of this sunken level? I admit that I am pretty ignorant about the area.

**Kevin Foster:** There are ways of getting from the Middle Level to other waterways. It connects to some waterways that have much more modern systems of regulation. Most of it is below mean sea level, but my understanding is that it is possible to get boats into and out of other watercourses.

The Middle Level was built as a very large drain—that is the best way of putting it—but in its usage it has become more like a canal. Such waterways work very successfully in other areas of the country, but the problem with the Middle Level is that its ability to generate income is based on its original design and conception, rather than its modern-day usage. Following on from my hon. Friend's helpful intervention, I will talk about the issues concerning the income for maintaining the Middle Level.

At the moment, the commissioners do not receive any income from the navigation of the waterways because of the virtual non-existence of commercial traffic. That has meant that monies raised through drainage rates and levies have had to be used to fund navigation, instead of for flood defences. In the financial year ending 31 March 2016, that unfunded expenditure amounted to £178,000. The commissioners therefore seek to update and clarify their powers to enable them properly to regulate and fund their waterways. For comparison, the powers sought are similar to those already used by other large inland navigation authorities, such as the Canal and River Trust, the Environment Agency and the Broads Authority.

The commissioners consulted on their proposals between February and June 2016. They notified affected parties, including navigation interests, land drainage interests and local authorities. They published newspaper notices and placed details on their website. Some 23 responses were received, 18 of which were supportive, with three neutral and two opposed. Supporters included the Inland Waterways Association, the East Anglian Waterways Association, the Association of Nene River Clubs, the National Association of Boat Owners, the Middle Level Watermen's Club, the Residential Boat Owners Association, the Association of Waterway Cruising Clubs and five local councils.

After the Bill was deposited, six petitions were received against it. They raise a range of issues to which the commissioners intend to respond in their evidence before the Opposed Bill Committee, but some significant work has already been done—assisted, I must say, by my hon. Friend the Member for Christchurch—to respond to many of the issues raised in the petitions. Likewise, work has been done to respond to concerns raised by Members on 29 March 2017, although I was pleased to note that the Bill then had the support of both Government and Opposition Front Benchers. There was a pledge to respond to the issues in the Opposed Bill Committee, but that Committee could not sit before Parliament was dissolved for the general election.

The six petitions deposited against the Bill were from individuals with varying interests in the navigation of the waterways forming the Middle Level, as well as from the March Cruising Club and the National Bargee Travellers Association. It should be noted that none of the operators of the private marinas in the Middle Level has objected to proposals to include their marinas within the scope of the commissioners' regulatory powers. The commissioners met all the petitioners in July and August, and responded to each of their petitions in writing in September. One of the petitioners has indicated that he is now willing to withdraw his petition, but the irony is that he cannot do so until the Bill is formally revived. I am advised by the commissioners that, as yet, no other responses have been received.

It should be noted that although some of the petitioners did not accept during those meetings that there was a need for the commissioners to raise funds from navigation users, more were concerned that the fees should be predictable and affordable, and that the commissioners would guarantee to provide improved services and facilities in return for those charges. In addition, none of the petitioners, as is logical, took issue with the need for vessels to meet the standards of the boat safety scheme or to carry third-party insurance, as required by the Bill. Another problem with the age of the existing legislation is that it dates from before modern considerations of boat safety and third-party insurance.

The commissioners intend to give an undertaking, and to propose amendments to the Bill before the Committee stage, if the Bill is revived. They include setting up a users' panel that would discuss an annual programme of maintenance and improvements before each year's charges were set. The commissioners propose an amendment to clause 5(3) so that Well Creek is not closed to navigation between Christmas and new year. They also propose an amendment so that the person in charge of a vessel is not required to provide the names and addresses of others on board.

If the Bill is revived, I am confident that the remaining outstanding issues will be appropriately considered by the Opposed Bill Committee. At that stage, both the commissioners and the petitioners will have the opportunity to give evidence supporting their cases before the Committee determines whether the principle of the Bill has been proved. In addition to the points I have outlined, I am aware that the commissioners, via their solicitors, have been in contact with the hon. Member for Cambridge (Daniel Zeichner) and my hon. Friend the Member for Christchurch to deal with a number of the individual issues that they have raised, which they may wish to set out again in this debate.

I hope my speech will satisfy Members to the extent that they will agree to revive the Bill. I accept that some users of the waterway are happy with an arrangement under which they are provided with a facility that others pay for, yet the current situation cannot be sustainable, and the provisions in the Bill reflect the system used to manage other waterways.

It is worth noting that locks have to be maintained to provide access to the system—if this was purely about drainage, the locks could be converted into weirs. In response to the query raised by my hon. and gallant Friend the Member for Beckenham (Bob Stewart), I confirm that it is possible to get out of the system via those locks. That reflects the fact that this is not just a big drainage canal that happens to have some boat usage, but a system—built for drainage, and funded as though it was drain—that is actually maintained to provide access for motorboats and particularly for pleasure craft, which at the moment contribute absolutely nothing towards its maintenance and do not meet some of the most basic standards. I hope that that explains to Members why the Bill needs to be revived.

The commissioners accept that any use of new powers must be proportionate, and that the Bill will not give them anything beyond what other waterways have. A sign of their good faith is that some of the outdated byelaws, such as the requirement for a mast, are not enforced on the Middle Level. It makes sense to clear up the system and to remove some of those things that merely clutter up the statute book and inconvenience the organisation. Finally, as I have said, there can be no sensible objections to measures such as the implementation of third-party insurance and a requirement that vessels meet boat safety standards. It is my great pleasure to commend the revival motion to the House.

2.55 pm

**Daniel Zeichner** (Cambridge) (Lab): It is a pleasure to follow the hon. Member for Torbay (Kevin Foster). Given that I come from Cambridge, Mr Deputy Speaker, you may well wonder what my interest in the Middle Level is. The answer is that the river network is connected to the River Cam.

My attention was drawn to the Bill when I was contacted by a constituent, Eleanor Lad. I will briefly relay her comments, which express my concerns. She told me:

“Because use of the Middle Level is currently free, they are used by many boaters on low incomes, some of whom live on their boats, who cannot afford to use waterways where registration or licence fees are levied. Those who live aboard would be forced out of their homes due to an inability to pay.”

She continued:

“At present, the Middle Level is the one waterway system where boaters are not required to pay a fee or forced to agree to terms and conditions in return for the ability to navigate. Boaters will lose a safe haven where they can go if they are unable, through no fault of their own, to pay for a boat licence or to comply with the terms and conditions imposed by other navigation authorities.”

I appreciate the reasons why the commissioners are bringing forward the Bill, and I am grateful to them for meeting me to discuss these points. I was pleased to receive a communication from them saying that they

“confirm that the Commissioners will consult the NBT, and any other organisations that are representative of houseboat dwellers, before making new byelaws under clause 9 or 10 of the Bill. They would be happy to give an undertaking to this effect before the Committee if the Bill is revived.”

I very much welcome that promise.

I would say, however, that consulting is not the same as taking account of people’s concerns. There is a real concern about people on low incomes who have nowhere else to go, and I very much hope that we will hear a commitment about dealing with what is a relatively small number of cases and a relatively small amount of money. I am sure that, with good sense, an accommodation can be reached that will satisfy everybody.

2.57 pm

**Mr Christopher Chope** (Christchurch) (Con): It is great that, compared with when we first discussed the Bill, the hon. Member for Cambridge (Daniel Zeichner) has shown an interest in the subject, and I am glad that his constituents have taken the opportunity to brief him on some of their concerns.

The issue before the House is obviously quite simple—whether the Bill should be revived. My view is very much that it should not be revived, but should go back to the drawing board, because there is a lot more work to be done by the promoters and the petitioners in discussing some of the nitty-gritty issues, some of which have been referred to in this short debate.

I have been shown a copy of the commissioners’ response to the National Bargee Travellers Association’s comments in its petition. In the view of the association:

“The Commissioners’ response contains weak assurances concerning our concerns. We have little confidence in these assurances although we accept the Commissioners may have made them in good faith. Accordingly, we have not withdrawn our petition.”

The association encourages me and other parliamentary colleagues to continue

“to support boat dwellers, and...indeed all inland waterway boaters, by...opposing...this Bill.”

To take one example, paragraph 6 of the petition says:

“The Bill contains no protection for the homes of people who live on boats and it fails to recognise that Articles 6 and 8 of the European Convention on Human Rights provide boat dwellers with protection for their homes.

The legislation and enabled Byelaws could be used to evict boat dwellers, seize boats and carry out social clearance and discriminatory exclusion of boat dwellers from the Middle Level.”

That is quite a serious charge, you will agree, Mr Deputy Speaker. The Commissioners responded:

“Case law makes it clear, where the exercise of a power to remove vessels would interfere with the vessel owner’s Article 8 rights, it would be for the navigation authority to show that the interference is proportionate to their legitimate aims in seeking to enforce their powers.”

[Mr Christopher Chope]

In other words, they do not deny that they would or could interfere in the rights of boat dwellers to continue to reside on their boats in the Middle Level. The commissioners continue:

“If the Commissioners could not do this, they would not be able to exercise the powers.”

That is a circular argument, and it typifies the problem that will continue to exist if the Bill makes progress. The commissioners have not responded adequately to the concerns expressed by people who have exercised the right to live on the Middle Level waterways, as has been the case for centuries, and to exercise navigation rights without being subject to penal charges and undue regulation.

As with many private Bills, as soon as such a measure is introduced all sorts of people come along and say, “Why don’t we regulate this? Why don’t we regulate that?” It is like a Christmas tree, with a whole lot more regulatory powers attached to it. Many of those powers, the House will find, are over the top and disproportionate, so I hope that in due course we can achieve a Bill that is much better than the current one. I had hoped that the Bill’s promoters would withdraw it and go back to square one, but they have not done so, which leaves us in the situation we are in. The agents acting for the promoters have been courteous and so on, but when they see what is going to happen next, I hope that their courtesy will be accompanied by a lot more substance, so that the serious concerns of Bargee Travellers can be met.

The last time we debated this, we heard a contribution from our then hon. Friend the Member for Peterborough, Stewart Jackson. He took this cause very much to heart, and I thank him for the contribution that he made on behalf of his constituents and other Bargee Travellers. We owe it to him to be able to continue that campaign, and it is great that we have the hon. Member for Cambridge on our side as well.

3.3 pm

**Wendy Morton** (Aldridge-Brownhills) (Con): I shall keep my contribution fairly brief, but I commend my hon. Friend the Member for Torbay (Kevin Foster) on bringing the Bill back to the House in a revived form. I am talking about the Bill, not my hon. Friend. As a member of the all-party parliamentary group for waterways whose constituency is served by canals, and as a boating enthusiast, I spoke on Second Reading, before the progress of the Bill was halted by the general election. I was therefore keen to make another contribution on the record today.

Across the country, we have benefited over the years from a network of canals, waterways and navigation systems. Once the means of transporting goods, today their use is much more leisure-oriented, but some of our waterways, as many of us know, still transport goods and some of them, as we have heard, are home to those who choose to live on the water. As a result of the work of organisations such as the Canal & River Trust, the Inland Waterways Association, voluntary groups and others, there has been a remarkable revival of our waterways. Canals, waterways, levels and drains all need ongoing maintenance, which can be expensive but is vital and integral to the operation of our waterways system.

Today’s debate focuses on the Middle Level, which is the largest section of the Great Level of the Fens, an area reclaimed through drainage, as we have heard. It is important to remember that in our deliberations. My hon. Friend the Member for Torbay explained very clearly that the Bill sought to modernise the operational powers of the commissioners, allowing them to levy charges on use of the waterways and to require payment for their navigation functions. That is vital because, as we have heard, all the fenland in the Middle Level catchment is below mean sea level. The commissioners’ work, together with that of the internal drainage boards is vital in providing flood protection and water level management.

We have heard that under the current system, commissioners do not receive any income from navigation of the waterways—unlike arrangements for other waterways and canals that allow organisations to levy fees from licences. The measures sought in the Bill would help with the maintenance and navigation of the level, and would put it on a more sustainable footing. They are reasonable and rational, and I really hope that the Bill is allowed to proceed in its revived form and make progress. I recall that on Second Reading the question of consultation was raised by my hon. Friend the Member for Christchurch (Mr Chope). Reading background papers and listening to my hon. Friend the Member for Torbay today, it seems as if the commissioners have taken the opportunity in the intervening period to seek to address those concerns, which is welcome. I therefore hope that the Bill is revived and that it can continue to make progress through Parliament, so that the funding and sustainability of the waterways is on a much firmer footing. That will enable the commissioners to maintain the fabric of our drainage systems and, in doing so, maintain our waterways for the benefit of all.

3.6 pm

**Kevin Foster:** With the leave of the House, Mr Deputy Speaker, it is a pleasure to respond briefly to the debate.

The hon. Member for Cambridge (Daniel Zeichner) and my hon. Friend the Member for Christchurch (Mr Chope) raised the issue of fees. The commissioners recognise that for people with houseboats fees must be proportionate, appropriate and reasonable. They cannot provide a definitive answer on the exact level of fees to be charged, but they have said that Environment Agency charges include a significant discount for houseboat dwellers. They believe that they are likely to adopt a similar charging structure: there will not be just one charge for a particular size of boat, but a sliding scale based on the nature of usage. I acknowledge the comments made by my hon. Friend the Member for Christchurch about protections for houseboats, but it is worth remembering that in law and convention rights, any reaction must be proportionate, particularly when dealing with someone’s home. The idea that there are no legal protections if the Bill is enacted is not correct, but we can explore that in more detail in Committee with the National Bargee Travellers Association with a view to achieving a result with which everyone is comfortable.

I thank my hon. Friend the Member for Aldridge-Brownhills (Wendy Morton), who again showed her passion for waterways and spoke about the need to ensure that arrangements are effective and modern so that the relevant institutions can go forward and create income to make themselves self-sufficient. I welcome

her support, and I am sure she is looking forward to serving on the Opposed Bill Committee, where there will be some interesting debates.

We have had an interesting debate, and I hope that Members support the Bill. It was right, given that it had received wider support and secured a Second Reading, to revive it with some amendments to take on board concerns that have been expressed, rather than going back to the drawing board, which would delay the process of getting on with a modern system of regulation for the Middle Level that will be of benefit to all users in the long run.

*Question put and agreed to.*

## Backbench Business

### The Rohingya and the Myanmar Government

*[Relevant documents: Oral evidence taken before the Foreign Affairs Committee on 10 October 2017, on violence in Rakhine State, HC 435; and correspondence received by the Foreign Affairs Committee from the Foreign Secretary, dated 26 September 2017, and from the Ambassador of the Republic of the Union of Myanmar, dated 6 October 2017, on violence in Rakhine State, reported to the House on 10 October 2017.]*

**Mr Deputy Speaker (Mr Lindsay Hoyle):** I warn Back Benchers that to give everybody a fair chance of being heard, there will be a four-minute limit on contributions after the opening speeches. Front Benchers winding up will have 10 minutes each. If we keep to that, we should be able to accommodate everybody.

3.9 pm

**Rushanara Ali (Bethnal Green and Bow) (Lab):** I beg to move,

That this House agrees with the statement by the UN High Commissioner for Human Rights that the treatment of the Rohingya by the Myanmar Government amounts to a textbook case of ethnic cleansing.

I am grateful to the Backbench Business Committee for granting this debate, to my co-sponsor the hon. Member for St Albans (Mrs Main) and to the 73 Members who supported the application.

The Rohingya Muslim minority in Myanmar have been the subject of decades of segregation and racial discrimination. Over the past few years, they have repeatedly been indiscriminately targeted by the Burmese military, and in the past month they have witnessed human rights violations on a scale extreme even by the standards of Myanmar's history. Following the 25 August attack on Government buildings by the Arakan Rohingya Salvation Army, the Burmese military, led by Min Aung Hlaing, have been responsible for attacks that have led to more than 582,000 Rohingya fleeing for their lives by crossing the border into Bangladesh.

There are now almost 1 million Rohingya refugees in Bangladesh: the 582,000 joined the 400,000 who had already fled there following previous periods of targeted attacks, notably in 2012 and 2016. There is a further influx of refugees from Myanmar who are being driven out of Rakhine state because food markets in the west of the region have been shut down and crucial aid deliveries restricted. Today, the United Nations High Commissioner for Refugees said that between 10,000 and 15,000 Rohingya people have been stranded since Sunday night at the Anjuman Para border crossing point between Bangladesh and Myanmar. These border pathways are particularly dangerous; Amnesty International accuses the Myanmar Government of having laid landmines in the path of fleeing women and children only a few weeks ago.

Last week, the office of the United Nations High Commissioner for Human Rights published its rapid response mission report from Cox's Bazar in Bangladesh. A team of three were deployed to Bangladesh in September following the reports of deadly violence and grave human rights abuses committed by the military from

[*Rushanara Ali*]

25 August onwards. The UN team conducted 65 interviews with many refugees who had recently crossed the border. The UN's job was to establish the facts about what was happening in northern Rakhine and its report makes uncomfortable reading.

Following the attacks by the Arakan Rohingya Salvation Army, the military started what it calls a "clearance operation". Unimaginable violations of human rights have taken place during this time. According to the UN team, several victims reported the killing of close family members by random gunfire or described how the Myanmar security forces surrounded villages at some distance and then shot indiscriminately at houses and individuals alike.

The report also details witness accounts that attest to Rohingya victims, including children and elderly people, being burned to death inside their houses. As the UN mission progressed and the team spoke to more women and girls, horrific accounts of sexual violence were shared. According to the report, girls aged as young as five or seven were raped, often in front of their relatives—sometimes by three to five men all dressed in army uniforms taking turns. The report goes on to detail accounts of summary executions, cases of torture and disappearances. Alongside those horrendous human rights violations are accounts of forced displacements and the destruction of religious and cultural buildings and other items.

**Bob Stewart** (Beckenham) (Con): I have given evidence in such situations. Are these war crimes being put forward by the United Nations for prosecutions? Those should start right now.

**Rushanara Ali:** I am grateful to the hon. Gentleman for raising that issue, and I could not agree more. I hope that the Minister will take that as one of the action points of our Government, to build on the leadership that they are showing. We would like to see that item on the agenda.

The UN report backs up the comment made by the United Nations High Commissioner for Human Rights in his opening statement at the 36th session of the United Nations Human Rights Council that the situation in Myanmar is a textbook example of ethnic cleansing. That builds on the call, made by Yanghee Lee earlier this year, for a UN commission of inquiries, with which the Burmese Government refuse to co-operate.

**Mr Gavin Shuker** (Luton South) (Lab/Co-op): During Foreign and Commonwealth Office questions earlier, I asked the Minister for Asia and the Pacific—a good Minister—to comment on the textbook definition of ethnic cleansing. I believe that he went further than the UK Government have gone before in saying that the situation was moving towards that. Does my hon. Friend agree that for the UK to have legitimacy on this topic, we should back up the UN's assessment that the situation is a textbook case of ethnic cleansing?

**Rushanara Ali:** I very much hope that our Government will back up that definition.

The House will be aware that in 1993 the final report of the Commission of Experts, which was established following UN Security Council resolution 780, defined ethnic cleansing as

"a purposeful policy designed by one ethnic or religious group to remove by violent and terror-inspiring means the civilian population of another ethnic or religious group from certain geographic areas."

That is a textbook definition to which the motion refers and against which we must measure what is happening in Myanmar. The question is whether the events in Burma amount to "a purposeful policy". Are violent and terror-inspiring means being used? Is a specific ethnic or religious group being removed from certain geographical areas? The answer is yes to all the above. We are witnessing a deliberate state-sponsored policy of terror, murder, arson, rape and torture designed to remove the Rohingya people from their homes. There is now such an overwhelming weight of evidence of ethnic cleansing that Members cannot fail to agree and nor can the Government. It is vital that Members of this Parliament, which is seen as a beacon of democracy in the world, send a powerful message today that we will stand with the people being persecuted, the Rohingya population and other minorities in Myanmar.

**Dame Margaret Hodge** (Barking) (Lab): I congratulate my hon. Friend on securing this debate and her powerful contribution. Does she agree that although we welcome the Government's action on stopping training support for military personnel, the Government should pause all other such programmes that they fund, through the Department for International Development and elsewhere, while we reflect on how best to respond to the ethnic cleansing that she has so powerfully described?

**Rushanara Ali:** I believe that all humanitarian efforts and pressure on the Government for access should be retained but that other non-essential programmes should be reviewed so that we can consider what to do to bring an end to the violence and find a longer-term solution that brings peace to the region and protects the Rohingya and other minorities in Myanmar.

As the co-chair of the all-party parliamentary group on Burma, I have been aware of the discrimination and mistreatment that the Rohingya have endured for decades. In 2013, following a series of violent clashes in 2012 that left more than 100,000 people internally displaced, I visited Myanmar with Refugees International and the Burma Campaign. I heard stories of how Rohingya communities had fled violent attacks to remote areas of the countryside. In Rakhine state, the camps where Rohingya had been forced to live were horrific, with little or no access to humanitarian aid or healthcare. Some of that pressure was relieved, but international agencies had limited access. I travelled by boat to a UNHCR-supported camp in Pauktaw and have vivid memories of the shores nearby being covered in faeces and of dead rats floating just metres away from children bathing to keep cool in the unbearable heat. I remember being told stories of loved ones being killed and of children dying from a lack of healthcare and women from a lack of support in childbirth.

**Mrs Cheryl Gillan** (Chesham and Amersham) (Con): I congratulate the hon. Lady on her speech, with which everybody in the House will agree. I hope she will be encouraged by a statement put out at last week's plenary session of the Council of Europe by the Political Affairs Committee, of which I am a member, condemning the action and calling on all 47 Council of Europe member

states to help with the humanitarian relief effort and to support Burma and Bangladesh. It shows that concern goes much wider than this House and that there is a huge international effort going on.

**Mr Deputy Speaker (Mr Lindsay Hoyle):** I remind the House that we need short interventions if everyone is to have a fair chance to speak in this important debate.

**Rushanara Ali:** I am grateful for that intervention and hope that other Governments will add their support to the humanitarian effort. The UN has stated that more than £440 million is required, but only a fraction of that has been raised. I hope that our Government will encourage other Governments, in the EU and the wider international community, to provide more assistance to the humanitarian effort in Rakhine, Bangladesh and other neighbouring states dealing with the more than 1 million refugees.

Much of the forced segregation stems from the Citizenship Law of 1982, which sets out that full citizenship in Myanmar is based on membership of one of the national races, a category awarded only to those considered to have settled in Myanmar prior to 1824, the date of the first occupation by the British. In Myanmar's national census of 2014, the Muslim minority group was initially allowed to self-identify as Rohingya, but the Government later reversed this freedom and deemed that they could be identified only as Bengali, which they do not accept because they are not Bengali.

**Sir Hugo Swire (East Devon) (Con):** The hon. Lady makes an extremely good point about nationality, except that the British Government have shown to the Government in Nay Pyi Taw evidence kept in the Foreign and Commonwealth Office referring to a Muslim population in that part of what is now Burma going back many hundreds of years.

**Rushanara Ali:** I am grateful to the right hon. Gentleman and former Minister for that intervention, as it corrects the misconception that the Rohingya population have no right to be there and are somehow refugees from neighbouring Bangladesh.

Eight months before polling day, the President of Myanmar revoked all temporary registration cards, leaving many Rohingya Muslims without any form of identity and hence unable to cast their votes during the transition to democracy. Despite Aung San Suu Kyi's election victory, her renowned endeavours as a human rights and pro-democracy campaigner and her own sacrifice and fight for democracy for her fellow countrymen and women, many have expressed grave disappointment at her failure to speak out and raise her voice on behalf of the persecuted minorities of her country, particularly the Rohingya. I share that sadness and disappointment, as someone who, like many in the House, grew up admiring her fight for democracy and courage, but alongside that disappointment we need to focus on the military Government, who hold the balance of power and control the military, defence, policing, local government, the civil service and many other aspects of power. While the media rightly focus attention on Aung San Suu Kyi, an important international figure, we should not let the military and the generals off the hook; let us both hold the civilian Government and particularly the military to account.

**Tom Brake (Carshalton and Wallington) (LD):** What safeguards should the British Government apply before resuming funding for military training in Myanmar?

**Rushanara Ali:** I will come to that. I am grateful that the Government, in response to 170 parliamentarians urging greater humanitarian assistance, have stepped up and increased their assistance by £25 million and increased the level of match funding for the Disasters Emergency Committee appeal, to which we are all grateful. The parliamentarians asked, however, for a suspension of training, and they were right to do so, especially given, as I understand it, there is no reference in it to human rights training or awareness and no attempt to change the behaviour of the military. It would be wrong to reinstate the funding until progress is made.

The Annan commission reported on the need for reconciliation and action to deal with the issues affecting the Rohingya and the wider populations impoverished in Rakhine. Sadly, the report's publication coincided with the so-called operation by the military that led to the latest crisis. That suggests that the military, far from wanting a constructive solution, reconciliation and progress, is doing quite the opposite. The commission, which was commissioned, supported and led by Aung San Suu Kyi, has been undermined by the actions of the military, which says a great deal about its underlying objective, which is to undermine her. She, of course, is not helping herself, as many would agree, but let us not forget that the military has been instrumental in directing the attacks.

The international community needs to apply pressure on the military. To do that, our Government need seriously to consider a global arms embargo of the Burmese military, building on what we have done domestically and with our European partners. It will not work simply to wring our hands and say, "There is ethnic cleansing", if we do not follow up with the courage of our convictions, act and apply pressure to the Burmese military. It is no longer acceptable to say that the transition to democracy will stop the military acting this way. It has not. In fact, the military is undermining the transition to democracy and the civilian-led Government led by Daw Aung San Suu Kyi. It is imperative that the international community do more to support the humanitarian effort and, in particular, humanitarian access within Rakhine state, which I visited in February once again. The lack of access to those desperately in need of food and healthcare in the internally displaced camps was shocking.

I am grateful to have had the opportunity to raise these issues, and I very much hope that our Government will continue to build on our tradition as a country that speaks up for communities that have suffered. Particularly in this case, Britain has a unique responsibility because of our colonial legacy, and because of our interest in Myanmar. We all want that country to succeed and thrive, and we all hoped that the transition to democracy would be a new chapter. Sadly, this series of attacks, particularly after the elections, has left many of us with grave doubts about that transition. We must do everything we can to bring an end to the violence and to increase access, but, most important, to hold the Burmese military to account.

I call on the Government to seek that global embargo, and to apply pressure on our international partners to act. We cannot once again allow ethnic cleansing to happen.

[*Rushanara Ali*]

We must learn the lessons of what took place in Rwanda, in Bosnia and elsewhere. We cannot come back to the House and say “Never again” when we have watched ethnic cleansing happen, and regret not taking greater action and using all the powers and influences that we all have here in the House.

**Several hon. Members** *rose*—

**Mr Deputy Speaker (Mr Lindsay Hoyle):** I remind the House that there is a four-minute limit on Back-Bench speeches. I call Anne Main.

3.29 pm

**Mrs Anne Main (St Albans) (Con):** Four minutes is not long enough to illustrate the suffering that I saw in Bangladesh only three weeks ago, along with my hon. Friends the Members for Colchester (Will Quince) and for Sutton and Cheam (Paul Scully).

I pledged to the people whom I met in the camps—mostly women and children—that if nothing else, we would come back and give them a voice that could be heard. We went with a delegation from the Conservative Friends of Bangladesh, and we spent two days in Cox’s Bazar. We were not prevented from speaking to anyone. We went there with Bengali Sylheti speakers who could translate very well for us, and we asked questions of anyone we liked. Their stories were all the same. There were stick-thin children who looked as if they were literally within days of dying. There were women who were unaccompanied by their menfolk because they had been slaughtered, brutally attacked or separated from them, beaten up and taken away.

We visited both the Kutupalong camp and the Balukhali camp. In the Balukhali camp, we talked to workers in an aid hospital about the wounds that people showed as they came in. Many were gunshot wounds. While we were there, an elderly man was brought in, his face gashed and bleeding. He was distressed and had been beaten up. A few minutes later, his son was carried in, covered with a tarpaulin, within moments of losing his life.

**Mrs Gillan:** Four minutes is certainly not enough. I congratulate my hon. Friend and her colleagues who went out to see the suffering for themselves. I received a delegation in my constituency from my local imam because so many of our Muslim populations in this country have been appalled by the reports that have been coming back. I thank my hon. Friend on their behalf for what she has done, and for acting as an advocate for them today.

**Mrs Main:** I thank my right hon. Friend for what she has said, but we cannot possibly say enough. The hon. Member for Bethnal Green and Bow (*Rushanara Ali*) is absolutely right: the time to stop doing nothing is now. We must start doing things and start speaking up. Let me put in a plea for contributions to the appeal launched by the Disasters Emergency Committee, whose headquarters I visited with the hon. Lady and my hon. Friend the Member for Sutton and Cheam. We have some good stories to tell. The DEC is ensuring that the aid goes to the right places, and the British Government have a lot to be proud of.

Let me go back to what we saw. We saw the most brutal attacks. We were taken to the border, and could locate the points where landmines—we saw pictures of them—had been laid. We saw the body of a man being dragged out of the flooded camps. The Bangladesh Government cannot be congratulated enough for how much they are doing, but the tide of misery is overwhelming.

**Sir Hugo Swire:** My hon. Friend is making a powerful speech. She has talked of a tide of misery. Alas, the tide of misery does not just flow across the Bay of Bengal from Rakhine to Cox’s Bazar; it also flows from Rakhine down to Malaysia and other countries, where we have seen horrific evidence of the trafficking of the Rohingya people. People come down from the Bay of Bengal and pick them up in Rakhine—

**Mr Deputy Speaker:** Order. I know that the former Minister has a lot to add to this, but I want to get everyone in. Interventions must be very short. Do not take advantage of other Members, please.

**Mrs Main:** Thank you, Mr Deputy Speaker. Time is very short, and I wish to keep within my limit so that others can make their points.

I must emphasise that the stories we heard were consistent. Any claims in the newspapers that the Rohingya are doing this to themselves are lies, fabrications and absolute fantasy. That is not true. No woman wants to trek with eight small children after one of her sons has been stabbed through the chest, her breasts dried up because she cannot feed her child, and with only some semolina to keep her going for days. The Rohingya are not doing this to themselves. If the world sucks up that nonsense, that lie, that fabrication, we are complicit; and we cannot be complicit.

We saw where those people were stranded in no man’s land, within yards of the border. We heard too many stories that were consistent: people were being machine-gunned from behind to drive them across, and the landmines were to stop them going back. These people have been brutalised. There are thousands of unaccompanied children. It has been said that there are 80,000, although it is hard to give an accurate figure because the number increases every day. Apparently there were 11,000 last Monday.

When we were last told, there were 80,000 pregnant women and 13,000 unaccompanied children. There are real issues of safeguarding and trafficking, and of disease. We used the latrines on the site; believe me, it was a relief to go back and wash off the slop and stench we had experienced those days—only to go back and see the people the next day, sitting there with no more than a piece of plastic over their heads. Some of them did not even have that: some had an umbrella, some had nothing.

We cannot turn a blind eye. We cannot pretend it is not happening. It is so easy once we are back to forget the sheer horror of it, but for them this is not just about now; it has been happening for years. As the hon. Member for Bethnal Green and Bow, who so eloquently opened the debate, said, this has a very long history. But for those babies and children we saw, who are at any moment liable to be taken away with typhoid or one of

the other diseases just waiting to rampage through that camp, we have got to say the world must join with Bangladesh on this.

I cannot say any more than that: the Bangladeshis have done their utmost, with a third of their own country underwater, and with rice harvests being lost. One should go there and look at the poor quality of the site; when we were there, an elephant trampled down the camp and there were landslides. This site is so fragile, yet Bangladesh has extended its arms to be as welcoming as it possibly can be. So I will not hear a word said against what they have been doing, but the rest of the world could do so much more. As the hon. Lady said, we must encourage our neighbours who feel this is someone else's problem, because it very much is our problem.

I did not hear any anger from these people; they want to go back, but they do not want to go back to be driven across the border again and again and again. They want some degree of resolution to their plight, and I hope by talking about it on the Floor of this House today we can ensure their voice is heard by the world, because that is what I pledge. That is all I could say to the people I met: "We will make sure your stories get back." And today I know the two colleagues who joined me are making sure their stories have got back, and the hon. Lady who opened the debate has spoken eloquently, and I know she is summing up—and I am sure that across the House today we will show that we will not accept this any longer.

3.37 pm

**Lyn Brown** (West Ham) (Lab): As we have heard today, the evidence about what has been happening in Myanmar is clear: there is a concerted campaign of ethnic cleansing against the Rohingya. The military have used every kind of evil to create fear and trauma—men, women, and children tortured and killed; their families and neighbours forced to watch; children and elderly people burnt alive in their homes; gang rapes by soldiers, including of girls as young as five. All of these horrors are used as weapons to threaten and intimidate more than half a million innocent people into fleeing their homes, far too terrified to return. And who can blame them?

Hasina Begum lived in the Rakhine province, where the violence has been most intense, and her testimony is harrowing. She described how, first, the soldiers killed the men they found, cutting their bodies into four parts to make future identification difficult. Then they rounded up women and girls of the village, and forced them to watch as two teenage girls were raped by 14 of the soldiers. Hasina was forced to watch; she relives this horror in her nightmares.

These obscenities have clearly impacted on my community in West Ham. Last week I was given a petition signed by more than 750 constituents, and I have had many emails about this debate. They want the Government to get to the root of this crisis, not just condemn the most obvious abuses. I was deeply moved by their compassion, and I share their anger. Enough has not been done.

Aung San Suu Kyi has failed to live up to her responsibility as the head of Myanmar's Government. I thought she was a great woman, but great women do not allow ethnic cleansing to take place in a country in

which they have power, great women do not seek to deny facts when innocents are being slaughtered, and great women do not remain silent. The actions of the military, and her own inactions, have trampled the reputation of Aung San Suu Kyi. The generals must be loving it.

But let us be clear: the greatest responsibility for what has happened belongs to the military, and especially the head of the army, Min Aung Hlaing. I want every one of those responsible for these crimes against humanity to face justice, and I want to see Min Aung Hlaing and the other senior commanders on trial for their crimes. The only way for this to happen is if our Government are resolute in calling out these crimes, supporting strong and co-ordinated sanctions. I want to see a visa ban on military figures, a complete ban on all equipment sales to the military and a ban on investment in and business with military-controlled companies. These actions need to be taken at the widest possible level across the EU and across the wider world through diplomacy at the UN.

The immediate humanitarian crisis remains appalling, and I am not convinced that the funding that the Department for International Development has committed is adequate, given the enormous scale of the crisis. We are currently providing emergency funding for shelter for approximately 26,000 people, but that covers less than 5% of the refugees who have fled since August. I understand that we have been the largest single donor in this crisis, and I certainly welcome that, but given the enormity of the circumstances it is simply unacceptable that many people are still not secure and that their basic needs are not being met. There can be little doubt that more can be done, and I want the Government to commit to doing it today.

3.40 pm

**Mrs Pauline Latham** (Mid Derbyshire) (Con): It is a pleasure to follow three very passionate speeches. People feel very strongly about this, and there are statistics that we can all quote, but the human tragedy is the most important thing. We can talk about how much money we have spent, how much other countries have spent and how many people have been displaced, but we understand more when we watch the television news. Unlike my hon. Friend the Member for St Albans (Mrs Main) and others, I have not been to Bangladesh, but on last night's television news I saw a mother who had seen her two children drown. She saw one of the bodies floating past her. There was also a son whose mother and brother had drowned, and there had been nothing he could do about it. Those are stateless people who are trying to escape persecution.

I cannot imagine what it would be like to be stateless—none of us in this Chamber is stateless and none of us is likely to be—but let us try to imagine generations of people who have had no home and no country to stand up for them. That is what we are talking about. This is about hundreds of thousands of families who are stateless, and nobody cares about them. However, Bangladesh has opened its doors, taken them in and looked after them. We need to support that initiative. Bangladesh has its own problems—it has floods, as it has done before—but it has welcomed those people. It has not passed by on the other side. It is looking after them, and it is incredibly important that we should step up to the plate to support it.

[Mrs Pauline Latham]

We must also say that there must never again be a genocide, because that is what this is. We have said it before, about Bosnia and about Rwanda—which I have had quite a lot to do with—but we must say it again now. We must step up to the plate and actually do something to stop this crisis continuing. A lot has happened and many thousands of people have lost their lives. Many more have lost everything they have, and they have little dignity left. This Government must please continue to work with every other country that can help to stop this happening, and they must do it now.

3.43 pm

**Imran Hussain** (Bradford East) (Lab): Let us be absolutely clear: the Rohingya have been persecuted and mistreated in that region for hundreds of years, and the United Nations has labelled them the most persecuted people in the world. However, their past persecution pales into insignificance compared with what they have recently faced. They have been subjected to some of the deadliest violence over the past several months. Rohingya men, women and children are being murdered. Children are being beheaded and their bodies mutilated. Others are being burned alive, and there is rape and pillage on a scale fit for a medieval war. All of this amounts to some of the gravest crimes against humanity. The burning of Rohingya villages is not just an act of pure violence; it is also a calculated move by the Burmese Government to ensure that the Rohingya can never return to their homes, even if the violence subsides. Such a move—and the intent behind it—is a textbook definition of ethnic cleansing.

**Judith Cummins** (Bradford South) (Lab): The United Nations High Commissioner for Human Rights has indeed described the situation as a “textbook example of ethnic cleansing.”

Does my hon. Friend agree that this Government must do everything in their power to bring an end to the horrific violence?

**Imran Hussain:** My hon. Friend is absolutely right. We must not shy away from calling the situation what it is, particularly when it is followed by deadly violence. It is ethnic cleansing.

When this issue was last before the House as the subject of an urgent question, I asked the Minister to condemn the Burmese Government for their crimes. Regrettably, the Minister’s answer fell far short of that, and the situation continues to worsen. I accept that the Government have taken action by suspending military programmes and by ensuring that the crisis has been debated at the UN Security Council, but that should just be the starting point, not the full extent of the Government’s action, because it does not go far enough.

Those who have managed to flee the violence and persecution fare little better, and the refugee crisis is only getting worse. Some 700,000 Rohingya refugees have fled to Bangladesh, but that figure is most likely to be even higher and will grow further still. So great is the number of refugees fleeing Burma and so fast have they fled that the UN recently documented it as one of the worst emergencies by weekly outflow since the Rwandan genocide. The refugees face dire situations and squalid conditions not only in the overcrowded camps that

await them, but during their journeys to them. The violence and the desperate situations represent only a snapshot of the emergency facing the Rohingya, and the situation will only get worse. Despite the action that has been taken, the Burmese Government remain undeterred in their campaign of violence. We have to take stronger action, and we have to show leadership.

Like many hon. Members on both sides of the House, I clearly want a transition to democracy in the region. We want the road to lead to democracy, but that road cannot be surfaced with injustice and hypocrisy. It cannot be paved with ethnic cleansing and genocide. It cannot be built on persecution. It cannot be stained with the blood of innocent men, women and children. That road does not lead to democracy; that road leads to The Hague. I implore the Minister to use this opportunity to condemn the Burmese Government, which he is yet to do, for the violence and the flagrant human rights violations. What is he doing to ensure that those who have committed these grave crimes against humanity are brought to justice at The Hague?

3.48 pm

**Will Quince** (Colchester) (Con): It is hard to put 600,000 people fleeing persecution into context until one has been to the camps and can visualise the thousands of desperate people. To try to put it into some context, however, the situation is roughly the same as if the population of Glasgow or Sheffield were all fleeing the most horrific persecution and violence. On arriving at the camps with my hon. Friends the Members for Sutton and Cheam (Paul Scully) and for St Albans (Mrs Main), we saw thousands of people—mainly women and children—thick mud, makeshift tents and shacks as far as the eye could see, terrible sanitary conditions, awful latrines, and makeshift schools. The scenes were horrific.

The Bangladesh Government are absolutely trying their best and, to echo the comments of my hon. Friend the Member for St Albans, I do not think that they could be doing any more. Bangladesh is a relatively poor country with a population of 160 million people. A third of the country is underwater, yet they say, “If we can feed 160 million, we can feed another half a million.”

**Sir Hugo Swire:** As Bangladesh is a fellow Commonwealth country, does my hon. Friend agree that we should have some kind of Commonwealth response in the light of Bangladesh’s appalling amounts of additional work to feed and provide hospitality to these fleeing people?

**Will Quince:** My right hon. Friend makes a good suggestion that I hope the Minister takes on.

Bangladesh is doing a great job, but it is under considerable pressure. The movement of people, particularly within the past few months, is on an unimaginable scale—the figure was some 10,000 to 15,000 people just over the past weekend. What camp could cope with such numbers of people desperate for help?

We saw many people and discussed many different stories, most of them absolutely tragic. As my hon. Friend the Member for St Albans said, we picked the people to whom we spoke; we were not directed. Either this is the biggest conspiracy theory in history, or they are telling the truth, and I choose to believe they are telling the truth.

I want to tell the story of a lady whose house was burned, with her husband killed and son murdered before her eyes. She picked up her remaining children and what possessions she could carry, and walked for five days in the hope that things might be better somewhere else. She got to the camps. As I spoke to her, she held her eight-month-old baby, who looked around four months old because they were so malnourished. She was desperately trying to feed her baby as we spoke, but her malnourished body could not produce the milk to do so. As a father myself, it broke my heart. That story is not a one-off; it was the same with every person to whom we spoke, mostly women who had gone through such a horrific ordeal, and in some cases worse.

We visited a makeshift school in the camps and heard 30 or so children singing “We Will Overcome” in English, because hope is all they have left. I am incredibly proud, as we should all be, of the role that the Department for International Development and the United Kingdom are playing through UK aid. It fills me with pride to see UK aid from the British people used all over the camps. Can we do more? Of course we can.

This is my message to all those who sent me emails and Twitter messages after Prime Minister’s questions last Wednesday to say that we should not be sending UK aid: “You are wrong. This is exactly where we should be sending UK aid.” I am incredibly proud of what we are doing, as everyone in this country should be. Yes, we have to do more through diplomacy and work within the United Nations. I am grateful for the Prime Minister’s response, and I know the Minister has visited the region and is as passionate as me about addressing this issue.

**Mrs Gillan:** My hon. Friend’s personal visit cannot be repeated by all of us who have read about the situation. Is there anything we can do to get aid more quickly to where it is needed? The speed of response seems to be one of the big problems in helping people on the ground.

**Will Quince:** There are many ways in which we can help, and I look to the Minister, and to DFID Ministers, to answer that question. The scale of the challenge is the issue. The Bangladeshi Government have recently set aside another 2,000 acres of land for the camps to expand, but they need money. That is why I encourage Members and people across the country to support the DEC appeal, which DFID is supporting with match funding.

The hon. Member for Bradford East (Imran Hussain) referred to landmines and helicopter attacks in his extremely passionate speech. We went to the border and saw that for ourselves. Yes, Bangladeshi military officials told us about it, but so did individuals. We saw videos on people’s phones of landmines, landmines being laid and people who have had their limbs blown off by landmines. There is no excuse anywhere in the world for landmines. We have to condemn the Myanmar Government in the strongest terms possible if they are using landmines, as I believe they are, and helicopter attacks to drive people towards the border. Whether the Myanmar Government are planting those landmines to prevent people from crossing the border or to prevent them from heading back into Rakhine state, it does not matter. This is wrong and we should absolutely condemn it.

I know the Minister is as passionate as I am about this issue, and I am proud of what we are doing. The Rohingya people are desperate to go home, but I just ask him to redouble our efforts to make sure that the UN, the humanitarian agencies and the NGOs can work in Myanmar not only to keep people safe, but to protect that all-important humanitarian aid.

3.55 pm

**Stephen Twigg** (Liverpool, West Derby) (Lab/Co-op): I am pleased to follow the hon. Member for Colchester (Will Quince) and to concur with everything he said in his excellent speech. I also pay tribute to my hon. Friend the Member for Bethnal Green and Bow (Rushanara Ali) and the hon. Member for St Albans (Mrs Main), both of whom spoke incredibly powerfully, as has everyone else in this debate.

I am pleased to say that this morning the International Development Committee agreed to carry out an immediate inquiry on Burma and Bangladesh, and to start that inquiry by looking at the current Rohingya crisis. As of this month, more than half a million refugees have fled across the border between the two countries, increasing the number of displaced persons in Bangladesh to about 800,000. To put that number in perspective, UNHCR estimates that the total number of refugees who crossed the Mediterranean into Europe last year was 362,000, so we are talking about more than double that number in the single country of Bangladesh. That is why today’s debate is so important.

As we have heard, while these people—most of them women and children—have been making this perilous journey, they have been traumatised by landmines, gunshots, shrapnel and fires. Those who arrive safely in Bangladesh talk of the appalling violations of human rights that are being carried out in Burma. Let us have no doubt that, as the motion says, we are witnessing ethnic cleansing, and this House needs to say that loud and clear. As my hon. Friend the Member for Bradford East (Imran Hussain) rightly said, this is not something new. The Rohingya people have faced centuries of persecution and have so often been forgotten.

The need in Bangladesh is severe. According to the International Rescue Committee, which has carried out needs assessments in the region, more than three quarters of the refugees surveyed lacked the most basic food to live; about a third are being forced to defecate in the open; more than 95% are drinking untreated water; a staggering 87% of the displaced families have at least one member with an identified vulnerability—they may be elderly, pregnant, disabled or wounded—and nearly half of the pregnant women have not received medical care for their pregnancies.

I join in paying tribute to the Government and people of Bangladesh for their remarkable response to this crisis. Humanitarian organisations such as UNHCR have struggled to register new arrivals as they cross the border. The camps that have been set up for the fleeing Rohingya in Bangladesh are often located in low-lying areas that are either flooded or severely prone to flooding during the monsoon season. Although the Bangladesh army is planning to construct new camps for the ever-increasing number of arrivals, that will take time. This problem is exacerbated by the fact that Bangladesh is not a party to the UN convention on refugees, which sometimes means that UN agencies and others have

[Stephen Twigg]

struggled to gain access to Rohingya refugees inside Bangladesh. Given such a massive humanitarian need, the Government of Bangladesh can show further strong leadership by expediting the registration process of refugees to those NGOs that are ready and willing to help. The IRC is a good example, as it is ready to scale up in a massive way and has just submitted its registration request. May I urge the Minister to indicate in his response today that the Government will use their good offices to seek to persuade the Government of Bangladesh to move on this very important point, as it will enable key NGOs to register refugees so that they get the support that they so desperately need?

3.59 pm

**Paul Scully** (Sutton and Cheam) (Con): It is important to note the history behind this issue. As we heard earlier from the hon. Member for Bethnal Green and Bow (Rushanara Ali), the Rohingya Muslims have been in that part of Myanmar for many hundreds of years. When the British were controlling Burma, they used people from what is now Bangladesh, moving across what was then a very permeable border, for employment and labour. That started to muddy the waters, because we did not register those people or acknowledge them as Bangladeshi. That has given the Myanmar Government the excuse to set a new year zero and to deny these people, who have been there and had roots there for so many years, the right to citizenship.

When I was in Burma in February 2016, at the time of the transition Government, I was really hopeful. Everyone was incredibly optimistic that, as the country came into the light, we would start to see the desperately needed end to the ethnic conflict throughout the country. I ask all Members present, including the Minister, to acknowledge when they condemn what is going on in Rakhine state that the Burmese people are largely behind it, as shocking as that may sound. There are demonstrations in Yangon at which people say, “We stand with the lady, we stand with the army and we stand with the Burmese people.”

Aung San Suu Kyi was speaking at the same time as we were at Cox’s Bazar airport. We have all said that she needs to be far more forthright in condemning the actions in Rakhine state, but we must concentrate on the man who could stop this tomorrow: Min Aung Hlaing, the commander-in-chief. If we whip this up into “the west against a nationalist uprising in Myanmar”, we run a risk, because this is a man who might fancy his chances of presidency in 2020. We might end up with the military getting back into control via the ballot box rather than the gun.

**Sir Hugo Swire**: My hon. Friend is making an extraordinarily powerful point. We should all be familiar with the point that during the transition, the military retained 25% of control in the Myanmar Parliament. The commander-in-chief is no fan of Aung San Suu Kyi, so she is in an extraordinarily difficult position. Yes, we would like her to speak out more, but we must also recognise that in the longer term the progress we have seen in Burma could easily go backwards, and that would endanger peace throughout the country, not only in Rakhine.

**Paul Scully**: Members in the Chamber and people throughout the country are rightly passionate about the atrocities that are taking place and that were witnessed by a number of us who went over to Cox’s Bazar, but we must realise that the situation in the country is complex. Our response must absolutely reflect that so that we do not make the country close in on itself. If we do, the conflicts in Rakhine state will start to reignite in Kachin state, Shan state and all the other areas in which the peace process, under Kofi Annan’s commission, has started to have some sort of traction—although it is taking some time.

The military claims that what is going on in Rakhine state is a response to the Arakan Rohingya Solidarity Army, and that ARSA is a terrorist group. Let us assume that there are some terrorists there, although if there are, they number a couple of hundred at most—nothing like the 500,000 people who have crossed the border. Along with my hon. Friends the Members for Colchester (Will Quince) and for St Albans (Mrs Main), I met a 60-year-old lady. She came over with her surviving grandchildren—and I mean surviving grandchildren. Her son-in-law had been stabbed in front of her and dragged away, and was assumed dead, and her 12-year-old grandchild was beheaded in front of her.

**Mrs Main**: Does my hon. Friend agree that we were given her words absolutely verbatim? They were translated by people in our party who understood, so we were not being duped in any way.

**Paul Scully**: Absolutely. We picked all of the dozen or so people to whom we spoke over two days and we had our own translators there, so it was absolutely verbatim. Another one of her grandchildren had their genitals mutilated and chopped off. As Members will understand, this woman was dead behind the eyes. There is no way that that woman was a terrorist. The response by the military is clearly disproportionate and needs to be called out. We must absolutely ensure that every time we have dealings with the Burmese Government and the military we call them out for what they do.

We need to plan things regionally, work with our Commonwealth friends, and try to encourage the Association of Southeast Asian Nations to have a regional response. At the moment, there is little movement from Thailand, and the Indian Government are rejecting the Rohingya Muslims who have settled in their country, so, as we have heard, this is not just a Burmese-Bangladesh situation.

The Bangladeshi Government are doing a fantastic job under difficult circumstances. The fact that the situation is not new is clear when I reveal that the Kutupalong camp is 30 years old. This is not a new camp that has just been set up; it is 30 years old. There are two treaties outstanding with Bangladesh and Burma dating back to 1978 for the safe return of Rohingya Muslims to Burma. They have been ignored by the Burmese Government, so we must ensure that a treaty, which is backed up by international support, is put in place to allow the safe return of the Rohingya.

4.6 pm

**Sarah Champion** (Rotherham) (Lab): I am grateful to my hon. Friend the Member for Bethnal Green and Bow (Rushanara Ali) and the hon. Member for St Albans

(Mrs Main) for securing this necessary debate. I also thank my hon. Friend for the vital work that she has done in raising awareness of the persecution of the Rohingya. Sadly this abuse is not new. In 1992, a cross-party early-day motion criticised the “systematic extermination” of the Rohingya in Burma. Some 25 years later, the extermination continues.

The most recent UN report contains witness statements detailing shocking acts of violence and humiliation: children and elderly people burned in their homes; mass use of gang-rape, including soldiers gang-raping girls as young as five; victims, including children, forced to watch relatives and loved ones tortured and killed; and a pregnant woman raped, her stomach cut open, her unborn baby killed, and her nipples cut off.

Since August, more than 540,000 Rohingya have fled to Bangladesh, taking the total now in Bangladesh to more than 800,000. Sickeningly, Amnesty International and some of our colleagues have said that there are clear indications that the Burmese authorities have been deliberately targeting the Rohingya as they flee, placing landmines at border crossings.

**Paul Scully:** Does the hon. Lady agree that landmines are terrible not just for those in the present, but in 10 or 20 years’ time when, hopefully, this has been solved and children are out playing?

**Sarah Champion:** That is the perversity of the situation, and we have our eyes wide open.

The Secretary of State for International Development has said that children are at risk of “sexual violence and trafficking”. The International Rescue Committee said that there are

“reports of girls in Rohingya camps being raped or abused when going to the toilet or collecting firewood.”

There are those who suggest that there are two sides to this story, and that paramilitary attacks mean that the Rohingya are to blame for the violence. Nothing can ever justify the horrors that innocent Rohingya are suffering. The UN report contains a witness statement of a 12-year-old Rohingya girl. She told the UN team:

“They surrounded our house and started to shoot. It was a situation of panic—they shot my sister in front of me, she was only seven years old. She cried and told me to run. I tried to protect her and care for her, but we had no medical assistance on the hillside and she was bleeding so much that after one day she died. I buried her myself.”

That was a 12-year-old girl. If a proportional response existed, that could never be it. The UN also said that

“security forces targeted teachers, the cultural and religious leadership, and other people of influence of the Rohingya community in an effort to diminish Rohingya history, culture and knowledge.”

This is planned and co-ordinated ethnic cleansing. I am pleased and relieved that the Secretary of State has echoed the UN High Commissioner for Human Rights in describing it in that way, but we need not only strong language, but strong action. The director of International State Crime Initiative has called ethnic cleansing a “euphemism for genocide”. She adds that genocide is a process that takes place over many years. In 2015, the organisation described the violence towards the Rohingya as

“highly organised and genocidal in intent.”

The Bangladeshi Government have already called this genocide so I ask the Minister, if the UN finds that

genocide or other violations of international law have been committed, will the British Government support a referral to the International Criminal Court?

**The Minister for Asia and the Pacific (Mark Field):** It goes without saying that genocide is a legal term at the UN. If the UN goes down that path, of course the UK Government will be the first to be supportive of taking these matters to the International Criminal Court.

**Sarah Champion:** I am hugely grateful for that intervention.

Yesterday, the Foreign Secretary had the opportunity to lead on this in a meeting of the EU’s Foreign Affairs Council. Sadly, the Foreign Secretary’s eagerness to lead at home is not matched by an eagerness to lead abroad. The only action from that meeting was the suspension of invitations to senior Burmese military officials to visit the EU. I agree with Burma Campaign UK that this is absolutely pathetic.

We must do everything in our power to protect the Rohingya and pressure the Burmese Government to immediately cease military operations. We must ensure the implementation of the recommendations in the Annan commission, particularly on the matter of citizenship rights. We must listen to aid agencies and ensure that resources are available to distribute food, reduce the threat of disease and help establish protection services for women and children. We have to remove the red tape so that that can happen. We must pressure the Burmese authorities to allow immediate unimpeded humanitarian access to Rakhine state. Fundamentally, we must no longer turn a blind eye. I urge this House to act now, before it is too late.

4.11 pm

**Fiona Bruce (Congleton) (Con):** In an article in *The Wall Street Journal* in November 2016, Ben Rogers—the vice-chair of the Conservative Party Human Rights Commission, which I have the privilege to chair—wrote:

“A human tragedy approaching ethnic cleansing is unfolding in Burma, and the world is chillingly silent. In recent weeks, hundreds of Muslim Rohingya people have been killed, and more than 30,000 displaced. Houses have been burned, hundreds of women raped and many others arbitrarily arrested. Access for humanitarian-aid organizations has been almost completely denied. Thousands have fled to neighboring Bangladesh, only to be sent back. Witness all the hallmarks of past tragedies: Bosnia, Darfur, Kosovo, Rwanda... It’s also time for the international community to speak out. If we fail to act, Rohingyas may starve to death if they aren’t killed by bullets first...Let us act now before it’s too late.”

How right he was. That was almost a year ago. For many, such as the seven-year-old girl we just heard about, buried by her 12-year-old sister, it is already too late.

In a further article in February this year, Ben Rogers and the EU special envoy for freedom of religion or belief, Ján Figel’, highlighted the question of impunity, writing:

“Under the constitution, the military remains in control of the Home Affairs, Border Affairs and Defense ministries, meaning Ms. Suu Kyi’s leadership is tenuous. While she could have done more to speak out, she does not control the troops. Only Gen. Min Aung Hlaing, the commander-in-chief, has the power to stop the killing and rapes.”

**Zac Goldsmith** (Richmond Park) (Con): I take my hon. Friend's point about Aung San Suu Kyi, but it is not simply that Aung San Suu Kyi has not condemned the activities of the military; it is that she has actively apologised for them over and over again in interviews. Having gone from being one of the most celebrated people in the world for her courage in taking on the brutal authorities, she has become that brutal authority.

**Fiona Bruce:** It should be remembered that, yes, she could have done more to prevent this tragedy and to speak out when it began, but she does not control the army.

The article continued:

"The international community must now act to hold the Burmese military to account for its crimes."

Those warnings were also made many months ago. Now a tragedy is unfolding on a far bigger scale and action is long overdue.

I welcome the action taken by the Government so far: initiating discussions at the UN Security Council, suspending training programmes with the Burmese army, providing £30 million in aid and pledging to match £5 million in donations to the Disasters Emergency Committee appeal.

**Paul Scully:** Does my hon. Friend agree that, while it is absolutely right that we should suspend our military programme with the Burmese military, it is a matter of regret that the people left training the Burmese military at the moment are the Russians?

**Fiona Bruce:** I will come in a moment to the further action I want to challenge the Minister to take with regard to the military.

More surely can and should be done. When the United Nations Secretary-General describes the crisis as "catastrophic" and "a devastating humanitarian situation" and the UN High Commissioner for Human Rights has said that it is

"a textbook example of ethnic cleansing",

there is surely a need for a much more robust response.

So what other measures will the UK take to put pressure on the army and the Government of Burma to stop this appalling ethnic cleansing? What steps are the Government taking to demand that the military in Burma immediately cease operations in Rakhine state and that the Government of Burma allow unhindered access to all affected areas for international humanitarian aid organisations, human rights monitors and the media? What pressure will the Government put on the Government of Burma to ensure that Rohingyas can safely return to their home villages and that homes are rebuilt, livelihoods are secured, security is guaranteed, the recommendations of the Rakhine advisory commission, chaired by former UN Secretary-General Kofi Annan, are implemented, a reconciliation process begins, and the military are held to account for their crimes?

Will the Government work at the UN Security Council to secure a global arms embargo on Burma and targeted sanctions to prohibit investment in Burmese military-owned enterprises? Will the UK urge the EU to extend its arms embargo to ban the sale of non-military equipment that could be used for military purposes and to impose a visa ban on senior members of the military? Will the

UK work to reintroduce a UN General Assembly resolution on Burma, imposing specific measures to put pressure on the Government and the military in Burma to address this crisis?

I urge the Minister to consider introducing regular meetings at this critical time, either with himself or his officials, so that non-governmental organisations based in London that have much expertise in Burma can discuss the current crisis. I have referred to the expertise of Ben Rogers, but I also have in mind the Burma Campaign UK, Christian Solidarity Worldwide, Human Rights Watch, Amnesty International and, in particular, representatives of the exiled Rohingya community.

This tragedy requires our urgent attention and action now. It is time to act to prevent another ethnic cleansing from becoming another genocide.

4.17 pm

**Dr Rosena Allin-Khan** (Tooting) (Lab): I returned from Bangladesh just last week, and I felt moved to speak today. The Rohingyas have been forced to choose between the perilous uncertainty of fleeing to another country and the certainty of the violent oppression in their own. The stories of suffering are simply too much to bear. Prior to being in this place, I had a career in the field of humanitarian emergencies, and I have rarely seen anything like this: entire communities fleeing with anything they could grab, only to see all their homes razed to the ground; children burying their younger siblings; multiple accounts of rape and torture; the woman who found her husband dead in her village yet still managed to find the strength over five days to take her three children to Bangladesh; the husband and father who saw his wife and some of his children murdered in front of him but still found the strength to take his remaining children to safety; the two little boys who made it into Bangladesh, despite having had their legs broken; the bravery that is second to none; and, as almost always in conflict, the hundreds—the thousands—of women who have been raped.

Is this ethnic cleansing? Without a doubt. It is a campaign of the most extreme violence, with physical and psychological trauma that will last for generations to come. While it is deeply shocking, it is, sadly, not surprising. We were warned. Three years ago, the group United to End Genocide said:

"Nowhere in the world are there more known precursors to genocide than in Burma today."

Yet, these things have been allowed to happen. It follows decades of state-supported violent discrimination, social exclusion, and the relentless stoking of racial hatred. The desire to expel the Rohingyas from Myanmar has been repeatedly laid bare, as even in the years when the world praised Aung San Suu Kyi's path to democracy, they were demonised and massacred as "the other".

I say this to Aung San Suu Kyi: "What we are seeing is not fake news. With its acts of barbaric, unimaginable horror, the campaign of ethnic cleansing taking place in Rakhine province shows the eternal truth that if you cannot see the essential humanity of people because you declare them to be "the other", you will lose your own humanity." It is a lesson that this country should learn well. It challenges us to ask, "What does our humanity spur us to do now?" Does it spur us to be brave and to challenge what is happening? Will we act? Will we call this what it is—ethnic cleansing?

The Rohingya desperately need us to step up. They may have escaped the Myanmar army, but they are not yet safe. They are malnourished. They are desperate. Pregnant women are in need of care; children are alone, subject to sexual exploitation. I have worked with, and spoken to on the ground, fantastic organisations such as Christian Aid and Action Aid. They need our help. Bangladesh, which has so bravely and kindly opened its borders, needs our help. We cannot allow the Burmese campaign of ethnic cleansing to succeed by giving up on the future of the people, and of so many children who have been through hell for a chance of survival. I call on the Government to accelerate and increase their support of those organisations and others working to support the Rohingya refugees. At Britain's best, our humanity does not have borders; it is big enough to stretch overseas. Let it stretch and let us support the Rohingya Muslims who so desperately need our help.

4.21 pm

**Ms Nusrat Ghani** (Wealden) (Con): I thank the hon. Member for Bethnal Green and Bow (Rushanara Ali) for securing this important debate. I hope that as well as getting a further commitment from the Minister to do all that he can to support the Rohingya people, we can get some of the western media to cover their plight, which has been ignored for so long. With more than 1 million minority Rohingya having fled Burma after witnessing murder, rape and pillaging of villages, we should not be afraid to call the actions of the Burmese authorities what they are—a deliberate, brutal, sustained and targeted campaign to cleanse the country of Rohingya and Muslim minority groups. It is a genocide.

The horror and the lack of an international response to the persecution of the Rohingya led the Foreign Affairs Committee to hold its first ever session on this issue last week. Tun Khin of Burmese Rohingya Organisation UK came and gave evidence. He confirmed that more than 10,000 homes have been burned or destroyed. The military are systematically going from village to village, looting and destroying everything. They leave nothing behind: there is nothing for the Rohingya to return to. The United Nations described what took place as crimes against humanity. The UN Human Rights Council established a fact-finding mission to investigate, yet the Government of Burma are refusing to allow it into the country.

The Burmese are applying North Korean public relations strategies and declaring that the reporting of rape, plunder and mass murder is some sort of media hysteria. I have here a letter that the Foreign Affairs Committee received from the embassy, which says:

“Accusations of ‘ethnic cleansing’ and ‘genocide’ are totally false...Assertions in the media that horrifying crimes have been committed against innocent people have only served to intensify the anxiety of the international community. While such claims might appear realistic at initial glance to an ordinary viewer, skilled observers”

would see otherwise. This letter is diabolical. By having this debate in this Chamber today, we can make it clear to the Burmese authorities that we will call out what we see.

**Mrs Main:** Does my hon. Friend agree that if they feel they have nothing to hide, they should let the world in?

**Ms Ghani:** Absolutely.

One slightly positive point was the establishment of the commission chaired by the former UN Secretary-General, Kofi Annan. However, while Aung San Suu Kyi was talking about implementing its recommendations, her social media, Facebook page and website were carrying flashing “fake rape” signs. At the same time, the UN was confirming the most horrific details of mass rape of Rohingya women.

Many other valid points have been raised today. I want to read out the testimony of one young woman, who writes to Aung San Suu Kyi:

“After suffering years of abuse at the hands of the military junta, your peace prize inspired us, a people who have suffered decades of oppression. We were proud to call ourselves Myanmarese.” Forgive me if I have pronounced that incorrectly. She continues:

“Growing up, my grandfather always spoke highly of you. He would choose the biggest goats and cows to slaughter when members of your party, the National League for Democracy, would visit. He would graciously welcome them...In 2010, when you were finally released by the military from house arrest, we rejoiced. But seven years on, we, the Rohingya, remain victims of a brutal and genocidal state. This time, at your hands. Since your general election victory in 2015, you pushed out Muslim representatives from your party. It was the first sign of your political cowardice. A few months later, your administration launched ‘clearance operations’ in northern Rakhine State. During those months, countless civilians were killed and women were gang-raped. Despite widespread international condemnation, you denied the crimes.”

Some Members may know that people of Rohingya heritage cannot go to university. This young girl goes on to say:

“I just received information that my home was burned to the ground. While many will say it was the army or vigilantes that burned it down, I feel as if it is you—Aung San Suu Kyi—that is to blame. Not only did you burn down my home, you also burned my books. I had always dreamed of becoming an author, studying English at Sittwe University, but as you know, the Rohingya are banned from enrolling or studying there, so I sought inspiration from books and articles. You burned Nelson Mandela's *Long Walk to Freedom*...You burned Leymah Gbowee's *Mighty Be Our Power*. And you burned your own book, *Freedom from Fear*. You are the one who is responsible for setting my hopes and dreams on fire.”

I agree with this young girl that the Nobel peace prize should be removed from Aung San Suu Kyi, because it has been tainted with the blood of the Rohingya.

I applaud what the Minister is doing. I know that he was the first western visitor to the region, and I know that he is trying to build a consensus on the five priorities, to tackle poverty and injustice in the area. I urge him to move forward with that.

4.27 pm

**Shabana Mahmood** (Birmingham, Ladywood) (Lab): The Rohingya are the most persecuted minority in the world, and their persecution is not a recent phenomenon; it is of long standing. People are being rendered stateless in their own land. If they are not being beaten, murdered or raped, they are being starved, literally, because of the closure of food markets in Rakhine state.

The scale of what the Rohingya face is unimaginable, and we have heard many moving examples from Members from across the Chamber. This is a textbook example of ethnic cleansing—let there be no doubt about that—with all the horror that that entails. We have heard about the

[*Shabana Mahmood*]

more than 500,000 refugees who have fled in recent months to Bangladesh, and about the more than 200,000 who were already there, having fled violence previously.

I have been reflecting on the fact that we have had so many debates in this House about whether we should take a few thousand unaccompanied child refugees into our nation—one of the most prosperous on earth—from the ravaged land that is Syria, while Bangladesh, one of the poorest nations on earth, is housing 800,000 refugees. I do not know that we would be so generous if we faced the situation that the Bangladeshis face. As other Members have said, not only must we offer every assistance to the Bangladeshi Government—I welcome the efforts that have been made already—but we must strain every sinew to provide humanitarian assistance and use our particular expertise to support the Bangladeshi Government as fully as we possibly can, and we must implore the rest of the world to do the same.

**Paul Scully:** Will the hon. Lady give way?

**Shabana Mahmood:** I will not, because of the shortness of time; I apologise.

I agree that we should keep a laser-like focus on the military, and I support Members' calls for arms bans and visa bans for military personnel and their families in Myanmar. I hear the argument about Min Aung Hlaing, the military leader; as others have said, he could stop this overnight. However, I do not want us to get away from the moral responsibility on Aung San Suu Kyi. I take on board the points about the military leadership—I hear the argument saying that she does not have power, that this country is transitioning to democracy, that she has to tread a fine line and that there is a fear of overthrow by the military leadership—but the compromise of transition to democracy cannot come at the cost of turning a blind eye to ethnic cleansing. That is abhorrent, and a total corruption of democracy and everything that democracy stands for.

There is an idea that Aung San Suu Kyi has no power, but for many years not only did she have no power, but she did not have liberty, yet she used the one power she did have—the power of her voice, the power to speak out—and now she has fallen silent and brought her Nobel peace prize into disrepute. If she has not been utterly silent, all she has done is to act as an apologist for the military regime and to deny the truth of the crisis that has fallen upon the Rohingya in Burma.

The point about Aung San Suu Kyi raising her voice is so important because she must stand up and make the argument for democracy. Democracy is not the tyranny of the majority having a vote and persecuting a minority. It is founded on the principle that human rights are universal, and the universality of human rights must be accepted in Myanmar if it is ever going to be a democracy worthy of the name. That is the argument that Aung San Suu Kyi could and should make, and we in this House must call her out. If we, in the mother of Parliaments, do not stand up for the true nature of democracy, I fear all will be lost.

4.31 pm

**Anna Soubry (Broxtowe) (Con):** In effect, there is no debate in this place this afternoon, because we are all of the same voice and of the same opinion, as we know

from the words that right hon. and hon. Members have read out by way of testimony from the Rohingya people who have suffered in this dreadful genocide, and from the right hon. and hon. Members who have seen with their own eyes and listened with their own ears to the plight of these people.

As it turns out, the Rohingya people have been persecuted and treated appallingly not just by the Burmese authorities, but sadly, often by many of the Burmese people themselves, and not just for years, but for decades if not centuries. This is a long-standing problem, but it is now of a scale that is absolutely, totally and without any doubt unacceptable. I praise the British Government for being at the forefront in calling out the terrible, terrible persecution of these people, and for the aid that has been provided thus far.

Our hearts do go out to Bangladesh. It is not exactly one of the world's richest countries, yet the people of Bangladesh have opened their borders, opened their hearts and given of their limited resources to people who are in the most appalling of situations of flight and plight. One cannot sit in this place and not have been touched to one's core by the words of the real testimonies we have heard about this atrocious act of inhumanity, genocide and ethnic cleansing.

Those words are all the right ones to use—they convey right hon. and hon. Members' passion and emotion—but words are not enough. We now need not only action from our Government, with all that they have done, but for our Government to continue to lead across the world in saying to the Burmese authorities that this is not acceptable and we will not tolerate it, and in doing more to put full pressure on the Burmese authorities.

I must say two further things. The first is that I very much join right hon. and hon. Members in the words they have said about Aung San Suu Kyi. She was a woman who I always believed had shown great courage in her overriding humanity, and I am afraid she has let herself down, never mind the Rohingya people. All of us believed so much in what she stood for, and I gravely fear that she has put her own position in the history of our world at peril. How can I argue against those who are calling for her peace prize to be removed from her?

My other point is that when the hon. Member for Tooting (Dr Allin-Khan) and I went to the Zaatari refugee camp in Jordan, we saw people who had been there for four or five years, and she told me about her work in Palestinian refugee camps and about the people who have been there for 15 or 20 years. It worries me more than perhaps anything else that these wonderful, good people may be living in refugee camps for decades to come. They want to go home, and it is our duty throughout the world to make sure that the camps are not still there in decades to come. We must make sure that these people, like all refugees, can go home.

**Jo Swinson (East Dunbartonshire) (LD):** The right hon. Lady mentioned refugee camps in different parts of the world. What is happening to the Rohingya is horrendous, given the testimony that we have heard today. In common with many past disasters, is it not absolutely vital that there is access for agencies so that they can go in and gather evidence and testimony, so that the case can be made and the people responsible for perpetrating the atrocities are brought to justice in the international courts?

**Anna Soubry:** I agree with everything that the hon. Lady said. I am absolutely sure that all those things will be done. As the Minister explained, the Government have not stood back on any of that. In fact, they want to step up and assist. Somehow, somewhere along the line, it has to be more than words and the sticking-plaster that refugee camps can almost become. We do wonderful things through our great aid agencies and DFID. We are proud as a country that we provide aid in that way, but there is a danger that we do all those great things but do not solve the real problem, which is genocide, racism and hatred of a good people for no other reason than that they happen to be Muslims. It is not good enough, and the world must step up and say, "We will not tolerate this. We will stop this." It is 2017. The history of the world is ridden with all sorts of genocide. Too often we have stood back; now we must step up and make sure that it never happens again.

4.36 pm

**Afzal Khan** (Manchester, Gorton) (Lab): May I begin by conveying to the House the extensive number of responses that I have received from my constituents and others about the persecution of the Rohingya in Myanmar? I have been contacted by people involved in fundraising efforts and grassroots protests, which provide an outlet for their outrage and dismay. Like many hon. Members who have spoken, I have done whatever I can to provide support, particularly by raising funds for refugees in Bangladesh, but we can all do more.

Let us be direct: what we are witnessing is ethnic cleansing. More than half the Rohingya population has fled. Starvation is a new tool that is being used to drive the Rohingya from their homes, in addition to the burning of villages, looting, and the mass use of gang rape, including of young girls and pregnant women. The recent violence is the result of decades of persecution.

I would like to make three short points. First, we should not restrict our criticism to the Burmese military. Aung San Suu Kyi has been a symbol of democracy, the rule of law, and resistance to oppressive regimes for decades, but she has disappointed us all. Not only has she failed to speak out, but she has denied that this is happening. I agree with many of my hon. Friends who have asked for her Nobel prize to be revoked. Supporting freedom and democracy in Myanmar is a laudable aim, but it means nothing if we ignore ethnic cleansing.

Secondly, the Government need to spell out what concrete action they will take to end the persecution of the Rohingya beyond ending the training of Burmese armed forces. At a recent Security Council meeting, the UK's ambassador to the UN set out five ways in which the Myanmar Government should resolve the crisis. What steps have the Government taken to encourage them to comply? We should look at what economic sanctions the global community could exert to put further pressure on Myanmar and end the violence.

Finally, I would like to raise the issue of sexual violence. The coalition Government drew international headlines with the global summit to end sexual violence in conflict that they arranged in 2014. In response to a written question that I submitted, the Government said that they had urged Myanmar to accept a visit by a Human Rights Council fact-finding mission to investigate allegations of sexual violence. That mission was announced months ago—in March. What additional pressure have the UK Government exerted on Myanmar in response

to the recent escalation of violence in Rakhine? We cannot afford accusations of peddling empty words; these issues are too serious to be cheapened by rhetoric.

4.39 pm

**Yasmin Qureshi** (Bolton South East) (Lab): Some years ago, I secured a Westminster Hall debate in which I said to the Government that although we had been told that there had been a transition to democracy in Burma, its military and junta were still carrying out rapes, murders, systematic discrimination and persecution against the Rohingya people. I said then that we should not have lifted sanctions and been supplying arms to Burma; we should have waited until the Myanmar Government started treating people—especially the Rohingya people—fairly. Sanctions should not have been lifted, and development funds and military assistance should not have been given.

I am afraid that the Government did not listen. Nobody paid any attention. Unlike some Members, I do not accept that the Government have done enough. This issue has been pointed out for a number of years and nothing has happened. After we came back from the recess in September, I raised an urgent question about the current crisis, and I was very disappointed when the Minister for Asia and the Pacific effectively said that what had happened was the fault of the Rohingya. At that time, Human Rights Watch and Amnesty reports showed satellite images of Rohingya villages being systematically burned. Even at that point, more than 100,000 Rohingya people had fled as refugees into Bangladesh. I am afraid that the ministerial response was not good. Madam Deputy Speaker, you are looking a little puzzled, but I can refer in *Hansard* to the Minister's suggestion.

**Mark Field:** This is a very serious issue. It is fair to say that the latest element of the crisis, triggered on 25 August, came about when the Arakan Rohingya Salvation Army killed a dozen of the security forces. At that time, I made it very clear how massive was the overreaction of the security forces. However, it is also worth pointing out that at the UN, as I shall discuss in my speech, the President of Turkey and Head of State of Malaysia also made the point that this latest element of the crisis had been triggered by ARSA, a paramilitary group.

**Yasmin Qureshi:** But there has been systematic abuse of the Rohingya people for years. The fact is that Governments around the world—not just ours—and also the UN have been approached about this issue, but nobody has taken any notice.

More recently, things have gone to the extreme. More than half a million people are now in Bangladesh. The situation in Myanmar is such that those people will not be able to come back. We have heard real, cogent evidence of children being raped and murdered in front of their mothers' eyes. I do not know what proof the world needs that genocide and ethnic cleansing are taking place right now. I am afraid that the international community seems not to have done enough, if anything, to deal with the issue.

It is all very well people saying, "We'll give you more money," or, "We're going to provide money for the people in Bangladesh," but that is not enough. Loads more money is needed, but the Rohingya people still in Burma

[*Yasmin Qureshi*]

now need to be looked after, and what is happening to them needs to be stopped. The powerful nations of the world need to get together and tell the Burmese to stop. Only when they do so will the Burmese actually do that.

I remember the Libya debate in this House. There were fears then that people might get killed. The world came together: we were able to get a UN Security Council resolution and bomb the place. I am not necessarily saying that we should start bombing, but there seems to be a complete lack of action compared with what happened in Libya, although the Foreign Affairs Committee found that the threat there had perhaps not been as imminent as everybody had suggested. Over there, we did not even know who the good guys and the bad guys were; in Burma, it is clear who is carrying out the ethnic cleansing: the Myanmar Government, the army and the military junta. One general clearly said, "This is unfinished business," so we know what they want. They want to prevent the Rohingya from going back to Burma, where they belong and have lived for centuries.

**Fiona Onasanya** (Peterborough) (Lab): Does my hon. Friend agree that because actions speak louder than words, we need to do more now? This has been going on for years, yet we sit back and do nothing, which is the opposite of what we should be doing. Does she agree we should do more now, make a stand, and do all we can to stop this genocide?

**Yasmin Qureshi**: I agree entirely, which was why I said at the start of my speech something that I think no one else has said today. I said, with respect, that our Government have not done enough. We saw what we could achieve when we invaded Iraq and when we intervened in Libya, and I am not even asking for military intervention. We could do more to stop the situation in Burma. Myanmar is not a rich country. I refuse to believe that if members of the international community put their heads together they could not stop what is happening—the ethnic cleansing, systematic genocide and rape.

**Paul Scully**: The hon. Lady talks about doing more but says she is not asking for military intervention. What would she like us to do rather than say?

**Yasmin Qureshi**: Years ago, when I raised this matter in Westminster Hall, I said that the sanctions should be maintained, that military assistance should be stopped, and that the sale of weapons from across the world to Burma should be stopped. People need to get together and talk. I do not believe for one minute that if the richest countries in the world said to the Burmese generals, "Stop doing this," they would not stop doing it—they would. If all the money and military aid was pulled out, they would stop. I am sorry to say, however, that the international community is still sitting and watching while genocide and ethnic cleansing take place.

4.47 pm

**Jim Fitzpatrick** (Poplar and Limehouse) (Lab): I congratulate my hon. Friend the Member for Bethnal Green and Bow (Rushanara Ali) and the hon. Member for St Albans (Mrs Main) on securing this debate, and I am grateful to be called to make a brief contribution, acknowledging the disaster befalling the Rohingya people, described as ethnic cleansing by the UN.

I endorse many of the comments that colleagues have made this afternoon in their many passionate contributions. I pay tribute to the Government for what they have done so far to help the international aid effort, and I look forward to the Minister updating us on the latest from UK Aid Direct when he winds up. I commend the Disasters Emergency Committee for its efforts to raise awareness and funds to combat the human tragedy that continues to unfold, and I praise the efforts of the Bangladeshi Government, as have many others, to help the hundreds of thousands of refugees who have descended on their territory. I also want to mention the efforts of two small UK-Bangladeshi charities, the Sreepur Village orphanage, of which I am a patron, and Shishu Polli Plus. Our founder, Pat Kerr, has collected clothes from the garment factories around Gazipur and taken them to Cox's Bazar to do what she can to help. I am sure that her efforts are replicated by many small likeminded charities, but it is a drop in the ocean compared with the atrocities and the disaster we have heard about this afternoon.

I attended a meeting of the all-party parliamentary group on the United Nations global goals for sustainable development last month when it was addressed by Achim Steiner, the new head of the UN Development Programme. When asked about the situation in Myanmar, he described it as "democracy hanging by a thread". That thread, in my view, is Aung San Suu Kyi. The Lady has been under house arrest or arrest for 15 of the last 21 years, her country has been a democracy for only 18 months, and my understanding is that the military, under a constitution that it drafted, is guaranteed 25% of the places in both legislative houses and therefore has an effective veto in Parliament over every major decision, since every such decision requires a 76% majority to pass. The military controls Parliament and the forces, so it is the military that is carrying out the atrocities. In addition to that distorting effect, allegations of corruption at the highest level of the military, negative influence from foreign interests trying to exploit Myanmar's natural resources, and armed movements in regions such as Shan and Kachin—which were mentioned earlier—show that the challenges to the country's fledgling democratic status are huge.

I would be grateful if the Minister told us what we are doing to encourage Aung San Suu Kyi to live up to the promises that she made in her speech in the capital, Nay Pyi Taw, on 19 September. She did not go anywhere near as far as all of us would have wanted, and I share the disappointment, confusion and frustration that her words have caused, but what are we doing to press her on the invitations that she did issue to the international community to attend, assist, observe and pronounce on her and her Government's efforts?

I should be grateful for the Minister's reassurance, for the Rohingya victims and also for Myanmar's democracy. If democracy—with all the attendant respect for human rights for every citizen—does not prevail, the atrocities suffered by the Rohingya for so many centuries will continue.

4.50 pm

**Julie Cooper** (Burnley) (Lab): I am grateful to my hon. Friend the Member for Bethnal Green and Bow (Rushanara Ali) for securing this important debate—although, as other Members have said, it is not really a debate, because most of us agree. We are all horrified.

We have heard the details of atrocities for weeks in the House, and none of us can have failed to be shocked by the child beheadings, the rape, the murder and the burning of homes—the ruthless targeting of innocent civilians.

The recent outbreak of violence against the Rohingya people began on 25 August, nearly eight weeks ago. I want to know—and Members in all parts of the House are asking this question, as are my constituents—what the British Government have done in the meantime. I applaud the efforts that we have heard about today, but do they go far enough? My constituents want to see an end to the military action that the Rohingya are still facing in Myanmar. They want to see the naming and shaming of the military leader. They want to be sure that humanitarian aid is reaching the people in Myanmar and the camps in Bangladesh.

**Michelle Donelan** (Chippenham) (Con): Does the hon. Lady agree that access to Myanmar is crucial, and we must ensure that the United Nations and non-governmental organisations have access to those who are left there in a vulnerable state, living and enduring this nightmare?

**Julie Cooper:** Absolutely, and I am grateful to the hon. Lady for making that point.

My constituents and I—and, I am sure, many Members on both sides of the House—want to see the British Government lead not just in respect of the naming and shaming of the military and on humanitarian aid, but in the long term, when the current crisis has calmed down, in respect of a permanent solution that will implement the recommendations of the Rakhine commission. That is vital. Points have already been made about the British Government's taking a lead, and I would say, "So we should." We have a moral obligation: our history dictates that ours should be the loudest voice in the world on this issue. We should not be content to leave it to the United Nations or the European Union.

There is a strong perception that we have still not done enough, and that more must be done. Indeed, nearly eight weeks on, not much has been done, and Burma Campaign UK is very critical of our lack of action. I know that we may have gone further than it is suggesting, but we have not gone far enough, and we must do more. I want ours to be the loudest voice. I hope the Minister will confirm that when we have delivered the humanitarian aid, when we have stopped the violence and when we have taken the honours from Aung San Suu Kyi, we will lead in securing a permanent, peaceful settlement for democracy and the rights of everyone in Myanmar, particularly the Rohingya Muslims.

4.54 pm

**Gill Furniss** (Sheffield, Brightside and Hillsborough) (Lab): I join others in paying tribute to my hon. Friend the Member for Bethnal Green and Bow (Rushanara Ali) for securing this important and impassioned debate. I pay tribute, too, to all those who have contributed to the debate, particularly those who visited the area recently and have given their accounts in graphic detail; that has greatly helped to ensure that the debate be taken more seriously.

The Rohingya Muslim population in Myanmar has faced persecution for decades. They have been marginalised and victimised, and have had their rights withdrawn by

a Government who do not recognise their ethnicity, their language or their customs, and who have sought, through different ways and means, to oust them from land the Rohingya have occupied for centuries.

The disproportionate and overblown retaliation by the Myanmar military, which began on 25 August following the violence by the Arakan Rohingya Salvation Army, which left 12 police officers dead, has now been publicly declared by the UN High Commissioner for Human Rights as

"a textbook example of ethnic cleansing",

and we have already heard some of the reasons why.

The Myanmar military and its civil Government led by the now disgraced Aung San Suu Kyi have refused to allow humanitarian agencies to enter the country to inspect the situation. If I may digress, I would like to point out that Sheffield has already taken steps to remove the freedom of the city award from Aung San Suu Kyi over her silence on the violence that has unfolded, and I hope that the Nobel Committee will also review and reconsider revoking her peace prize.

The reports of systematic human rights abuses are harrowing, and no doubt we have also seen the shocking images broadcast of the Rohingya fleeing their homes and livelihoods. The Office of the United Nations High Commissioner for Human Rights reports that the Myanmar military forces, often accompanied by individual Rakhine Buddhist villagers, have surrounded entire Rohingya villages, firing indiscriminately at villagers, setting houses and land on fire, and threatening villagers nearby that if they do not flee the same will happen to them, with the effect of both expelling Rohingya from Myanmar and giving them no option of return. These actions were, as the report notes,

"executed in a well-organized, coordinated and systematic manner".

The same report gives first-person accounts of young and teenage girls having suffered sexual violence, a tactic we see too often in war and conflict. In one account quoted by the report a 25-year-old woman recounts the moment she heard her sister being raped, saying that four men

"in uniform took my sister when we were hiding in the hills; they raped her in front of us as we were hiding behind the trees."

Over 500,000 Rohingya have fled to Bangladesh, and they tell similar stories of destruction, killings and sexual violence. What we are witnessing, after proclaiming "Never again" so many times before, is surely

"a textbook example of ethnic cleansing".

This is all happening in the view of all of us and the international community.

I urge the Government to explore what more they can do to support the efforts to tackle the humanitarian crisis and to continue to lead the international pressure to address the root causes of the crisis: the policies of the Myanmar Government and the actions of the Myanmar military.

4.59 pm

**Naz Shah** (Bradford West) (Lab): I congratulate my hon. Friend the Member for Bethnal Green and Bow (Rushanara Ali) on securing this timely debate. With the world sitting and watching the events unfold in Burma with fear and trepidation, we need to bring the Rohingya people some hope—some hope that we can

[Naz Shah]

help them find a solution, some hope that one day they can return to what is left of their homes as real citizens of a country they are very much a part of.

Many of my colleagues have talked movingly about the systematic rape, murder, pillaging and burning of villages. Human Rights Watch says that as of this week almost 214 villages have been destroyed. We have heard accounts and seen videos of children and the elderly being burnt in their homes, of mass rapes and murders, and the forcing of the Rohingya people from their country.

The numbers, the methods and the actions show a clear and systematic intent, and it is essential that we continue to repeat UN human rights chief Zeid Ra'ad Al Hussein's description of the Government operations in northern Rakhine state as

"a textbook example of ethnic cleansing".

Is it acceptable for the Burmese Government to defend the actions of their military and militias while systematically carrying out the eradication and removal of a people, and for them to escape proper censure from the British Government?

Yesterday I welcomed a Bangladeshi human rights activist, Mokon Miah, to Bradford. He told me of the pressures that Bangladesh is facing in dealing with this crisis. The country faces its own challenges, as the hon. Member for St Albans (Mrs Main) succinctly outlined earlier. We need to support not only the Rohingya but Bangladesh and the work that it is doing.

Only two weeks ago, I was approached by a delegation from the British Rohingya community, whose UK headquarters are based in my constituency of Bradford West. They are currently in Bangladesh supporting refugees. My office has worked closely with the Rohingya diaspora community in Bradford, including individuals who have lost members of their direct family in violence in Burma. We must come together and find a way of ending this violence. We know that the distribution and routes of aid within Burma are still difficult and that the Government there are still blocking access, which is despicable. They have already taken so much; now they are leaving people to starve to death. What progress has been made on providing aid within the Rakhine state?

The persecution of the Rohingya is sadly nothing new, as many Members have said today, but maybe this is the time—if our Government can be stronger and if the institutions can show some strength and protect people globally—for us to find a way to help to change these people's future. The eyes of the world are on the situation in Burma, and the generosity of the British people in giving to the relief effort demonstrates the global will to eradicate this form of evil from our world. The conditions are right to find a sustainable and long-term solution to the identity conflict that exists.

I plead with the Government to consider introducing targeted sanctions against the Burmese military and to look at their business interests in that area. Only then will we get the Burmese military—not just the leadership—to accept what is going on and change the status quo. Great Britain has the power to bring in targeted sanctions, and I ask the Minister to tell the House what is stopping us taking this action that is so needed. Hundreds of thousands of people are relying on us to act and to show them the support that they so desperately need.

5.2 pm

**Faisal Rashid** (Warrington South) (Lab): I would like to begin by congratulating my honourable colleagues for securing this important debate, and of course I echo many of the concerns that hon. Members have already raised. I am pleased that there are so many people here today to add their voices to the call for an end to violence against the Rohingya people. This is the third time in recent weeks that I have raised the persecution of the Rohingya people with the Government. Unfortunately, despite continued pressure from myself and many other Members on both sides of the House, very little progress has been made on this issue. I welcomed the long overdue announcement of the suspension of British military ties to the Myanmar armed forces, but there is still so much more that must be done. We are here today to urge the Secretary of State to do more.

The persecution of the Rohingya people has been allowed to continue for decades. Indeed, the UN has referred to the situation in Rakhine state as a

"textbook example of ethnic cleansing",

and yet the international community has stood back and watched as the Rohingya people have suffered at the hands of the Burmese authorities. This most recent outbreak of violence is the most aggressive that we have seen in recent years, and we cannot remain silent. I am sure that many Members will have seen the harrowing reports from those who have escaped from Rakhine state, and we have heard many horrific stories in the debate today. We have heard reports of elderly people being burned alive in their homes; of innocent civilians being shot as they tried to flee; of girls as young as five being sexually assaulted by soldiers; and of expectant mothers giving birth on the hillsides as they made the journey to Bangladesh. The levels of suffering and brutality that these people are facing cannot be imagined by the majority of us here today.

It is unbelievable that that has been allowed to happen in the 21st century, yet it has become a daily reality for the Rohingya, over half a million of whom have been forced to flee to Bangladesh after being driven from their homes by violence, fear and starvation. The situation is becoming increasingly dire in Bangladesh, where close to 70% of refugees are without adequate shelter and half have no safe drinking water. The efforts of the Bangladeshi authorities and the aid agencies simply cannot be sustained without more support. The international community must do more.

This truly distressing situation has inspired many to take action to support the Rohingya, and I want to take this opportunity to commend the work of two of my constituents. Mohammed Abubakar Ahmed and Mohamed Amir Siddiq exceeded their initial target of £6,000, raising over £30,000 to help the Rohingya. They are travelling to Bangladesh entirely at their own expense to support the refugees in any way they can. That is just one example, but I know that it being repeated across the UK.

**Eleanor Smith** (Wolverhampton South West) (Lab): Before the recess, I handed in a petition on behalf of my constituents, and I have received several emails since then requesting that I ask the Government to do more. They have suspended the training of Burmese military, but that is not enough. A constituent of mine also pointed out that the media were slow to pick up on the

situation, so I want the Government and everyone else to note that the media should have starting reporting a lot sooner.

**Faisal Rashid:** I totally agree that the media have a great responsibility to raise awareness of the issue.

It is now the Government's turn. Will the Minister commit today to take further action, such as imposing travel bans and freezing assets, to ensure that the civilian and military authorities in Myanmar put a complete end to any further violence? Will he commit to providing financial aid directly to the Rohingya through non-governmental organisations to ensure that adequate resources are available to meet the needs of the refugees who have been forced to flee their homes? Will he also ensure that the British Government take action so that those responsible for these horrific crimes are held accountable for their actions? In the face of systematic persecution, we have a duty to humanity and to the Rohingya people to speak up and take action. We must fulfil that duty.

5.7 pm

**Tulip Siddiq** (Hampstead and Kilburn) (Lab): For the purposes of this debate, I declare that the Prime Minister of Bangladesh is my aunt.

I thank my hon. Friend the Member for Bethnal Green and Bow (Rushanara Ali) for securing this important debate. As everyone has said, the situation is not a recent phenomenon. Myanmar's history shows that the systematic oppression and ethnic cleansing of the Rohingya has been going on for decades.

I hope that Members will allow me to speak about the experiences of my mother, who visited the refugee camps in Cox's Bazar in Bangladesh last month. The UN states that, as of 5 October, half a million Rohingya are living in those refugee camps, and the stories that my mother told me are harrowing. She spoke about a woman whose baby was ripped from her bosom and thrown into a fire by military personnel. Another woman told her how a toddler was snatched away from its parents, put on the ground and stamped to death by the military. Young children have been raped in front of their elderly grandparents. There has been systematic abuse and gender-based violence against the Rohingya.

**Kate Green** (Stretford and Urmston) (Lab): What my hon. Friend and other colleagues have recounted is horrifying. Does she agree that, in addition to physical humanitarian aid, we urgently need to get psychological and psychotherapeutic support into Bangladesh to help the people who have suffered such appalling horrors?

**Tulip Siddiq:** I agree wholeheartedly with my hon. Friend. My mother described the women and children. Women are the largest group in the refugee camps, and they are dead behind the eyes.

My mother is not a stranger to suffering. She fought in Bangladesh's independence war in 1971, in which 3 million people were killed—it is called a genocide. She said that what she saw in the refugee camps has all the hallmarks of a genocide. It has been going on for so long, but the acceleration of violence in recent months means that the world has finally woken up to what is happening in Myanmar and to the fate of the Rohingya.

What can the Government do? I implore them to do a few things. First, they should push Myanmar to allow these people, who desperately need it, to access humanitarian aid. They should build on the sanctions already in place at EU level. They should ensure that we cut all links with businesses and investors that have anything to do with the military in Myanmar. They should join the UN's global arms embargo.

On a lighter note, I am often asked the Norman Tebbit test. I always support the underdog because I am a socialist, so in cricket I always support England. I am proud of what Bangladesh has done. As hon. Members know, Bangladesh is a very poor country. Having lived and been to school in Bangladesh, I know there is enormous poverty in that country. Bangladesh has opened its doors and accepted people who are so vulnerable, and I call on the Government to support Bangladesh because it cannot handle the sheer numbers of Rohingyas who are crossing the border. Those people are desperate to live, but they do not have the means and resources to go on.

**Mrs Main:** Is the hon. Lady aware that the delegation the Burmese sent into the camps said, "I see no Rohingya." They do not recognise that the Rohingya even exist, which is the problem. The Rohingya are stateless and nobody recognises them.

**Tulip Siddiq:** The hon. Lady has done an enormous amount of work both in the Rohingya camps and, more generally, in chairing the all-party parliamentary group on Bangladesh. The situation is so disgraceful because this is not fake news; it is real human suffering. I will be going to the Rohingya camps in December, but I do not need to go there to know what is happening on the ground. We need to speak up for the most vulnerable people in the world right now.

My mother told me there are women in the camps who wait and look over the sea desperately hoping that their men will join them soon. They have not let go of that element of hope, but all they see are the dead bodies of people who have tried to cross to safety—the journey is too dangerous. Urgent help is needed.

Returning to the Norman Tebbit test, I am proud of Bangladesh, but I would like my Government, the British Government, to help it to ensure we stop this ethnic cleansing and genocide so that people point to my country, England, where I am an MP, and say, "They are the people who helped to stop this crisis."

Several hon. Members *rose*—

**Madam Deputy Speaker (Mrs Eleanor Laing):** Order. I have to reduce the time limit to three minutes. If there are interventions, some people will not be able to speak at all.

5.12 pm

**Tracy Brabin** (Batley and Spen) (Lab/Co-op): I commend my hon. Friend the Member for Bethnal Green and Bow (Rushanara Ali), who is no longer in her place, for enabling us as parliamentarians to bear witness to this atrocity and to hear extremely powerful speeches from Members on both sides of the House; but sadly, speeches are not enough.

Anyone who heard the testimony a few days ago of the mum whose young daughter's hand slipped out of hers in the raging sea as they tried to reach the sanctuary

[Tracy Brabin]

of Bangladesh on a boat that was barely seaworthy, or who heard the young son who carried his skeletal, disabled mum, barely alive, talk about how he watched the soldiers burn his village—he is unsure where the rest of his family have ended up—or who heard about the three children and their mum who were trampled to death by wild elephants as they slept, having been forced to build their temporary shelter on elephant walkways owing to the unprecedented numbers of refugees huddled in the forested hills of Balukhali, cannot fail to be heartbroken.

These are people—people like all of us in this Chamber. They are women and children, exhausted, injured and traumatised after walking for days. More than half of all new arrivals are children, and one in 10 is a breastfeeding mother. They are human beings who deserve to live in peace. We cannot stand by; we must call it out. The scale of suffering is unimaginable. Over half a million people are in urgent need of humanitarian assistance. They are destitute, scared and hungry. But the Myanmar Government refuse to accept what the world knows to be true: we are witnessing ethnic cleansing. Farah Kabir from ActionAid has said:

“In nearly 15 years of working on humanitarian disasters I’ve never seen a crisis on this scale. The scale of need is far outweighing the response.”

If anyone saw the recent posting on Twitter of a drone flying over the refugee camp in Bangladesh, they would have seen that the conditions for those who do manage to escape are barely fit for animals, let alone human beings.

Yet it seems as though the world is holding the coat of the oppressor, standing by, wincing when it is all too much, but doing nothing to protect the victims. We need political will. We need to pressure the EU to support a UN-mandated global arms embargo. Yesterday, EU representatives met to discuss the crisis and issued a joint statement suspending invitations to military leaders, reviewing defence co-operation with Myanmar in the light of the disproportionate use of force against the Rohingya minority—

**Paul Scully** *rose—*

**Tracy Brabin:** I will keep going. The EU had also placed an embargo on weapons and equipment. That is all good, but it is not enough. We need to ban new investment in and business relationships with military-owned companies and members of the military and their families. We need to reinstate the annual General Assembly resolution on human rights in Myanmar. The international community, including the European Union, has failed the Rohingya, and hundreds of thousands of people, many of them children, have paid the price. To do nothing is unacceptable. To speak without taking action is unacceptable. It is time to have courage to do the right thing. The Rohingya are counting on us because we are all they have got.

5.16 pm

**Jim McMahon** (Oldham West and Royton) (Lab/Co-op): I had a speech ready and, as happens on all these occasions, I might as well just put it down on the Bench. However, I do not need to say a lot of what has been said already, because the way in which people have articulated the plight of the men, women and children

who have suffered and these human stories has been touching; there were points during the debate when I could barely keep composure. In some ways, that is what makes me proud of this Parliament and proud to be British—the fact that our values drive our decisions, and that we do not allow inhumanity to take place and stand aside as though it had nothing to do with us.

I am proud of the contribution my constituents have made. I attended an event in Coldhurst where people were fundraising and I know the mosque community has raised tens of thousands of pounds for the refugees. But in many ways what people really want is for the end to be in sight, and it feels as though that is so far away. The plight of people who are fleeing will continue, as will the uncertainty about whether they have a homeland to go back to at all. Even if they do, what is there to go back to? Their homes have been torched and there is no infrastructure. Even before this—35 years before—they were denied their citizenship. They were denied education, the right to free movement and the right even to hold government jobs. This community has been persecuted for a long time, while the international community has stood by and allowed it to happen because this is not quite important enough to be on the agenda.

The time has come for us to have the courage of our convictions, to stand up for the values we stand for as a country, and to say that we will not stand by and allow ethnic cleansing—genocide—to take place on our watch. We do have a historical legacy there and we cannot deny that, and it is right that we put that right. If people in Britain question why the UK Parliament is discussing an issue in a land far away, as some have said online and on social media, let me say this: bring this back home and consider what it would be like if it was your daughter who had been raped when she was five years old, your son who had been killed when he was 12 years old or your father who had been burned to death in the house you once lived in. Just imagine if you were in that situation. What would you want to do? You would hope to God that there was somebody in another land who was willing to step up and do the right thing to save them, wouldn’t you?

5.18 pm

**Caroline Lucas** (Brighton, Pavilion) (Green): I thank the hon. Member for Bethnal Green and Bow (Rushanara Ali) for securing this incredibly important debate and for all the work she has been doing to ensure that the Rohingya have their voices heard. I thank her and all the other hon. Members for their powerful speeches this afternoon, calling out ethnic cleansing for what it is. I am not going to repeat the catalogue of horrors that others have documented so clearly in all their terribleness, but I do want to say how important it is that this place is speaking out so powerfully. It is shameful that we have not heard that same level of urgency and outrage from our Government. It matters because people throughout the country and further afield are watching, and they do notice what we say and do not say. They cannot understand why there has not been greater condemnation, and not only from here in the UK; we heard from the hon. Member for Rotherham (Sarah Champion) what happened at the EU meeting yesterday, with those present failing even to use the words “ethnic cleansing”.

The repercussions of this conflict and the lack of response to it go right around communities far from Myanmar. I recently had a meeting in my constituency

with the Brighton & Hove Muslim Forum, at which community members powerfully expressed their shock at the senseless nature of the atrocities that are being committed. They also shared their deep concern that inaction from international leaders and the relative silence on matters that affect the Muslim diaspora have the potential to isolate Muslim communities here at home. The danger of inaction is not only yet more terrible suffering overseas, but the potential for greater radicalisation here at home. Young people are asking why the mass-scale scorched-earth campaigns, the blocking of access for humanitarian organisations, the deep concerns about the repatriation of refugees and the need for EU action are not getting more attention. Community leaders in my constituency warn of the risk that young people's anger and sense of injustice might make them even more susceptible to being recruited to go over there and fight. We must act on this appalling human injustice, not only because such terrible atrocities are being committed, as we have all heard this afternoon, but because in so doing we will be able to demonstrate to our Muslim communities and young people that we in Parliament share their outrage at this appalling crime against humanity.

There is so much more to be done. In the 20 seconds remaining to me, I simply wish to add my name to those of all the people who have called for much greater action from Governments. They have called for support for a UN-mandated global arms embargo, for humanitarian aid access, for the revival of the UN General Assembly resolution on human rights in Burma, for visa bans on military personnel, and for the military to stand trial for the crimes against humanity that they have committed.

5.21 pm

**Wes Streeting** (Ilford North) (Lab): I shall break with the conventions of the House by not repeating what has already been said by other Members. In the limited time I have on the clock, I wish instead to focus on what additional things need to be done in response to the most unspeakable ongoing atrocities affecting the Rohingya in Myanmar.

What discussions has the Minister had with the military and civilian authorities in Myanmar about improving humanitarian access to northern Rakhine and the other parts of the state that are currently inaccessible to NGOs? The Government have faced criticism for not being as strident as they might have been in their criticism of the Myanmar Government. I wonder whether that has borne some diplomatic fruit, but I have certainly recognised that the Government's language has strengthened as we have seen a lack of progress from the Myanmar Government.

We must consider the question of regional leadership, and particularly China and India's roles in influencing the Myanmar Government. Will the Minister say something about that?

Members from all parties have rightly commended the Government of Bangladesh. The humanitarian response of one of the poorest countries in the world really ought to make this country—one of the richest in the world—blush when we think of debates in this Chamber about our response to refugee crises on our own shores. What discussions has the Minister had with his counterparts in EU member states and other countries around the world about how they can support the Government of Bangladesh? Money is of course important but, as my

hon. Friend the Member for Stretford and Urmston (Kate Green) said, there is also a need for psychological support and other capacity building to support the Government of Bangladesh.

What conversations has the Minister had with his counterparts in Bangladesh about the registration of refugees, and particularly about the risk that some refugees might be treated unfavourably, depending on the route they found themselves taking across the border?

The International Organisation for Migration has been tasked with leading the response co-ordination so far, which has of course been welcome, but is it not now time for the Office for the Co-ordination of Humanitarian Affairs to step up to ensure better co-ordination, particularly bearing in mind the upcoming conference in just over a week?

On operational space and planning, accommodation is understandably trumping other services, including nutrition stabilisation. What more can we do to support the Government of Bangladesh to make sure that sufficient space is available for such critical services? People have praised the Government of Bangladesh, but there have been some issues with how the Bangladeshi military is confining people to the camps. What support and training can be provided on that?

5.24 pm

**Liam Byrne** (Birmingham, Hodge Hill) (Lab): Let me add my congratulations to my hon. Friend the Member for Bethnal Green and Bow (Rushanara Ali) on securing this debate. On behalf of many of us, may I say to her and to the hon. Members for Colchester (Will Quince), for Sutton and Cheam (Paul Scully) and for St Albans (Mrs Main) that the debt that we owe to them for the courage with which they have borne witness and given testimony this afternoon is really very significant? The level of violence that they have described has sent a very clear signal to all Members that what we are watching in Myanmar today is the creation of a new dark heart in Asia.

The incalculable violence is simply the prelude to what is a strategy of scorched earth, with the destruction of hundreds of villages, the landmines across the border, and the destruction of cultural and religious institutions. What Members have described this afternoon is certainly ethnic cleansing and certainly war crimes. It is a level of barbarism that we have seen in places such as Rwanda and Bosnia, and we have to say very clearly this afternoon that that will not go unpunished.

The message that we send from the House this afternoon is that we will not look away. We will ensure that justice is delivered and that, whenever we can, we will see the leaders of these atrocities in The Hague on trial for war crimes.

All totalitarian regimes down the ages have traded on delusion, fear and silence. We are not under any illusions in this House. We are not afraid and we will not look away until justice is finally done. We will not tolerate this and we will certainly not appease it. We are not an empire, thank God, but we have a moral responsibility. We are, thank God, still members of the EU. We still have membership of the UN Security Council. We are still a leader of the Commonwealth.

This House expects the Government to use every instrument at their disposal to mobilise the international community around the aims set out in this debate. We

[Liam Byrne]

must be unflinching in our determination to see justice. I hope that the Minister will be able to set out clearly why we should not see an EU ban on arms sales and new investment. Why would we not expand the visa ban on military personnel and others of interest? Why would we not see an end to all EU co-operation around training for senior personnel in Myanmar, and why would we not reinstate the annual General Assembly resolution on human rights in Myanmar? The arc of history is long and it does bend towards justice, but we do not have forever. We need to end this injustice now.

5.28 pm

**Jim Shannon** (Strangford) (DUP): It is a pleasure to speak in the debate, although this is not an easy subject to talk about. Some of the experiences that we have heard about today are heartrending and bring tears to our eyes. I have spoken about this topic before, and am happy to speak on it again and to say very clearly that this persecution must be brought to an end as a matter of urgency.

Some years ago, I watched the film “The King and I”, in which the King of Burma sent a slave as a gift. That was make-believe, although perhaps it was partly from history, but now it is a reality that takes place every day for many thousands of people. The Rohingya have been denied identification cards, all freedom of religious practice, and access to employment and most social services.

The UN Secretary General and the UN High Commissioner for Human Rights have described the violence as “textbook ethnic cleansing”. Myanmar has received billions of dollars in aid since 2011, but has now prohibited aid organisations from delivering lifesaving food and humanitarian assistance to the Rohingya Muslim population. Can the Minister tell us what has been done to address that issue of getting aid through to the people who need it the most? As other Members have said, the Bangladeshi Government have stepped up to provide limited humanitarian aid to Rohingya refugees in Bangladesh, and some 30 NGOs have been cleared to operate in the region since September. I am worried that Bangladesh still has plans to forcibly relocate Rohingya refugees to Thengar Char, an uninhabited, undeveloped coastal island that is often flooded and submerged during monsoon season.

Christian minorities in Myanmar, such as the Kachin, Chin and Naga peoples, have also been persecuted by the state. According to the United States Commission on International Religious Freedom, there have been incidents of intimidation and violence against Christians, the forced relocation and destruction of Christian cemeteries, violent attacks on places of worship, sexual violence in church compounds, torture, and an ongoing campaign of coerced conversion to Buddhism. To date, approximately 120,000 Christians out of that massive number of 800,000 refugees have been forced to flee their homes.

There is concern among some NGOs that although Bangladesh has been more hospitable to Rohingya refugees since the most recent wave of violence, that policy could change. I ask the Minister for a commitment to financial assistance for Bangladesh to ensure that it can continue. The Minister is a compassionate man and a man of feeling who understands the issues—I mean that genuinely

and sincerely—so will he call for the Myanmar Government to review or repeal the 1982 Burma Citizenship Law to grant the Rohingya their citizenship rights? If that happens, they could have some hope that they might someday return. What more can be done and would the Foreign and Commonwealth Office be prepared to do it?

This House stands with the voiceless. We stand for and alongside those who have been tortured, and who have suffered pain and violence.

5.31 pm

**Sandy Martin** (Ipswich) (Lab): The latest data show that 164,000 people born in Bangladesh held British nationality in December last year. In addition, there are many tens of thousands of British citizens who were born in this country, but whose parents were born in Bangladesh. This country has strong family ties with Bangladesh, and we all benefit from sharing, both economically and culturally.

The Bengali community in Ipswich is seriously concerned about the plight of the Rohingya. Bangladesh itself went through a period of oppression, with thousands of refugees created there before that nation’s independence, so the people of Bangladesh and the Bengali people here in the United Kingdom understand the ordeal that the Rohingya are suffering. I am glad to be able to say that non-Bengali residents in Ipswich are also joining in the campaign to assist the refugees, in solidarity with their Bengali neighbours.

More than half a million Rohingya have fled across the border to Bangladesh in the past couple of months. That is a cautious estimate, as the number is probably now well over 800,000. This number is the same as or greater than the total immigration of non-UK nationals to this country in the whole of last year yet, according to the International Monetary Fund, the GDP per head in Bangladesh for 2016 was just £2,700 in purchasing power parity terms. For the UK, the figure was £29,500—more than 10 times as much.

It is often said that the poorest countries are the most generous, and it is certainly the case that the Rohingya who have managed to reach Bangladesh have found a ready welcome, and real sympathy and support, but we cannot stand by watching this humanitarian crisis unfold and expect Bangladeshi people to be able to deal with it on their own. Private individuals do a lot. I am pleased to hear about the constituents of my hon. Friend the Member for Warrington South (Faisal Rashid) who have raised so much money, and I fully intend to work with the residents of Ipswich to do the same, because they care, but I call on our Government to do more to support the Rohingya refugees in Bangladesh and the Bangladeshi Government, who are faced with this humanitarian crisis in their midst and really are not able to cope on their own.

5.33 pm

**Mohammad Yasin** (Bedford) (Lab): I congratulate my hon. Friend the Member for Bethnal Green and Bow (Rushanara Ali) on organising and leading such an important debate.

More than half a million people—mostly Rohingya women and children—have fled violence in Rakhine state, seeking refuge in Bangladesh. The latest reports

from Amnesty International speak of massacre, murder and brutality on a huge scale, with women raped and tortured, and children shot in the back by the Myanmar military as they flee. The latest arrivals in Bangladesh have said they were driven out by hunger because food markets in Myanmar's western Rakhine state had been shut down and aid deliveries restricted by the Burmese authorities.

The Government have donated £30 million in aid and pledged to match £5 million in donations to the DEC appeal for people fleeing Burma. The public response to this humanitarian crisis is profound. I pay tribute to all the fundraising efforts in my constituency of Bedford and Kempston—from the efforts of faith groups, mosque leaders, schools and charities to individual giving. That fundraising shows human nature at its best, and I am sure it will make the difference between life and death to those who are suffering terribly.

Families in Bangladesh are living huddled beneath sheets of plastic, with no access to clean water or toilet facilities. Let us not forget that that is the fate of the survivors. It is difficult to know exactly how many people have been executed, burned alive, raped or slain in their homes and villages, but it is in the thousands. Those responsible must be held to account. Myanmar's military cannot simply sweep serious violations under the carpet by announcing another sham internal investigation.

While aid is vital, we know that money can only do so much. We must find a political solution to end this barbaric persecution so that the Rohingya can return home in a dignified way to rebuild what is left of their devastated communities. The international community must help to ensure that no Rohingya refugees are forced back to Burma if they remain at risk of serious human rights violations.

Aung San Suu Kyi has been rightly condemned for her refusal to intervene in support of the Rohingya, but she has since pledged accountability—

**Mr Speaker:** Order. I am immensely grateful to the hon. Gentleman, but his contribution is at an end. I did not mean that unkindly—he has done very well—but his time is up.

5.37 pm

**Mr David Lammy** (Tottenham) (Lab): Much has been said about the situation, and I will say nothing more about it. I merely want to add my voice to the concern expressed at the reaction of the British Government and the international community as whole.

On issues of human rights in recent times, the global north has been very long on rhetoric and very short on action. We have seen the atrocities in Darfur; we have seen the great city of Aleppo turned to rubble; and now we have this situation in Myanmar and the terrible plight of the Rohingya people.

There is something that connects so much of this. Is there a crisis in the UN itself when China and Russia refuse to accept a resolution that would condemn what we are seeing and that would see action? Is there a crisis in some countries including our own, because as we turn inwards, with huge concern about immigration, we turn away from the refugees fleeing atrocities across the world and we have so little to say?

This country was at the centre of the UN declaration of human rights in the first place. That came out of the huge atrocities committed by Hitler and out of the holocaust. That was a time when we learned that the plight of refugees is something we must face directly. It was also a time when we learned that ethnic cleansing and genocide should be condemned robustly and bravely.

Because of Britain's historical relationship with Bangladesh and Burma, there is a moral responsibility in this House and on this Government to lead the charge across the world as we see human rights in crisis. These people are among the very poorest. Just as we have seen, on the continent of Europe, Greece, one of the poorest countries, picking up the burden of refugees from Syria and north Africa as most of Europe looks in the other direction, we now expect Bangladesh, in Asia, to do the same. This needs strong condemnation and a country aware of its own history and global history. This is a moment to stand up bravely for human rights.

**Mr Speaker:** I ask the representative of the Scottish National party not to exceed seven minutes because—I emphasise this to the House—a lot of people have put questions and I think it is important that the Minister has a proper opportunity to respond. I also want the hon. Member for Bethnal Green and Bow (Rushanara Ali) to have a minute or two to respond at the end, in conformity with the usual practice on these occasions. The hon. Member for Dundee West (Chris Law) is an obliging fellow, and I am sure he will oblige us.

5.40 pm

**Chris Law** (Dundee West) (SNP): Thank you, Mr Speaker. I will try to reduce my speech significantly because the key points have been made, particularly on the awful atrocities that have been happening to the Rohingya people in Myanmar. We have heard horrific stories from Members around this Chamber, beginning with the hon. Member for Bethnal Green and Bow (Rushanara Ali). Those atrocities include Government soldiers stabbing babies, cutting off boys' heads, gang-raping girls, shooting 40 mm grenades into houses, burning entire families to death, and rounding up dozens of unarmed male villagers and summarily executing them. That says it all. When the UN branded the Burmese Government's actions as "textbook ethnic cleansing", that was being polite, to say the least.

For those who have survived to get into Bangladesh, the torture continues—not directly from the Burmese military but from malnutrition, cholera and other diseases. Save the Children has warned that over 14,000 children are already suffering acute malnutrition and over 250,000 refugees need food urgently. Sixty per cent. of all refugees going into Bangladesh are children—more than half. This is the story that should be dominating our national newspapers and on our television screens day after day, instead of the Cabinet's squabbling, yet it goes largely ignored. We have heard about the history of this. It has been going on for decades. As Human Rights Watch has said, the Rohingya have faced

"decades of discrimination and repression under successive Burmese Governments. Effectively denied citizenship under the 1982 Citizenship Law, they are one of the largest stateless populations in the world."

As we heard earlier, the International Development Committee has just begun an inquiry into the situation in Myanmar for our first report on the subject.

[Chris Law]

My colleagues and I on the Committee will be going to Myanmar and Bangladesh and reporting back here as soon as we can. It is encouraging that the Department for International Development announced on Thursday that it will pledge £2 million to the crisis in addition to the £3 million it has already donated. The Scottish Government have also played a key part in pledging £120,000 to be made available for the emergency response.

I want to turn my attention to the UK Government's decision to provide UK taxpayer-funded training to the Burmese army to the tune of £305,000 a year. The UK Government initially claimed that the training related to human rights, but were later forced to admit that only one hour in a 60-hour training course covered human rights. Considering the history of the Burmese military, the decision to train and trade with them is a spectacular failure of this Government's foreign policy. The UK Government announced only last September that military training contracts between the British military and Myanmar would be immediately suspended, and I welcome that. However, ending the free training programme should be just one small part of a wide range of measures that put pressure on the military to end its violations of international law.

For too long the international community has tolerated the intolerable. Therefore, the UK must put strong international pressure on the Burmese civilian and military Government to stop the persecution and help negotiate a process for the protection of the remaining Rohingya in Myanmar and the return of those who have been forced to flee. There must also be a full restoration of international sanctions and a global arms embargo on Myanmar, and this needs to be imposed now. The UK Government must take the lead in building international support for this.

I was sorely disappointed when Aung San Suu Kyi refused to speak out against the violence as Myanmar's de facto leader. In fact, her silence was so deafening that even fellow Nobel prize winners such as Desmond Tutu urged her to intervene to help with the crisis. Aung San Suu Kyi has been a hero of mine for a long time. She was imprisoned for nearly two decades after calling for democracy and human rights under the country's oppressive military. She played a part in inspiring me to become involved in politics, as I am today. In a recent speech to Myanmar's Parliament, she denied that there had been any "armed clashes" or "clearance operations" since 5 September this year. However, last week, in a welcome move, she announced plans to set up a civilian-led agency with foreign assistance to deliver aid and help to resettle Rohingya Muslims in Rakhine state.

I appreciate that Aung San Suu Kyi may need to be careful not to inflame the situation further, as her adviser has said, and that she may have little influence over the powerful military. However, as a politically elected representative of the Government, and as someone who has championed human rights for decades, she has a moral responsibility, as well as a political one, to do right by all her people, which includes the Rohingya.

Many parts of the UK have already taken action. Glasgow City Council has written to Aung San Suu Kyi to give her one month before she loses the freedom of the city. My own city of Dundee is in the process of writing, and I have spoken out publicly. I would like to

send a message to Aung San Suu Kyi today in the strongest terms. Her Government must now speak to the military, community leaders of Rohingya Muslims and Rakhine Buddhists and the international community to end the cycle of persecution and violence, to prevent further loss of lives and homes, to restore law and order, to prevent violence from spreading to other parts of the country and to stamp out the online xenophobia that has been watched by the world.

I would like to end with some important words that inspired me in the past:

"It is not power that corrupts but fear. Fear of losing power corrupts those who wield it and fear of the scourge of power corrupts those who are subject to it."

Those are not my words, but the words of Aung San Suu Kyi. I therefore urge her to act fearlessly in the face of power, in the face of those who surround her and in the face of those who are committing—all of us in this Chamber can call it what it is—genocide on this earth as I speak.

**Mr Speaker:** Thank you. We can now enjoy the brilliance from Bishop Auckland for a maximum of seven minutes.

5.46 pm

**Helen Goodman** (Bishop Auckland) (Lab): I am grateful to my hon. Friend the Member for Bethnal Green and Bow (Rushanara Ali) for initiating this debate, to the Backbench Business Committee for giving it time, to the hon. Member for St Albans (Mrs Main) for describing the testimonies that she has heard and to the other 28 Members of the House who have spoken so passionately this afternoon.

The whole country has watched in horror as hundreds of thousands of people from Myanmar have been forced out of their homes and across the border into Bangladesh. The motion before us this afternoon is surely right. The UN defines ethnic cleansing as

"a purposeful policy...to remove by violent and terror-inspiring means the civilian population of another ethnic or religious group from certain geographic areas."

It includes murder, torture, rape, severe physical injury to civilians, forcible removal, displacement, deportation of a civilian population, deliberate military attacks or threats of attacks as well as the destruction of property, and robbery. These measures are clearly present in Myanmar. The office of the UN human rights commissioner found grave and serious violations, including the rape and murder of children. Rohingya villages in Rakhine state have been destroyed so as to ensure that the refugees cannot return to their homes. If they do, it would be to a barren wasteland that once held their crops, livestock and livelihoods.

The scale of the violence inflicted on civilians by the Myanmar military cannot be justified as a proportionate response to attacks by the Arakan Rohingya Salvation Army. In fact, the UN makes it clear that a strategy was pursued to drive out the Rohingya before this, violating their rights and traumatising them. It is very disappointing that Aung San Suu Kyi did not immediately condemn the military actions. I saw the Minister's dispatch from his recent visit on the BBC, and I have to take issue with the way he expressed himself. No one is asking her to emote, as he put it. The horror of the crimes needs simply to be acknowledged. They speak for themselves.

It is vital that we all put responsibility squarely where it belongs: with General Min Aung Hlaing, who has overseen the calculated attack on the Muslim Rohingya over many months, if not years.

I wrote to the Minister in September about a number of things, including Amnesty's report on landmines. He replied to me, but he did not mention that. Could he please also raise that with the Myanmar Government?

The UK has a special duty to both Myanmar and Bangladesh due to our historical ties. The Foreign Secretary evidently knows them well, but reciting Kipling is not appropriate. We want to express our understanding in the form of an effective policy. The British public have been typically generous in responding to the Disasters Emergency Committee appeal, and I urge people who are concerned to give in that way. It is the most effective way to help the Rohingya refugees, and I am pleased Ministers are matching the funding from the DFID budget.

It is now vital that we press the Myanmar Government to allow full humanitarian access to Rakhine and full, unhindered access for the UN Human Rights Council's independent international fact-finding mission, and to allow independent media organisations to report freely. Will the Government encourage other countries to contribute to the £437 million target, which is the UN estimate of what is needed? It is essential to get the information that will secure the prosecution of those perpetrating crimes. Will the Minister go back to his colleagues to see whether more money can be made available from the British Government so that disease is not the next thing to be visited on the refugees?

It is now evident that the British Government need to be prepared to take a tougher line with the military of Myanmar. Will the Government please consider imposing personal sanctions and visa restrictions against the military and their families; promoting an international arms embargo mandated by the UN along the lines of the EU's; and halting investment in and business with military-owned companies, and ending any aid flows to parts of the country that they control?

We need a long-term, sustainable solution. Myanmar has the highest number of stateless people, and until all minorities in Myanmar are equal under the law and are able to gain political representation, the transition to democracy for which so many have struggled for so long will not be complete.

5.52 pm

**The Minister for Asia and the Pacific (Mark Field):** I thank my constituency neighbour, the hon. Member for Bethnal Green and Bow (Rushanara Ali), for initiating this debate. I think all of us admire her heartfelt dedication and commitment to the Rohingya, and I appreciate the strength of feeling shown in the House during the debate. Given the constraints of time, I hope hon. Members will forgive me if I deal in writing over the next few days with some of the specific issues that have been raised.

I very much welcome this opportunity to update the House on the Government's actions to address the appalling situation facing the Rohingya in Rakhine state. This has of course been a fast-evolving crisis over recent weeks. I pay tribute particularly to the hon. Lady, but also to my hon. Friends the Members for Colchester (Will Quince), for St Albans (Mrs Main) and for Sutton

and Cheam (Paul Scully), who have been there recently, for what they said about what they saw, at least from the Bangladeshi side of the border.

As many hon. Members will know, the recent and continuing violence in Rakhine is, tragically, only the latest manifestation of very long-standing hostilities. The Rohingya have suffered terrible persecution over several decades. Their already very limited rights, if we can call them that, have been eroded by successive military Governments, and as people without citizenship—stateless folk—they have become increasingly marginalised in Burma and, indeed, at times in Bangladesh as well.

The Rohingya have previously been victims of outbreaks of sustained violence and displacement, including in 2012 and as recently as October 2016, but the movement of people since 25 August and the violence by the security forces have been on an unprecedented scale. Deadly attacks on Rohingya communities by vigilante groups have also been reprehensible, and it is deeply concerning that these incidents have reportedly been carried out in collusion with the Burmese security forces.

As I have said, the consequences of this violence are appalling. I saw that for myself when I travelled there at the end of last month, as the first western Minister to visit Burma since the crisis began. What I heard in Sittwe, the capital of Rakhine state, was truly heartbreaking. When I visited camps in Burma, the descriptions of murder, rape and other human rights violations and abuses that I heard about—many had taken place only a matter of weeks earlier—were horrifying. Over half a million Rohingya refugees have fled their homes and crossed into Bangladesh. Others, including members of other ethnic communities, have been internally displaced within Rakhine in recent times. This is a human tragedy and a humanitarian catastrophe.

I want to say something slightly personal in relation to the issue of ethnic cleansing. Many Members recognise that we are reluctant to use that phrase. There is a personal reason for that and a broader reason. We have been trying diplomatically as far as possible to secure movement from the Burmese Government. In fact, there has been quite significant movement by Aung San Suu Kyi, which I shall come on to. There is also a more personal reason, which goes back to the rather provocative statement from the hon. Member for Oldham West and Royton (Jim McMahon). My mother was ethnically cleansed as a German national in the early months of 1945. She moved from the part of Germany in which my forefathers had lived since the 1720s, and to which she was able briefly to return as a visitor in her 50s. I have never seen that part of the world.

It is because the phrase "ethnic cleansing" is loaded with great emotion and a sense of finality that I have been relatively reluctant to use it. That is not in any way to disrespect the Rohingya, but we still maintain hope that many of them will be allowed to return safely to Burma—it may be a forlorn hope. However, I accept that the UN High Commissioner for Human Rights has said that the situation seems like a textbook case of ethnic cleansing. I conclude, I am afraid, that that appears to be an increasingly accurate description of what has happened.

What is essential now is that the Burmese Government and the security forces enact the positive measures announced by State Counsellor Aung San Suu Kyi on Thursday evening. That includes the establishment of a new civilian-led body to oversee the return of those who

[*Mark Field*]

have fled and the development of Rakhine into a state, perhaps with martial aid, in which all communities can live together sustainably. The security forces should ensure that the Rohingya feel safe to return. They must, in my view, permit a massive upscaling in international humanitarian relief in Burma that is desperately needed to reach those who remained in Rakhine or, we hope, will return there.

Within the international community—I am glad to say that most Members, although I accept not all, recognise this—the UK is playing a leading role, and it is right that we should do so for historical reasons, in seeking a solution to this political, diplomatic and humanitarian crisis. We continue to engage extensively with the Burmese Government to seek an end to the violence, and to secure full humanitarian access to Rakhine and the return of those Rohingya who have fled. My right hon. Friend the Foreign Secretary has spoken to Aung San Suu Kyi twice in recent weeks, and I held face-to-face negotiations and discussions with her in Nay Pyi Taw, the capital of Burma, on 27 September. During my visit I pressed civilian and military officials to stop the violence, to allow humanitarian access without delay, and to commit to the safe return of the Rohingya.

Ministerial colleagues across Government have been putting pressure on the Burmese Government and military. We have suspended military visits from Burma as well as our defence education co-operation. We are calling on the EU to do likewise. In response to the terrible humanitarian situation across the border in the refugee camps in Bangladesh, DFID is providing extensive assistance, and I want to thank my colleagues in that Department for playing an important role in mobilising international support. Bangladesh, as we know, faces an almost insurmountable challenge in providing genuine assistance to those refugees. Within days of the latest outbreak of hostilities, the UK Government, as has been pointed out, pledged an additional £30 million in support. Those funds are providing essential shelter, food and water to those in desperate need. We want to do more—far more—and the message from the House today will be heard loud and clear in that Department.

I visited Bangladesh after Burma last month, together with the Minister of State, Department for International Development, my right hon. Friend the Member for North East Bedfordshire (Alistair Burt). We met Bangladeshi Ministers and senior officials, the UN and other development officials, and expressed our appreciation for the support that they were providing. In turn, they appreciated the UK's leadership in providing humanitarian aid on the ground. We have also been working tirelessly to focus international attention and pressure on the Burmese security forces. We have raised the subject of Burma three times at the UN Security Council, and convened an international meeting in New York with Kofi Annan only last Friday. The Foreign Secretary also convened a meeting of Foreign Ministers at the UN General Assembly in New York on 18 September, and I was the only European Minister to address a meeting on Burma organised by the Organisation for Islamic Cooperation the following day, at which the UK Government were specifically singled out by the OIC's secretary general, a Saudi Arabian gentleman, for our diplomatic, political and humanitarian leadership in response to the crisis.

Through that engagement, we have galvanised the international community around a five-point plan: the security forces must stop the violence—no major violence has been reported since 5 September; full humanitarian access within Burma must be secured; refugees must be allowed to return to Burma in a voluntary, safe and dignified manner; the recommendations of the Advisory Commission on Rakhine State, chaired by Kofi Annan, must be implemented rapidly and in full; and above all, Burma must grant access to, and fully co-operate with, the UN Human Rights Council's fact-finding mission.

Although the civilian Government have started to make progress on these points, the Burmese security forces have not yet heeded the call. We are discussing the next steps in the Security Council to increase the pressure. However, as the right hon. Member for Tottenham (Mr Lammy) discussed, getting a UN Security Council resolution requires the co-operation of both China and Russia, which we reckon would be likely to veto any such resolution.

My noble Friend Lord Ahmad of Wimbledon has made our concerns clear at the UN Human Rights Council, where we have mobilised the UN's human rights machinery to address the situation. We have helped secure a six-month extension of the UN fact-finding mission to Burma so that it can properly examine the serious reports of human rights violations coming out of Rakhine, as well as the other conflicts in Kachin and Shan states. The role of neighbouring countries in restoring peace and security will inevitably be vital. That is why we continue to talk, despite our differences, with China, and with India and other regional states, to encourage them to play their part in resolving the crisis.

As I mentioned earlier, I also held talks with State Counsellor Aung San Suu Kyi when I was in Burma. I very much understand the criticism and grave disappointment felt by many in the House, who previously regarded her as a heroine. However, if we fail to acknowledge—in part, at least—the pressures she is facing, that does not help us move towards solutions. She is walking a very fine line between international condemnation and Burmese public opinion, which, as my hon. Friend the Member for Sutton and Cheam (Paul Scully) pointed out, overwhelmingly supports what the security forces are doing, terrible as that may sound.

Weakening Aung San Suu Kyi strengthens the military's hand. Given how the security forces have attacked and persecuted the Rohingya in recent weeks, that is a terrifying thought. We must all help make a better future for the Rohingya still in Burma and for those who return. We also want to represent all the other people in Burma—there are many from all communities—who yearn for the human rights and democratic freedoms that we all enjoy. During our talks, Aung San Suu Kyi reiterated her pledge for a transparent process to allow for the return of all Rohingya who have fled to Bangladesh. She pledged to me that she would start immediately to implement the recommendations of Kofi Annan's Advisory Commission on Rakhine State.

As I mentioned, in the past week Aung San Suu Kyi has publicly outlined a plan and vision for resolving the crisis, including the establishment of a civilian force to deliver humanitarian assistance, the resettlement of refugees, and long-term development. The UK Government are watching closely to ensure that her positive words translate into swift action. We will keep challenging her to ensure

that our five-point plan is implemented. I think I can speak for everyone in the House when I say that we stand ready to ensure that she gets whatever international political and technical support that is required to put the plan into place.

It was all too clear from my heartbreaking meetings in Rakhine with Rohingya Muslims, ethnic Buddhists and Hindus—civilians who had been forcibly displaced from their homes and had witnessed almost unspeakable atrocities—that communities in Burma remain deeply polarised. A palpable sense of mutual fear and mistrust remains.

The terrible events in Rakhine have been the saddest of reminders of these divides and of just how far Burma still has to go to become an effective civilian democracy. Resolving the current crisis and helping democracy truly take root will require sustained diplomatic and humanitarian engagement. Ultimately, however, only a democratic transition can embed any long-term progress and rights for the Rohingya. We will continue, through diplomacy, slowly but surely to press the civilian Government for rapid progress.

As my hon. Friend the Member for Sutton and Cheam said in his wise speech, the UK is unpopular in Burma for its activism on Rakhine, but there is much that the UK Government have already done and much that we shall continue to do on the humanitarian front. I must add in conclusion, however, that we also have vital diplomatic and political work to carry out. We cannot allow the humanitarian issue to crowd that out. If we do, future military dictatorships will believe that they can act with the same impunity in similar circumstances.

6.5 pm

**Rushanara Ali:** I thank my hon. Friends and hon. Members across the House for their moving contributions, for the unity of purpose and for their support for the motion. In particular, I thank those who spoke from direct experience of visiting camps and who spoke out about the appalling situation facing the Rohingya. Their testimonies were extremely powerful. It is vital that we continue to let the world know of the plight of the Rohingya refugees.

I also pay tribute to the British people for their support for the Disasters Emergency Committee appeal and to the people of Bangladesh for their generosity in campaigning and providing humanitarian assistance on the ground, where they now have a million refugees to host. I am grateful to the Minister for his contribution and the representations he has made on behalf of our Government, but I must emphasise the importance of the UK playing a leadership role in seeking a global arms embargo. Even if China, India and Russia oppose it, it is important that we can defend our position and that we do not regret our own lack of action or failure to put pressure on the military. It is also important that targeted sanctions against the business interests of the military be taken seriously and that the Minister provide an update on that point, which he did not address in his response.

Finally, I want to reiterate that we have been here before: in 2012, when more than 100,000 Rohingya Muslims were displaced; last year, when the military instigated this scorched-earth policy; and again in September. It is going to happen again. It is the military's intention. Unless our Government and the international Government put pressure on the military, we will be back here again. I hope that we are not.

*Question put and agreed to.*

*Resolved,*

That this House agrees with the statement by the UN High Commissioner for Human Rights that the treatment of the Rohingya by the Myanmar Government amounts to a textbook case of ethnic cleansing.

**Mr Speaker:** I thank all colleagues who took part in today's important debate. We come now to the Adjournment debate on the sale of puppies. Notwithstanding the excitement among colleagues, it is inexplicable that anybody should now choose to leave and not wish to hear the debate, both for the eloquence of the initial speech and with a sense of anticipation as to the Minister's reply, but if colleagues insist on leaving, I know that they will do so quickly and quietly so that we can hear Mr Chris Evans.

## Sale of Puppies

*Motion made, and Question proposed,* That this House do now adjourn.—(*Craig Whittaker.*)

6.9 pm

**Chris Evans** (Islwyn) (Lab/Co-op): I welcome this timely opportunity to discuss the legislation relating to the sale of puppies in Great Britain, and the need for stricter enforcement of licences and inspections of breeders.

Owning a puppy can be a rite of passage for so many people. Being responsible for a dog is part of growing up. I still remember the very first puppy that we owned. I remember my mother going to Aberdare Corn Stores to buy a small puppy, which we called Pep, for £5. He lived until he was 17: he was one of the lucky ones. Even today, I am delighted that my own son Zac will grow up knowing the companionship, the loyalty and the friendship that owning a dog brings.

As I said, my mother paid £5 to Aberdare Corn Stores for our first dog, but those days are long gone. More people shop online now than ever before, so why should finding a puppy for sale be any different? Puppies are found and purchased without the buyer ever knowing where the dog has truly come from, or having any information about the breeder. People buy on the assumption that the puppy must have been bred in humane conditions. Sadly, that is not always the case, which is why there is now a need to discuss and review the problems with the current pet sale legislation and the licensing of breeders.

The sale of pets in Great Britain is governed by the Pet Animals Act 1951, which covers breeders as well as third-party sales groups such as pet shops. It is old legislation, predating the internet. Let me put the Act in perspective. When it was passed, Winston Churchill was leader of the Conservative party and Clement Attlee was leader of the Labour party. It was passed three years before Elvis Presley would have his first hit record, and teddy boys were walking the streets of Great Britain. All those are long gone.

That means that there is currently no law in the UK to regulate the sale of pets online. It would seem to be madness for us to legislate today for technological developments that will come 60 years in the future, but effectively that is what happened 60 years ago. The lack of regulation has consequences. Many unlicensed breeders have slipped off the radar of the local authorities responsible for them. Without regulation, the welfare of animals is compromised and unscrupulous breeders make tens of thousands of pounds in tax-free profit from naive buyers.

**Jim Shannon** (Strangford) (DUP): The hon. Gentleman brings great issues to Adjournment debates and other debates in the House, and I congratulate him on that. Does he agree that simple humanity should dictate an end to puppy farm breeding, and that there must be legislation to formalise standards for anyone who wishes to sell a puppy, whether it be a pedigree dog or a mongrel?

**Chris Evans:** Of all the Members whom I expected to intervene on my speech, I would have expected the hon. Gentleman to do so in particular. He is a fantastic parliamentarian and I know that he loves this place.

Again, he has made a very good point. I do, however, ask him please to let me continue my speech, in which I will answer his question.

Battersea Dogs & Cats Home suggests that 88% of puppies born in the UK are bred by unlicensed breeders. Many people are falling into the trap of buying puppies from third-party sellers such as puppy farms, and some puppies are illegally smuggled from Ireland and Eastern Europe. Those who run puppy farms and puppy-smuggling businesses are rarely concerned with the welfare of their dogs and puppies. The mothers are treated like machines, bred within an inch of their lives, producing far more litters of puppies in a year than is legally allowed. They are kept in horrific conditions. “Unpicking the Knots”, a report produced recently by Blue Cross for Pets, found that many dogs were kept in enclosed spaces such as rabbit hutches, and without water. As an animal lover and a dog owner, I find that completely abhorrent.

The puppies and their mothers are seen not as sentient beings, but merely as pathways to profit. Puppies are seized from their mothers long before the 12 weeks for which they are supposed to stay with them are up and are sold, malnourished and without vital vaccinations, to unwitting buyers. As a result, many irresponsibly bred puppies end up with life-threatening illnesses such as parvovirus and kennel cough. New dog owners are then faced with the financial and emotional hardship of ongoing veterinary treatment or, in many cases, the death of the puppy, which means that the buyer has essentially spent hundreds of pounds on a dog who lives for no more than six months.

Although, as I said earlier, our dog lived for many long years, I remember the first thing that happened when we brought him home from the pet shop. His hair fell out because he was infested with mange. We took him to the vet and found out that he was only two and a half weeks old. His eyes had just opened. I accept that that was many years ago—in 1989—but it still happens in this day and age.

Snatching puppies from their mothers too early can have ongoing impacts on the lucky dogs that do make it. The first 12 weeks of a dog’s life are its most important, with those crucial moments socialising with its mother and littermates dictating the dog’s future temperament as an adult. As a result, dogs born of irresponsible breeding often grow into anxious and aggressive adults, which can lead to additional costs being incurred in training and behavioural classes for the owners.

**Mr Alister Jack** (Dumfries and Galloway) (Con): The hon. Gentleman describes very well the puppy farms, which are disgraceful and operate in agricultural terms in southern Ireland. Does he agree that Operation Delphin at the port of Cairnryan in my constituency, which to date has led to the seizure and return of over 500 puppies, has been a huge success? Does he also welcome the fact that that pilot scheme has been extended for another year, so it is to be hoped that the Scottish Society for Prevention of Cruelty to Animals will now be able to get on and send even more puppies back to the farms they came from, and stamp out this illegal trade?

**Chris Evans:** I know of that case in Dumfries, and it is a brilliant example, but as I will say later, this is all about enforcement, as there is only so much the Government

can do through legislation. They should, however, look at the examples the hon. Gentleman has raised as a way forward.

**Robert Courts** (Witney) (Con): I am listening with great interest to the powerful case the hon. Gentleman is unfolding about the horrors of this trade. He mentions enforcement, but does he agree that there might be a role, in addition to the legislative aspect he is looking at, for education for the public, so that people know the questions to ask of the seller? If they know there are certain red flags to suggest the puppy has come from an illegal source, that might help.

**Chris Evans:** To make a wider point, a fantastic aspect of this debate is that so many people have come to me with solutions. The hon. Gentleman is right: there should be a multifaceted attack on puppy farms and illegal dog breeding, and it should include education and raising red flags, as he suggests.

**Lyn Brown** (West Ham) (Lab): I congratulate my hon. Friend on securing this debate and I am pleased to be attending it. Good friends of mine who are intelligent human beings who really worry about the care of animals have been taken in by puppy dealers, and by the role played by the child of the puppy dealer, pretending that the puppy in question is a loved puppy that has been with their family for ages. They can be completely unscrupulous in the stories they tell and the ways in which they dupe members of the public.

**Chris Evans:** These puppy breeders will go to any lengths to make a case and secure a sale; it is all about profit.

I will use the example of my current dog; he is a fantastic dog with a great temperament. The key difference between the purchase of my first dog, which my mother bought from a pet shop, and that of my current dog is that I went to a reputable dealer, and met the mother and father, and saw what the puppy was like. The dealer also provided examples of what other puppies from that litter were like. There was a lot of further important information, too. I also had an information pack, so I knew who I was dealing with. We have had a fantastic time with the dog I have now.

In this age of modern technology, consumers are increasingly turning to online shopping to purchase their goods, and it is no different when buying a puppy. However, as I have mentioned, online sellers are slipping through the net and are becoming increasingly difficult to regulate and identify.

Blue Cross has been working in partnership with classified ad site Gumtree, which has been able to track repeated advertisers of puppies. It found that online sellers were using multiple email addresses, placing hundreds of adverts over the course of 24 months, and selling in multiple local authority areas—all the classic signs of a puppy farmer.

These cases are only a drop in the ocean of the wider problem of unlicensed breeders abusing the legislation. The Pet Animals Act 1951 must be updated in line with modern internet use. I know the Department has in the past said that it believes the definition of a pet shop to be wide enough to include the sale of pets online, but the horrific reality of what is happening says otherwise.

However, updating the legislation is only one way in which we can tackle the problem. It is also vital that we are firmer with the enforcement of licences and with inspections of breeders, which must be more frequent and thorough.

In Wales, we are steps ahead of the rest of the country when it comes to regulating dog breeders. The Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014 enabled the Welsh Government to enforce stricter rules for those wishing to breed dogs for profit. This is certainly a step in the right direction and I urge England and Scotland to follow suit, but the legislation is only as strong as the practices of the licensing officers. As elsewhere in the UK, local authorities in Wales are severely underfunded, and licensing officers are therefore not fully equipped or trained to do the job at full capacity. Many juggle multiple job roles, from inspecting food outlets in the morning to assessing dog breeders in the afternoon. Without full animal welfare training, licensing officers are unable to properly assess how fit a breeding establishment is for purpose. As a result, many puppy farms are issued licences. It is important to realise that this is not a Wales-only problem, a Scotland-only problem, a Northern Ireland-only problem or an England-only problem. It is a problem not only for the four nations but across European borders, and we need joined-up thinking on this.

**Chris Davies** (Brecon and Radnorshire) (Con): I thank the hon. Gentleman for giving way and for bringing forward the debate this evening. As a fellow Welsh MP, he will know that one of the great embarrassments for us is the fact that puppy farming is quite prevalent to the west of our constituencies. My opinion on puppy farming has changed considerably since I went on a DEFRA Committee visit there last year. I was for puppy farming, but having visited a puppy farm, I changed my mind completely. The dogs were not allowed to be dogs; they were just breeding machines. I agree with almost everything that the hon. Gentleman has said, but I must point out that in Wales the law is already there and that the problem lies in its enforcement.

**Chris Evans:** That is absolutely right. The hon. Gentleman and I are both south Wales MPs. If anyone visiting Pembrokeshire drives down the road from Swansea to Carmarthenshire, all they will see are signs saying “Puppies for sale” and “Dogs for sale.” They might wonder why people are constantly selling puppies and dogs. Enforcement is the real issue; it is the crux of the problem. We might have the legislation but we also need strong enforcement.

I understand that in enforcing stricter and more robust licensing laws, the work of the already thinly stretched and underfunded local authorities will increase. There is an urgent need for additional funding for local authorities, but the expertise of the third sector can also have a role. That is why I advocate charities such as the Dogs Trust, Blue Cross and the RSPCA working alongside the local authorities to aid them with inspections and with the enforcement of licensing standards. We cannot rely solely on the third sector to fix all our problems, but it is important that we foster collaboration between local authorities and the animal welfare charities that are experts in the area.

We cannot talk about licences without talking about fees. There are no standardised licensing fees for dog breeders, and prices per local authority vary from £23 to £782.

[Chris Evans]

It is no wonder that many responsible breeders are so put off applying for a licence. One way of rectifying this is by introducing a risk-based approach to licensing, with the level of risk that a breeding business poses determining the fee. There could be a rating system, with those with higher points and adhering to higher standards of breeding being awarded lower licensing fees. Such financial incentives would encourage compliance with higher standards and better practice—almost like the road fund licence in relation to polluting cars.

In addition to the aforementioned proposals, we need to look further at third-party sales of puppies. Yes, we could call for a ban, but it is clear that the internet is like the wild west at the moment. It is so unlicensed that it would be difficult to clamp down on those third-party sales. I am therefore asking the Government to introduce an information campaign and to make it mandatory for a buyer to see the puppy interacting with its mother and its littermates before purchase; but we would need to ensure that such a requirement could be enforced. As unlicensed breeders become increasingly savvy in working round the regulations of breeding, it could only work if local authorities were given the necessary resources, perhaps using the proceeds of a licensing fee for that purpose. We should also contemplate forcing breeders to provide full seller information when posting adverts, and introducing the practice of assigning every breeder a unique identification number, as France has recently done.

**Yasmin Qureshi** (Bolton South East) (Lab): It is great that my hon. Friend has secured this Adjournment debate. I have received many letters on this issue, and I want to let the Minister know that it is a real matter of concern for many of our constituents. I thank my hon. Friend for raising it.

**Chris Evans:** I thank my hon. Friend, who is a diligent Member of Parliament and a good friend since I came to the House.

In conclusion, I urge the Government to review the current legislation surrounding sales of puppies and other pets in the UK. The 1951 Act must be updated to regulate online sales of puppies. More importantly, we need to ensure that local authorities and licensing officers receive full appropriate training to do their jobs properly. Once that has been established, we can consider a ban on third-party sales.

This debate has shown the House at its very best, and I know that many Members will support me on this initiative. Dogs bring so much joy to our lives and help us in so many ways. Whether we keep dogs for work, as a health aid or simply for companionship, it is high time that we gave something back to our four-legged friends and afforded them the protection they deserve. My life has been enlightened by owning a dog. Dogs are important to me, and I will own dogs for the rest of my life.

Finally, I thank Battersea Dogs & Cats Home, Blue Cross, RSPCA, Dogs Trust and the International Fund for Animal Welfare for their tireless work to improve welfare standards for dogs and animals across the country, and for bringing often ignored issues to the country's attention. I hope the Minister will take on board some of the constructive suggestions that we have heard in this debate.

6.26 pm

**The Minister for Agriculture, Fisheries and Food (George Eustice):** I congratulate the hon. Member for Islwyn (Chris Evans) on securing this debate on a subject that is dear to many hon. Members' hearts, including mine. He gave an account of his first family pet when he was young, and I never give up the opportunity in such debates to talk about Mono, a rather erratic border collie that I adopted from the RSPCA. He lived to a good age and, certainly in the last seven years of his life, had a good life on our farm.

As a Back Bencher and a member of the Environment, Food and Rural Affairs Committee, I campaigned to change the rules around the licensing of puppy breeding. I was therefore pleased to have the opportunity to become a DEFRA Minister, and then to become responsible for companion animals. For once, I was in a position to see through something that I had sought for some time. As the hon. Gentleman pointed out, many people and organisations have been calling for more restrictions on the breeding and selling of dogs. I initiated a consultation, which Lord Gardiner has continued, and I now have the opportunity to update the House on some of our plans.

The hon. Gentleman will be pleased to hear that many of the ideas that he outlined are exactly what we are planning to do and exactly what we have already consulted on. The Government will be replacing existing laws on the breeding and selling of dogs with a stricter licensing regime. The regime will, for the first time, be linked directly to the Animal Welfare Act 2006 and will introduce several important changes. First, we will lower the threshold under which a dog breeder needs a licence, moving it from five litters or more to three litters or more, thus ensuring that more commercial dog breeders will be required to have a licence.

Secondly, we will require all dog breeders and the sellers of all pet animals, including dogs, to adhere to statutory minimum welfare standards that will be linked to the welfare needs set out in the 2006 Act. That is important for raising standards and improving consistency in the licensing regimes that local authorities put in place. Thirdly, we will remove the exemption through which some people who breed from their own pet dog claim that they do not need a licence to sell puppies. Fourthly—the hon. Gentleman made this point—we intend to reward licensees who are considered to be at low risk of breaching the new regulations with longer licences and fewer inspections. We could, for instance, recognise those who sign up to United Kingdom Accreditation Service-accredited schemes run by groups such as the Kennel Club, and the new regulations will provide for that.

Finally—this goes to the heart of the issues that the hon. Gentleman raised—we intend to make it clear that anyone in the business of selling dogs online will need a licence from their local authority. As he says, our legal view has always been clear that the 1951 Act, which regulates the licensing of pet shops, already provides that anyone in the business of selling dogs, whether they have a shop on the high street or are selling online, requires a licence, but we have accepted in the consultation that there may be a sense of ambiguity. We therefore want to place the requirement beyond any doubt, so I reassure him that we will be doing precisely what he asks for.

There have also been calls for more robust inspections. The statutory minimum welfare standards will have to be applied by local authorities, and the regulations will be accompanied by guidance to which local authorities must have regard. The regulations will require all inspectors to be suitably qualified, and the guidance will set out what “suitably qualified” means.

**Angela Smith** (Penistone and Stocksbridge) (Lab): As a member of the Environment, Food and Rural Affairs Committee, I am pleased to hear about some of the proposed changes. However, who will bear the cost of training suitably qualified inspectors at the local authority level?

**George Eustice:** As the hon. Lady knows, local authorities already have budgets for such things and departments that deal with animal welfare. We will be addressing exactly what is required by “suitably qualified”. Most local authorities already have people who are suitably qualified, although they might require additional training.

**Lyn Brown:** The Minister was doing well up to that point. We all know that our local authorities are under particular pressure. If this is to mean anything, the Government will have to put some money into it.

**George Eustice:** Local authorities are already required to carry out such activity. They already have animal welfare departments and dog wardens, and they already issue licensing conditions for a range of things. They already have trading standards departments. I think I have addressed that point, so I will move on, because other important issues have been raised.

**Chris Davies:** I thank my hon. Friend for all his welcome proposals. One thing that we have not tackled so far is illegal imports. Supply does not equal demand in this country, because people want more puppies and dogs than the breeders in this country can supply. How do the Government plan to address that real problem? As we have heard, puppies often travel in difficult conditions and die within a few weeks of being in this country.

**George Eustice:** If my hon. Friend will bear with me, I intend to return to that issue.

I conclude on the licensing point by thanking the many stakeholder organisations and animal welfare groups that have already contributed to our contribution and the formulation of these draft regulations. The hon. Member for Islwyn raised a point about the sale of puppies under eight weeks old, and he said that the first dog he had was sold at two and a half weeks. A couple of things are being done. First, the microchipping regulations that were introduced two years ago already require that no dog can be sold until it has been microchipped, and it is unlawful to microchip a dog until it is eight weeks old. In the normal course of events, it is already the case that no dog under the age of eight weeks can be sold.

Again, there is some ambiguity under the 1951 Act, and some people have identified the fact that a small number of pet shops might have been able to sell dogs under eight weeks old. We will put the situation beyond doubt in the regulations by making it clear that no puppy below that age can be sold.

I want to move on to maximum sentences for animal cruelty as that is another important area in which we have recently made some announcements. The issue has been raised a number of times, including in private Members’ Bills promoted by several hon. Members, notably my hon. Friend the Member for Torbay (Kevin Foster). The Government have made it clear that we will increase the maximum penalty for animal cruelty from six months’ imprisonment to five years’ imprisonment. The maximum sentence needs to be increased for the most horrific acts, such as deliberate, calculating and sadistic behaviour. The offences for which that would apply could include causing unnecessary suffering to an animal and holding organised animal fights. The existing six-month limit does not allow judges to pass the most appropriate sentence in such circumstances. We want to send a clear message that animal cruelty is not acceptable in our society, and a Bill to effect the necessary changes to the Animal Welfare Act will be introduced as soon as parliamentary time allows.

I turn now to the question of a ban on the third-party sale of puppies. This issue is often raised and the hon. Member for Islwyn, to be fair, rightly pointed out the difficulty that enforcing such a ban might involve. We do not believe that a ban on third-party sellers is necessary, and that view is shared by many stakeholders. We believe that a better approach is to aim for more robust licensing of pet sellers, as well as continued encouragement that people source dogs from reputable breeders and see any puppy interact with its mother, and consider a rescue or re-homed dog first, alongside consumer pressure to drive down the sales of dogs from third parties such as pet shops. The evidence shows that that is already happening, with as few as 4% of pet shops now licensed to sell dogs. That figure is always declining, and the reality is that even fewer shops actually do so.

We want to drive up animal welfare standards rather than introduce bans that are difficult to enforce. That is why the new regulations will set statutory minimum welfare standards for all commercial pet sellers that the local authority must apply when considering whether to issue a licence. There will also be an opportunity to apply higher standards, with pet sellers and dog breeders able to earn recognition so that the better performers have a longer licence, with fewer inspections and a lower fee. We are developing a star system similar to that which applies to food hygiene, and that will be backed up by statutory guidance. The use of a risk-based assessment of operators and an emphasis on cost recovery will enable local authorities to fulfil their responsibilities and target enforcement on the poorer performers. It will also assist the public to make an informed choice when choosing a pet provider.

I turn now to the issue of online sales. I particularly wish to point out to hon. Members that the Department established the Pet Advertising Advisory Group some years ago. DEFRA has already published guidance on buying a pet and has worked closely with PAAG to drive up standards for online advertisements. It is important that we give credit where it is due, so I should like to take this opportunity to praise PAAG’s work, which has resulted in six of the largest online sites signing up to agreed minimum standards for sites that advertise pet animals for sale. The types of measures that have been introduced include: a requirement that all adverts display the age of the animal advertised, with no pet advertised

[George Eustice]

for transfer to a new owner before it is weaned and no longer dependent on its parents; a permanent ban on vendors on a “three strikes and you’re out” basis, so that those who attempt to post illegal adverts can be blocked indefinitely from advertising on any of these sites; and steps to ensure that every “view item” page includes prominent links to PAAG’s advice on buying and selling a pet, which can ensure that someone who is searching for a dog or any other pet is targeted with informative emails to tell them what they need to know so that they will be able to care for that pet. The standards are being applied by half a dozen or so sites, including the main ones. People who are looking online should be advised to keep to those sites that have signed up to PAAG’s minimum standards.

**Angela Smith:** The Minister is being generous in giving way. I, too, applaud PAAG for its work—it has been very successful—but some advertisements are disappearing only to be found on sites other than the big six. Surely the Minister agrees that the Government have done part but not all of the job of dealing with problems relating to online sales.

**George Eustice:** As I pointed out earlier, with the new regulations we are putting it beyond doubt that anyone selling online requires a pet licence. That is how the UK Government can address the issue. The hon. Lady will understand that we do not have jurisdiction over a classified ads operation based in Australia, for instance. What we can do, however, is to ensure that anyone who attempts to sell via the internet, wherever the classified ad website might be registered, will nevertheless require a licence. We continue to apply many of the other standards of the code, including the requirement that licensed breeders or sellers must display a licence number, and the need for an advert to include a photo of the pet and to set out its age. We have made good progress on online sales.

My hon. Friend the Member for Witney (Robert Courts) asked about the responsibility of buyers. It is a sad fact that unsuspecting buyers sometimes unwittingly provide a lucrative market for rogue dog breeders and dealers. Potential buyers need to take great care when they are considering taking on a puppy. They should always insist on seeing the mother when they purchase a puppy. My hon. Friend asked whether there are warning signs. If someone arranges to meet at a motorway service station to sell a puppy, that should be a warning sign. Before people buy a puppy, they should consider whether they have the right lifestyle to look after a dog for the next 10 to 15 years and, if so, what type or breed of dog is right for them. They should also consider whether they are prepared to spend the sort of money and commit the sort of time needed to look after a dog for the duration of its lifetime.

There is plenty of advice out there to help people to make the right choice when they buy a puppy. Such advice includes making sure that the breeder is a member of the Kennel Club’s assured breeder scheme or signed

up to the puppy contract, which is of course supported by many animal welfare organisations, including the RSPCA, the Dogs Trust, Blue Cross and Battersea Dogs & Cats Home. Such advice can help to inform buyers before they make purchases. In addition, the new regulations I have outlined will help to ensure that puppies born in a licensed dog breeding establishment have a better chance than those born in backstreet breeding establishments.

Finally, I wish to address the point made by my hon. Friend the Member for Brecon and Radnorshire (Chris Davies) about illegal puppy imports and to talk about some of the work we are doing on that. We are aware that some puppies may be smuggled into this country from abroad to be sold as pets. DEFRA takes the illegal puppy trade seriously. Responsibility for deterring the illegal movement of puppies starts with their country of origin. Dogs, including puppies, and cats, including kittens, that move to the UK from EU member states, or from other low-rabies-risk third countries, must have received a rabies vaccination at not earlier than 12 weeks of age, after which there must be a wait of 21 days to allow immunity to develop. In practice, that means that puppies or kittens that enter the UK legally will always be a minimum of 15 weeks old.

The UK carries out more pet checks at the border than most member states. All pet animals that travel on approved routes are checked for their compliance to travel. Enforcement at the border also has an important part to play in combating the illegal trade. We are grateful for the Dog Trust’s continued support of the Dover puppy pilot. This partnership between the Dogs Trust, transport companies, Kent County Council and the Animal and Plant Health Agency has so far resulted in 649 non-compliant animals being seized and placed into quarantine since December 2015. DEFRA’s Animal and Plant Health Agency has also played a leading role. Crucially, it has helped to age puppies and identify those that have been illegally smuggled into the country when they are too young.

If a transport company suspects that undeclared pets are present in a vehicle, it can alert the appropriate authorities so that they can take the necessary action. Border Force and local authorities share intelligence and monitor movements, and Border Force officials are constantly searching vehicles for a range of things, and when they detect animals being smuggled in illegally, they alert APHA.

The Government are responding to concerns about the welfare of puppies. This issue has been dear to my heart both as a Back Bencher and as a Minister. I am sure that the hon. Member for Islwyn will be reassured to hear that the Government are already implementing many of the measures that he seeks. Indeed, perhaps reading our consultation gave him some thoughts about this area. I am clear that the measures that we are implementing will improve the welfare of our dogs and give them the respect that they deserve.

*Question put and agreed to.*

6.45pm

*House adjourned.*

# Westminster Hall

Tuesday 17 October 2017

[SIR ROGER GALE *in the Chair*]

## Healthcare in Oxfordshire

9.30 am

**Robert Courts** (Witney) (Con): I beg to move,

That this House has considered the future of healthcare in Oxfordshire.

It is an honour to serve under your chairmanship, Sir Roger. May I, at the outset, thank colleagues from both sides of the House for attending and the Minister for replying? I have deliberately left the wording of the motion quite open, because I want all colleagues to have the chance to set on the record any of their thoughts about the future of healthcare in Oxfordshire.

This is a multifaceted, complex topic. I will of course concentrate on west Oxfordshire and hope I will be forgiven for doing so. We all have particular concerns, and this topic perhaps matters to our constituents more than any other. I would like to broadly separate the debate into the following sections. I will review what was done within the first phase of the sustainability and transformation plan process, how it was handled, the split of the consultation into two phases, how the public were involved in the matter and the outcomes. I will then look forward to phase 2, the proposed changes that have been included and how the clinical commissioning group can work better with the public and all stakeholders throughout the process. I will explore ways in which we can move forward and give Members the chance to raise specific concerns from their constituencies. I will review the past, but for the sake of learning for the future.

**Nadhim Zahawi** (Stratford-on-Avon) (Con): Horton General Hospital is unique in that it serves not only Oxfordshire but Warwickshire, Northamptonshire and even Gloucestershire. I was very concerned about the lack of engagement by Oxfordshire CCG with relevant stakeholders in Warwickshire in phase 1 of its consultation. There was very little communication between the Oxfordshire and South Warwickshire CCGs, despite the fact that there is obviously a knock-on effect on Warwick Hospital. Why was there not greater communication? Colleagues have raised that repeatedly, but with few outcomes.

**Robert Courts:** That intervention precisely illustrates the point I will make in the course of this small speech about a lack of public consultation. That is most marked in the areas we will be talking about—in my case, Witney in west Oxfordshire, and in the case of my hon. Friend the Member for Banbury (Victoria Prentis), Banbury and the Horton. The point is that the issues surrounding the Horton go far further than Banbury; they relate to Warwickshire, Northamptonshire and the north of west Oxfordshire. The lack of engagement is perhaps the main theme of my speech, so I am grateful for that intervention.

I will start by talking about Deer Park surgery. I was elected just under a year ago today, when I faced an unfolding local press crisis. There was a lot of press attention and, understandably, an extremely distressed patient group centred around the closure of its much-loved practice, Deer Park medical centre. To give a short history, the practice was run by Virgin Care. The contract ended and was retendered, and Oxfordshire CCG health bosses received a bid from Virgin that, in their view, did not meet the requirements they were looking for, so they decided to close this small but very well-performing and popular surgery that provided an outstanding and much-needed service for Witney and its immediate surroundings.

The real kicker was that there was no real or meaningful consultation with the people of Witney before that took place. There was little discussion with the district or county councils as to how they may be able to move things forward or help or to discuss the building that was coming down the line, nor with patient groups, who might have been able to suggest a way forward. The patients and elected representatives were simply told that it was happening. I met the CCG, Virgin and the patient groups many times, including here in Parliament, but the CCG was resolute: it had decided that the practice would close. Its view was that the lower level of service offered in the tender was not sufficient and that it could not justify spending that money on the surgery, even though the significant growth, to the tune of thousands of houses that we know Witney will have in the years to come, means that the need for the practice is not only present now but will remain so in the future.

The decision to close the practice led to legal action by a patient, funded by legal aid, to keep it open. After sustained campaigning by myself, the patient group and local councillors, the Oxfordshire joint health overview and scrutiny committee voted that making that change without consulting was a substantial change in service, which—I hope I am not going beyond my remit in saying this—it clearly was.

The matter was referred to the Secretary of State for Health, who referred it to the Independent Reconfiguration Panel. That was the first time a primary care decision had been referred to that level—the highest possible level. Ultimately, the IRP ruled that the CCG did not have to reopen the practice, but it did provide specific strictures about the way the decision had been handled and about consultation. It specified that the CCG needed to improve the way that it engaged and further to consider Witney's healthcare needs.

I hope everybody will forgive me if I quote a short chunk of the IRP report that is pertinent to my point:

“The CCG should immediately commission a time limited project to develop a comprehensive plan for primary care and related services in Witney and its surrounds. At the heart of this must be the engagement of the public and patients in assessing current and future health needs, understanding what the options are for meeting their needs and co-producing the solutions. This work should seek to produce a strategic vision for future primary care provision in line with national and regional aims and should not preclude the possibility of providing services from the Deer Park Medical Centre in the future.”

It is quite clear from that report that the CCG requires a separate project to assess the primary healthcare needs of Witney. Its immediate surrounding areas are included, but that wider reading should not include the

[Robert Courts]

entirety of west Oxfordshire, which would enable the CCG to—as it seems to wish—simply wrap this piece of work into the wider STP work it is carrying out in any event.

The IRP is clear that the CCG is required to produce a specific, specially focused piece of work on Witney and its primary care needs. That is what the people of Witney should have. That should include a consideration of the impact upon projected housing growth in and around the town and a roadmap for primary care, covering what will be provided, by whom and at what place. Above all, the people of Witney should be presented with a range of options and scenarios, because if there is only one, there is no consultation. The CCG's approach is a little bit like Henry Ford saying to the customer, "You can have whatever colour car you like, provided it's a black one."

I opened with that story and took some time over it because it is a microcosm of the problems that west Oxfordshire is facing with its CCG, and I suspect—we will hear from them in due course—that other Members in Oxfordshire feel the same. Oxfordshire has been facing a systemic issue with its CCG. The public have not been fully consulted and engaged in a dialogue about the overall picture of the future of healthcare in Oxfordshire any more than they were over the future of Deer Park medical centre.

The CCG is embarking on a consultation regarding primary care in Oxfordshire over the next month, and I am sure all colleagues will join me in engaging with that process, but there are lessons to be learned from Deer Park. I focus on it today because I want those lessons to be learned, and I am keen that we look at how we can avoid this happening again, rather than simply look back and dwell on the mistakes of the past.

Let me be quite clear: I am not a doctor. I do not presume to tell doctors, healthcare professionals or those who commission them how to do their job. I am one of those who feel that, by and large, the profession should be left in peace to do what they do best and to practise their job. However, I expect the people of Witney to be consulted at all times. I expect their voice to be heard and listened to, and for their needs to be met.

The impression should not be gained that I am against any change. I accept that healthcare professionals must allocate their resources in the most efficient way to ensure the best treatment for patients. I might not disagree with changes being made per se, if there was a clinical need, they worked well with other healthcare provision in the area and they were in the interests of the people of Witney and west Oxfordshire, including when we consider the challenges of the future, particularly in respect of housing. I might not be against what is suggested, but if there is to be change, the public and local stakeholders must be fully informed and involved in decision making at the earliest opportunity. The local community must not be surprised by changes being sprung on them. They must be aware of how any proposed changes will affect them and why those changes, in the CCG's view, need to be made. If the changes are indeed for the better, the sensible, reasonable people of Witney and west Oxfordshire will support them, provided that they are properly explained.

I shall move on to the far wider issue of the STP process across west Oxfordshire. As I said, I do not necessarily disagree with decisions that are made from a clinical perspective. I might or might not agree with decisions, although let me be clear that I do disagree with some of the decisions that have been made. However, what always concerns me in every case is the way in which they are handled.

I have made my response to phase 1 of the STP publicly available—it is on my website—and it clearly outlines my concerns. I will not go through it all in detail now, but I will go through the headlines. The first is "Process". I do not feel that the STP should ever have been split into two phases, and I made that abundantly clear to the CCG at the time. It is a simple headline point. How can we assess Oxfordshire's healthcare needs when we hive off the decisions for the Horton, which have an impact on Chipping Norton, Warwickshire and Northamptonshire, and then say that there are some other decisions that are linked inextricably to the first section that we will look at at some future point—a date that keeps going further back into next year? The whole point of the STP process is to look at healthcare needs in the round, not piecemeal, with penny-packet decisions made earlier, making that process impossible. As I have said, the CCG has a duty to the public to provide multiple viable solutions to enable true choice and real consultation.

I shall give an example of how local communities have not been involved. The projected ambulance times from the Horton or Chipping Norton to the John Radcliffe Hospital are simply improbable. Indeed, the journey times are wildly optimistic. There is an over-reliance on Google Maps. Anyone who lives locally in Chipping Norton or Banbury can tell us how long it actually takes to get from either of those towns to the John Radcliffe in traffic, because they do that journey all the time. There is a serious lack of indication of any involvement with South Central Ambulance Service, and they are the people who will be taking heavily pregnant mothers in the late stages of labour from north Oxfordshire or the north of west Oxfordshire to the John Radcliffe. The decision permanently to downgrade maternity services at the Horton, which was made by the CCG board in August, has been unanimously referred by the health overview and scrutiny committee to the Secretary of State, alongside the judicial review appeal that we know about. I go no further at this stage than to say that that indicates a seriously flawed decision-making process.

I make it clear at this stage that for those who live in the north of my constituency, around Chipping Norton, the downgrade of the Horton is greeted with utter dismay. It is important to understand why. Chipping Norton is rural. It is one of the highest places in Oxfordshire; it is one of the few places that still gets snow in winter—people do not get it anywhere else, but they do in Chipping Norton. A journey to Oxford takes, with traffic, the best part of an hour, or more if someone is in one of the outlying villages. I made it clear in the baby loss debate last week that I fear the consequences of an absence of proper obstetric services in the north of Oxfordshire, even more so if the Horton midwife-led unit does not have a standby ambulance. Those proposals are simply not safe, and the deeply moving baby loss debate reminded us last week, if we ever needed reminding, of the consequences of getting this wrong.

For the same reasons, the services at Chipping Norton hospital itself must be safeguarded. Chipping Norton is seeing significant development and needs its own NHS services, which are based in a new building alongside a superb GP medical centre. Perhaps the best example of the mess caused by the split consultation is the confusing reference to the possible closure of the Chipping Norton MLU in phase 1, which purports to deal only with the Horton. How on earth can we say, “We’ll have as a possible solution in phase 1 the possible closure of Chipping Norton; oh, but we won’t make any decisions about Chipping Norton until we come to phase 2”—which will be at some stage in the future—when that clearly impacts on the Horton? How can we decide what is right at the Horton unless we know what there will be at Chipping Norton? It is the same point again. We cannot decide on the future of Oxfordshire’s services unless we look at them as a whole. They ought not to be hived off piecemeal.

Let us look ahead to phase 2. I hope that it is clear from the points I have made that the consultation around phase 1 was inadequate. I stress again that I am not a doctor. If the decisions are in the interest of public safety, I of course appreciate their importance.

**Layla Moran** (Oxford West and Abingdon) (LD): My constituents in Oxford West and Abingdon will be heartened by the hon. Gentleman’s speech so far. The points have been extremely well made and the nail has been hit on the head about the lack of proper engagement. As he probably knows, Abingdon Community Hospital is part of phase 2, and there is a real risk that beds will be removed from the hospital without the meaningful engagement about which he so eloquently speaks. Does he agree that the approach is not just flawed because it misses out that local knowledge, but erodes public trust in the democratic process?

**Robert Courts:** The hon. Lady foreshadows remarks that I will make in due course, because the issues that relate to Abingdon and Witney are linked. It is absolutely right to say that the approach erodes trust in the decision-making process and even in the democratic process. One has to have the support and understanding of the people in the communities that one is serving. That is just as true in Oxford West and Abingdon as it is in Witney and west Oxfordshire. I am very grateful for that intervention, which encapsulates precisely the point that I am making. I am interested to hear that the same things are occurring in Oxford West and Abingdon.

I stress yet again that I am not a doctor and am not seeking to tell healthcare professionals how to do their job, but as the hon. Lady’s intervention shows, all of us expect there to be proper engagement and the support of the public. I suggest that the past year and a half has been littered with mistakes and characterised by rushed and lazy consultation or no consultation at all. Now we are looking at phase 2, which is not just about the relatively isolated issue, however important, of the Horton and Chipping Norton, but about the entirety of Oxfordshire’s healthcare.

I understand that we are looking to go to full public consultation in summer 2018, with the final decisions to be made towards the end of 2018. At least, that is the case that the CCG makes; my hon. Friend the Member for Banbury may have comments about it in due course. We understand that the plan is to enhance certain

regional community hospitals so that they can handle much more in house and become locality hubs, ensuring that fewer patients have to make the long journey along the A40 or the A34 to the John Radcliffe in the centre of Oxford. The aim is people being treated closer to home. That is, in itself, a laudable, sensible, clinically wise decision. It is an aim that we all have. No one wants to trek into Oxford if they can be treated in Witney, Abingdon or Chipping Norton. We are told that there will also be neighbourhood hubs, providing a centre for district nurses, general practitioners and physiotherapists.

The proposals already, at this early stage—we do not have the full proposals yet—suggest that although there is the promise of joined-up thinking and a structure for facilities, further points have not yet been fully considered. We have seen the re-emergence of some of the same issues that bedevilled Deer Park. I am talking about stroke beds at Witney Community Hospital. I hate to say it, but the CCG does not appear to have listened to the lessons that were learned in the first phase and with regard to Deer Park. We are seeing the same thing: specific issues are hived off from the wider STP process and forced through on their own, without consultation. The wider changes are meant to be considered in the round, looked at in conjunction with other facilities, with due regard to population growth. That is the whole point of an STP. We should not be seeing this balkanisation of the STP process so that within west Oxfordshire, decisions are taken outside the STP process and without the full consultation that is required.

For example, stroke beds, of which there are currently 10 each in Witney Community Hospital and Abingdon Community Hospital, will all be moved to Abingdon in November, which is only a few weeks away. The CCG’s case is that this will increase patient safety, as staff will not be spread across two sites. Again, I do not pretend to be a doctor, a healthcare professional or a clinical expert. There may be a case for that, but there are worrying signs already that it has not been thought through. For example, physiotherapy facilities have been rendered and awarded to Healthshare, which is moving into the former Deer Park medical centre in Witney. The flaw is that stroke patients needing rehab physio will now be 10 miles away in Abingdon, rather than those services being together. That also seems not to take account of the human aspects of rehabilitation: it is important to see friends and family.

**Layla Moran:** The problem in Abingdon is that people are concerned that the physiotherapy unit has been moved away. That point about access is incredibly important, especially in our area, where we frankly cannot get anywhere for the traffic.

**Robert Courts:** I am grateful for that intervention, which is the mirror image of the point that I am making about Witney. The hon. Lady and I face exactly the same problem, but from other ends of the same road. We have the A40, the A34 and the roads inside and around Oxford. Whichever direction a patient is going in it is not a happy prospect for them, whether they originate in west Oxfordshire or in Oxford West and Abingdon.

Again, my point is that this has not been consulted on in any meaningful sense. It has been sprung upon the public when everybody understood, until now, that the

[Robert Courts]

future of the wider services would be considered in the round as part of phase 2 of the STP. Suddenly, these proposals were made public at the county council's joint health overview and scrutiny committee meeting in September, only a matter of weeks ago.

The devil lies in the detail, as always. When we consider what we do not yet know, it becomes clear why it is so important to have a consultation. I would like to see, for example, a map showing where stroke patients come from—where the preponderance of those treated at Witney or Abingdon happen to be, so that we know where they can best be treated. That is not something the public have seen. We should know whether the Witney catchment area includes just the town, or whether it includes west Oxfordshire or Chipping Norton to the north of it. What will the interplay be between Witney hospital and the physiotherapy that is to be just down the road at Deer Park? What hours of care are being delivered now, and what is proposed for the future?

There may or may not be force to those points. We simply do not know. Once again, without a comparison of the status quo and the proposed changes, it is impossible to know whether what is being proposed is a downgrade to, and a reduction in, the services provided. That is the whole point of scrutiny. That is the whole point of consultation. That is not what we are seeing in Witney and west Oxfordshire at present. All this comes just a couple of months before the changes are due to come into effect, with no consultation in any meaningful sense, over a very compacted time period. It simply is not good enough for the people of Witney and west Oxfordshire.

The public can hardly be blamed if they wonder what the future of their hospital in Witney is, whether a ward is going to close or whether the hospital itself is in danger of closing—whether this is the beginning of a death by a thousand cuts, where Witney hospital becomes less and less viable as specialisms are removed from it. The ball is firmly in the CCG's court. The public need to be reassured loudly and clearly by the CCG that no beds are closing. They need to be reassured that the loss of a specialism is not the beginning of a death by a thousand cuts, where the hospital is downgraded to the point at which it becomes unviable. They need to be reassured that a new specialism for the beds will be proposed, so that Witney hospital can look forward to a bright future in which it receives more services through phase 2, perhaps becoming a locality hub, building on the excellent, innovative emergency multidisciplinary unit that is already in place.

Of course, the CCG's response will be that that work has not yet been done, but that just is not good enough. Why are we hearing the proposals now if some of the work that is still to be done lies a year in the future? At best, this is a situation that could result in exemplary healthcare services, structured to face the pressures on healthcare of a modern town, and the public are only seeing the negatives. At worst, something is being hidden. We need clarity. This is not about cuts or a lack of funding. This is about a failure to communicate with the public about what is happening to their treasured services. The future of Witney Community Hospital is paramount, and I look forward to the CCG making a statement that makes its bold and bright future clear very soon.

Hon. Members will be glad to know, I am sure, that I am coming to the end. I am very grateful to the Minister, to you, Sir Roger, and to all hon. Members for having listened to my rather wide-ranging speech. I have focused on Witney, with regard to Deer Park and the community hospitals, because those happened to be live issues recently, but the same issues apply to Chipping Norton hospital, which was a particularly live issue six months ago and I know will become an issue again in the future.

We have a CCG that does not seem to understand the duty—it is a duty—to involve the public in its decision making. That does not mean it necessarily has to bend to the will of what people say. It is entitled to come up with proposals itself, but it does have a duty to explain them and to explain why it feels that what it is proposing is in the interests of the people that it serves. It cannot just explain the decisions that it has already made, without explaining what is coming up on the horizon.

The fact that there have been three referrals by the HOSC to the Secretary of State in a year—over Deer Park, the temporary closure of maternity services at Horton and the permanent closure of full maternity and obstetric services at Horton—and multiple judicial reviews by the public, local councils and NHS groups, shows that there is a real danger, if it has not already happened, of a breakdown in relationships. That needs to be fixed, as the whole structure of decision making around healthcare in Oxfordshire is being called into question. I hope that this situation is unique to Oxfordshire and is not systemic across the whole country, but in any event, what has been happening over the last year is no way to construct the future of Oxfordshire's healthcare.

I finish by saying that I and everybody here would like a constructive relationship with the CCG. That can be achieved, and it will be achieved when the CCG takes a look at the health services of Oxfordshire in the round; when it works in partnership with the county and district councils and the patient groups, which have so much to offer; and, above all, when the public and their representatives alike are properly consulted and not simply told of decisions. I know we can get to that stage and I very much look forward to doing so in the months ahead.

**Sir Roger Gale (in the Chair):** Mr Howell has indicated to me very courteously that as one of Her Majesty's trade ambassadors he has an unavoidable commitment. I know that the Opposition and Government Front Benchers will understand that he will therefore not be able to be present for their winding-up speeches, but he has undertaken to read them in *Hansard*.

9.58 am

**John Howell (Henley) (Con):** Thank you, Sir Roger. I do apologise that I have to go to meet the Minister of Agriculture from Nigeria. He is here at my own invitation, so I can hardly be absent from the meeting.

Let me say straightaway that I chair a group of Oxfordshire MPs who meet approximately every six weeks to discuss their relationship with the CCG. The meetings were started in order to discuss delayed discharges of care, and I have to say, from the last meeting that we had, they are going very well. Oxfordshire had the difficulty that it was one of the worst performers in delayed discharges, but is now coming back to being

one of the best. I have been outside the STP process because my area was handled separately in advance. Townlands Hospital in Henley needed a multi-million pound investment before the STP process started, but I agree with my hon. Friend the Member for Witney (Robert Courts) that the process of consultation that was started by the CCG left a lot to be desired. As a former professional in the area of consultation, I looked with some disdain at what was taking place, but I appreciate that the CCG had a particular difficulty in seeing the hospital as Henley's or south Oxfordshire's, which they deliberately intended it to become. In the villages outside Henley that make up the largest proportion of people in south Oxfordshire, there was enormous support for the proposals. It was only in Henley that people took the opportunity to complain about the lack of beds.

Let me turn to the lack of beds. My hon. Friend the Member for Witney spoke about treating people in hospitals close to them. I fully agree with that, but a better model would be to treat them in their own homes. That healthcare system is called ambulatory care. I have spoken about that in this Chamber at length, so I will not repeat all of what I have said before. Ambulatory care requires a full integration of social care activities and medical activities in an area, because it turns the hospital into an extremely efficient medical campus-type facility, with very few people needing to stay in overnight.

In fact, if people stay in overnight, the effects on them are quite horrendous. Anyone over the age of 60 who stays in for four or five days is immediately incontinent. Without wishing to comment on people's ages, some of us in the Chamber would look at that with great horror. If people stay in for a lot longer than that, other bad effects come from that.

When the consultation took place, there was a tremendous amount of antagonism about the beds being put—

**The Minister of State, Department of Health (Mr Philip Dunne):** Will my hon. Friend give way?

**John Howell:** Of course.

**Mr Dunne:** I am sure that my hon. Friend, who is making a powerful, constructive contribution to the debate, would not want to give colleagues the impression that of necessity, someone over the age of 60 would become incontinent if they spent four nights in a hospital. I think he is trying to suggest that there is a greater risk of adverse effects the longer one stays in hospital.

**John Howell:** I thank the Minister for that point; I was not suggesting that it was an inevitability. However, at this stage let me extend an invitation to him to visit the hospital so he can see how it works and how it has integrated social care with the medical activities there. It is based around a RACU—a rapid access care unit—which is similar to the EMU—emergency multidisciplinary unit—in Abingdon that is being proposed elsewhere. As I said, it turns the hospital into a diagnostics hospital, similar to a hospital developed in Welwyn Garden City that I went to see.

I saw the difficulty for the CCG with regard to its consultation when I went to a SELF—a South East Locality Forum—meeting. People from Henley were

sitting around the table with big beaming smiles on their faces saying how wonderful the hospital was, and a member of the CCG had to stop them and say, "Well, it is a pity you didn't say that when we were developing the hospital. Right to the end of the consultation you were attacking us on this and on taking the beds out and putting them in a care home at the side of the hospital. That is working very well and now you say that it is absolutely wonderful." The fact is that, apart from some minor snags with the new hospital, it is a fantastic new investment by the Department of Health. It shows the way a community hospital should be developed not just in Oxfordshire but across the country. I repeat my invitation to the Minister to come and visit.

The great thing about the hospital was not the consultation initiated by the CCG but the support that I got from the Royal College of Physicians, which came out very strongly in favour of an ambulatory healthcare model and very favourably in support of the hospital. That is an interesting point, which goes back to my comments in support of my hon. Friend the Member for Witney about the lack of consultation experience on the part of the CCG. That organisation is willing to learn, and I hope that it will. I also hope that we, as MPs who meet it from time to time, will be able to keep up our pressure on it to deliver the sort of services that we feel our constituents want.

**Nadhim Zahawi:** On the point about learning, the Oxfordshire clinical commissioning group has only one district council from Warwickshire—Stratford-on-Avon District Council—on its board. In phase 1 of the consultation, which began in January, it only met the council in March; the council's overview and scrutiny committee had requested a much earlier meeting. Should that not be part of the learning process?

**John Howell:** I fully agree that it should be. As I said, I am not here to defend how the CCG does its consultation. If I had the chance, I would make many changes to the consultation, and including others on the list of people who will be consulted as part of the decision-making process would be an important part of that.

I think I have probably said enough both to support my hon. Friend the Member for Witney and to make the point that it is possible to get through even a bad consultation by a CCG and get a fantastic hospital—ours is doing a brilliant job for all the constituents of south Oxfordshire, not just for one town.

10.7 am

**Mr Edward Vaizey (Wantage) (Con):** It is a pleasure to serve under your chairmanship, Sir Roger, and I congratulate my hon. Friend the Member for Witney (Robert Courts) on securing this important debate. He spoke with verve and passion; in fact, throughout his speech I was grateful that I was never prosecuted by him when he was at the Bar, because I would not have stood a chance. He made his points cogently and those were ably supported by my hon. Friend the Member for Henley (John Howell). I, too, am a trade envoy—I missed a trick in not informing you of that before the debate, Sir Roger—but I wish my hon. Friend luck with his forthcoming meeting, and I quite understand why he cannot stay for the entire debate.

[Mr Edward Vaizey]

Let me speak briefly, because I know that my hon. Friend the Member for Banbury (Victoria Prentis) also wants to speak and she is particularly passionate about this subject. I fully support the comments that my hon. Friend the Member for Witney made about the consultation process, which has been, not to put too fine a point on it, pretty tortuous. That has not been helped by the fact that the chief executive and the chairman of the clinical commissioning group both left in the summer, although this gives me an opportunity to congratulate the new chairman, Kiren Collison, who has just been elected on a 97% turnout of GPs in Oxfordshire.

There is clearly great passion for health services in our county—an affluent county that is capable of providing very good services to the people here. But we are getting older, and over the next few years, the population of people aged over 85 will rise by almost 100% and the population of those aged over 60 will increase by 58,000. We are also getting more houses, which are much needed, but that also means that the population as a whole will rise from its current 700,000 to almost 900,000 in the next decade or so. There are great pressures on our local health service, and it has not been helped by this consultation period.

Let me highlight three issues in my constituency, starting with Wantage Community Hospital, a much loved local amenity, which previously had maternity services, with about 60 births a year. I regularly bump into people in Wantage who were born there—many of my constituents were. The hospital was closed in April 2016 because legionella kept being found in the pipe system. Some 4,000 people signed a petition asking simply for the physiotherapy and maternity services to remain open. As I said, there is huge support and there have been great demonstrations in favour of it.

The process that has followed has been appalling. The consultation was due to start in October 2016, but as my hon. Friends know, the clinical commissioning group split the consultation into two phases, with the first covering acute hospitals and the second covering community hospitals. My hon. Friend the Member for Banbury might comment on that strange way of going about a consultation. In any event, the first consultation did not take place until January 2017, three months late. As the hon. Member for Oxford West and Abingdon (Layla Moran) pointed out, community hospitals are not covered in that phase.

In addition, we have now lost our physiotherapy services. They were retendered, and Healthshare won the tender, but it informed my local newspaper that it would not provide physiotherapy services in Wantage as it otherwise would have done, because it was not offered the opportunity. The only service that the hospital can offer is limited maternity care; it has effectively been closed for more than a year, and will have been closed for two years when we get to the phase 2 consultation that might decide its future. That is a completely unacceptable position. I have said again and again to my constituents that I will support anything that provides good healthcare services in Wantage, whether in the community hospital or elsewhere, but at the very least I would like the consultation to start so that my constituents can participate in the discussion.

That leads me to my next point about the pressure on some of my local GP surgeries. For example, Wantage health centre, which could provide some of the services formerly offered by the community hospital—not maternity care, clearly—is home to two practices and is located in a relatively new building on a large site, purpose-built with a view to expansion in future. Its current capacity is 29,000 patients, but over the next 10 years it is likely to reach 45,000.

The landlords, Assura, made a bid to EFTA in March 2016, offering to meet the capital provision and proposing to ask Oxfordshire CCG to meet the additional rent reimbursement. That bid was not successful. I am told that Assura is still committed to investing in the building and that any capital provided by the NHS will be offset by reduced rent, but it needs reassurance that the NHS wants to progress the project; otherwise, it will have to consider alternative uses for the land. The current rent reimbursement is around £350,000, and would rise to around £550,000 with the increase in capacity.

The trouble is that Oxfordshire CCG has not engaged in any imaginative approach to the conundrum that the building is owned by a private landlord—albeit one that is a specialist healthcare provider—meaning that it would incur a revenue cost to the NHS rather than a capital cost. However, at least some sense that a creative discussion is taking place is needed, and I am afraid that there is none.

The White Horse medical practice in Faringdon also has problems. It is two practices merged in one large building, but the internal configuration is far from ideal: for example, it has two waiting rooms. The practice put in a bid for £375,000 to enable internal alterations that would provide five much-needed extra consulting rooms. It received funding for the plans to be drawn up and costed, but was unsuccessful in the final bid, and the CCG has no funding for this project. I do not necessarily lay the blame at the CCG's door, but it is intensely depressing that relatively small sums of capital that would make a tremendous difference seem to be completely unavailable.

Finally, the Elm Tree surgery in Shrivenham faces issues as well. It is managed by a different CCG in Swindon. The trouble is that because Swindon is mainly an urban area, the CCG has drawn up plans that are perfectly sensible for urban areas, whereas the Elm Tree surgery is a rural practice with completely different needs. Inappropriate decisions have been taken, such as about payments and the surgery's relationship with care homes. I have met GPs from the Elm Tree surgery and written to Swindon CCG to highlight the problem, but although I have requested a meeting, Swindon CCG has refused, which I find slightly disheartening.

I conclude by echoing the comments of my hon. Friend the Member for Witney, who opened this excellent debate. The whole consultation process has been completely unacceptable. All of us recognise the pressures on the local health authorities and the pressures from a changing population; all that my constituents ask for is a reasonable, open and transparent conversation about the services that they need in their towns and communities.

10.14 am

**Victoria Prentis (Banbury) (Con):** It is a pleasure to serve under your chairmanship, Sir Roger. I made my first speech about the Horton General Hospital when

I was seven. I apologise that many people in this Chamber will have heard it before, but I do not know that you have had that pleasure, so with your permission, I will carry on.

Let us remember what we are talking about. The Horton is not a community hospital. It has been a pleasure to listen to colleagues talk about their community hospitals; we have heard about Wantage and Abingdon, and one rarely meets my hon. Friend the Member for Henley (John Howell) without hearing him mention the Townlands, of which he is very proud. I love community hospitals too; my mother helped run Brackley Cottage Hospital for most of my childhood and until recently, and I think that the marvellous hospital in Bicester still has untapped potential. However, the Horton General Hospital, which I will talk about, is quite different.

The Horton has hundreds of beds and treats about 39,000 people in accident and emergency every year—nearly one third of Oxfordshire's A&E attendances. What happens at the Horton affects all my colleagues, due to the knock-on effects of closure. Our surgeons are among the top five in the UK for neck and femur operations. It is not a community hospital; it is a fully functioning, very busy district general.

We feel beleaguered. For more than 40 years, the John Radcliffe Hospital has viewed us as a smaller and less academic sibling that can be treated with contempt when staffing is short. In 2008—this is not ancient history; it is nine years ago—the Independent Reconfiguration Panel was asked to consider the last proposed downgrade of paediatrics, obstetrics and gynaecology and the special care baby unit. It conducted, as I hope it will again, a full five-month review and made five excellent recommendations, which I will read once more.

The first recommendation was:

“The IRP considers that the Horton Hospital has an important role for the future in providing local hospital-based care to people in the north of Oxfordshire and surrounding areas. However, it will need to change to ensure its services remain appropriate, safe and sustainable.”

On the proposed downgrades, it said:

“The IRP does not consider that they will provide an accessible or improved service to the people of north Oxfordshire and surrounding areas.”

Other recommendations were:

“The PCT should carry out further work with the Oxford Radcliffe Hospitals NHS Trust to set out the arrangements and investment necessary to retain and develop services at the Horton Hospital. Patients, the public and other stakeholders should be fully involved in this work... The PCT must develop a clear vision for children's and maternity services within an explicit strategy for services for north Oxfordshire as a whole... The ORH must do more to develop clinically integrated practice across the Horton, John Radcliffe and Churchill sites as well as developing wider clinical networks with other hospitals, primary care and the independent sector.”

I am afraid that none of that happened. The recommendations were made nine years ago, but none of them were followed. The only things that changed were that the traffic got worse and the population of the area grew. Our district council, I am proud to say, tops the leader board for house building.

Less than 10 years later, we now have no obstetrics or SCBU. They went in the blink of an eye, without any real attempt to address recruitment issues or work with us to do so, although we offered and offered. Locally, we remain deeply unhappy and frightened. Patients in

the later stages of labour are travelling for up to two hours, and emergency gynaecological operations take place in a portakabin in the Radcliffe car park. We have heard stories locally—in fact, they are all people talk about—of babies born in lay-bys and in the back of ambulances. The data that show statistics of complete births—defined by when the placenta has been delivered—tell a different story; they do not register the reality of people's experience.

I pay tribute to what my hon. Friend the Member for Witney (Robert Courts) said about Google Maps. Locally, the impression is that the CCG and the trust massage the figures and use them when it suits their argument. I conducted a travel survey of nearly 400 people on their real-life experiences of how long it takes to get from our area to the John Radcliffe Hospital in Oxford. Sadly, those data were not taken on board in any of the CCG's reports, although the data set was bigger and better than the CCG's. The CCG provided real data only when we had harangued, pestered and begged it to do so.

I will not go on about how worried I am; I will focus on what we can do to put the situation right. It is true, as all hon. Members have said, that local health providers do not talk to one another. Health Education England's decision to remove training accreditation for middle-grade obstetricians was the straw that broke the camel's back for recruitment, yet it remains aloof and makes decisions in a vacuum. Its recent decision to remove accreditation from certain grades of anaesthetists puts all the acute services provided by the Horton at risk. The dean did not communicate that decision to decision makers at the trust or the CCG; I had to tell them at a meeting in August. I do not think that that is an acceptable way to run a healthcare system.

The trust usually tells the CCG what to do. When it does not agree, there is stalemate. The trust, the clinicians and everyone else locally know that the A&E at the Horton cannot possibly be shut, because the knock-on effects on the rest of Oxfordshire and the surrounding counties would be catastrophic. The CCG, however, is determined to press ahead with its consultation that suggests otherwise. Owing to this impasse, we have ended up with a split consultation that means nothing to any of us. Patients' needs appear to be an afterthought. South Central Ambulance Service, which bears the brunt of the transfers, is carried along as a consultee with no voice at the table when decisions are taken.

One of the main complaints is that local health decision makers do not listen to us. Our latest consultation report described the “universal concerns” of more than 10,000 people from my area who responded to our consultation. I cannot overemphasise the strength of local feeling. We all feel the same: all the elected representatives, of whatever party; a great campaigning group, Keep the Horton General; and even the local churches, which are praying for sense in the clinical commissioning group's decision making. *[Interruption.]* My right hon. Friend the Member for Wantage (Mr Vaizey) laughs, but I am afraid it is impossible to overstate how essential our local hospital is to people in our area. He may think it is funny, but we do not.

**Mr Vaizey:** For the record, I am laughing because I have never heard of a church praying for sense from a clinical commissioning group. That highlights the parlous state that we find ourselves in.

**Victoria Prentis:** Quite.

At our last meeting, the trust's chief executive told me that my fears about the Horton were "irrational", but those fears are shared by the IRP—at least they were nine years ago, and I hope they still are—and by about 170,000 people who are served by the Horton. Rather than try to answer my questions, the chief executive simply dismissed them. I do not think that that is an acceptable way to behave.

We still do not know whether a father can transfer with a labouring mother from the midwife-led unit at the Horton. If not, how on earth is he supposed to get to north Oxford while she gives birth? We still do not know—although I have asked more often than I care to remember—whether the static ambulance will be stationed permanently at the Horton while all this is sorted out. As we have heard from all hon. Members, the CCG and the trust do not communicate with us elected representatives or with the general public, and often not even with each other. It has been left to me to organise public meetings locally. NHS Improvement was absolutely appalled when I showed it the pile of unanswered letters that I had written to the CCG and the trust. Hon. Members beyond the county boundary whose constituents use the Horton are completely overlooked.

Local health services may well be devolved to commissioners and providers, but if this is devolution, Minister, it is not working. The chief executive and the clinical lead of the CCG are leaving before the end of the year. I cannot pretend that I am unhappy about that—I have hardly been uncritical of how the CCG runs its affairs—but I have to say that I am not optimistic that the necessary changes will be made. The new clinical lead, whose appointment was announced yesterday, will be the former maternity lead. Although I will work with her, and I hope very much that she will engage with the issues we face, I am not optimistic. The CCG is hellbent on continuing the split consultation, despite various judicial reviews—I can tell it that there will be more to come, if necessary—and three referrals to the IRP, which presumably will not have changed its mind since nine years ago, particularly given the unprecedented growth in the town. Whoever takes on the CCG job is inheriting a poisoned chalice.

I am not going to give up, and nor are the constituents I represent. After all, I do not think that Banbury elected a bereaved mother with a passion for maternal safety, 20 years' experience of judicial review and a 15-year background of voluntary work for the trust by accident. In 2008, local GPs were pivotal in the fight to save the Horton, but this time, poor leadership and an ever increasing workload—particularly given the town's growth—have prevented them from being the vocal force that they once were. However, I have found allies in NHS Improvement, which has been investigating the trust, and in the Care Quality Commission, which can prosecute. I look forward to working further with those allies.

If help with recruitment is the answer, we need the Department to step in. Salary supplements for trainee GPs are really welcome, not just for rural or coastal areas but for market towns that face unprecedented growth. The catchment is predicted to increase from 170,000 to 207,000. We really need obstetricians. The district council has made sensible suggestions for developing and improving the Horton site; I just wish the CCG and

the trust would look at them. They were included in the response to the consultation—I also made a very extensive response—but when I mentioned them at the last meeting in August, none of this had registered with the decision makers. I do wonder about the depth and quality of the work they do.

I know that the Horton has a future as a provider of acute services. I am sorry to use the language of war, but I welcome the sight of my hon. Friend the Member for Witney defending my right flank, as he so often does. Ever since he was elected, he has been a real ally and friend in this fight. We in Banbury are most grateful to him for all his work and for securing this debate. I also welcome the support of my right hon. Friend the Member for South Northamptonshire (Andrea Leadsom) and my right hon. and learned Friend the Member for Kenilworth and Southam (Jeremy Wright), who are both in Cabinet this morning but will be interested in this debate. They both feel as we do about our hospital in Banbury. My hon. Friend the Member for Stratford-on-Avon (Nadhim Zahawi) was present earlier; his district council has been a great ally, has brought one of the judicial reviews, and continues to support us—even though, as far as I can tell, it is not consulted about anything by the Oxfordshire CCG. I really feel that we are beleaguered, so it is lovely to see hon. Members appearing like battalions, with patients and GPs in their wake, to support all of us who use the Horton General Hospital.

We are not irrational, but we are passionate. We want a reasoned and evidence-based conversation about the future. We are very, very determined, so I am afraid everyone in this Chamber will have to listen to this speech many, many more times.

10.29 am

**Julie Cooper (Burnley) (Lab):** It is a pleasure to serve under your chairmanship, Sir Roger. I begin by thanking the hon. Member for Witney (Robert Courts) for securing a debate on this important subject. It gives us an opportunity to discuss a subject that I would suggest goes beyond Oxfordshire.

Forgive me if I am not as familiar with the healthcare scene in Oxfordshire as many of the hon. Members who have spoken today, but I have listened closely and what they have described resonates with similar situations across the country. I applaud their commitment and dedication on behalf of their constituents, which, by the sound of things, are quite justifiable. It is clear from what hon. Members have said that the people of Oxfordshire seem to be very unhappy about the proposals, and my research shows me that perhaps they have good reason to be.

The proposed changes will mean less hospital beds; changes to acute stroke services; changes to care at the Horton General Hospital, as the hon. Member for Banbury (Victoria Prentis) has just explained to us in great detail; changes to critical care; changes to maternity services; and changes to the special baby care services. I gather that there has been lots of vociferous opposition to these proposals on the ground, which has been reflected in hon. Members' comments today. I understand that local people have said in a petition that they believe these proposed changes will lead to poor services, a

cheaper service, overcrowding and long waits. I particularly noted what a local A&E doctor said about the process way back in August:

“This is just awful. Working in A&E is particularly difficult, and has been all year. We often have significant nursing and medical rota gaps, and long waiting times. Despite it being August, every shift has patients on trolleys in the corridor, with the time waiting for a bed over 12 hours...We are not coping”.

I also note that there is a proposal to reduce the number of hospital beds in the first instance by 110 further beds. Clearly, no one is listening to the NHS staff there in Oxfordshire.

Oxford City Council has also expressed its concerns and has quite rightly commented on the lack of a workforce plan. Interestingly, however, it also said that it understands the position that the clinical commissioning group finds itself in. We have heard a lot of criticisms of the CCG this morning and it has obviously been remiss in its consultation process. However, the council says it understands that the CCG is up against national policy.

That point is very important, because what we have heard this morning is not only a problem that affects Oxfordshire. The hon. Member for Witney spoke about his constituency being one of the few that still has snow. My constituency, too, still has snow—lots of it—and we also have in common a great dissatisfaction with the health services that we are receiving, particularly as we look forward, or maybe dread, the introduction of the sustainability and transformation plans.

At this stage, we have a national health service, and the changes that we have heard about this morning are Oxfordshire’s response as part of the STP group that takes into account Buckinghamshire, Oxfordshire and west Berkshire. The STP ordered by Government is one of the 44 they have ordered. In total, those STPs will look to save the NHS £22 billion and the share of the savings that have to be made by Oxfordshire, Buckinghamshire and west Berkshire is £480 million. That, I would suggest, is at the root of the changes.

**Victoria Prentis:** I accept that I could not possibly expect the hon. Lady, coming from Burnley as she does, to have the encyclopaedic knowledge of Oxfordshire health services that, sadly, we Oxfordshire MPs have to, but the changes to the Horton General Hospital apparently stem from recruitment—the inability to recruit obstetricians—and not a lack of money. Indeed, the changes started when the STP was just a twinkle in someone’s eye, so the situation is slightly more nuanced.

**Julie Cooper:** I note the hon. Lady’s points, and there is another issue we could talk about. Our NHS has a crisis on three fronts—a funding crisis, a workforce crisis and a systemic crisis—and I think that is what we are looking at today: some of the systemic problems.

Going forward, £480 million has to be saved. This is not something that the CCG has decided to do, and it does not matter how transparent the consultation is—it sounds like it needs to up its game on that—because it still has to make its share of that saving.

As for the national health service, I note with absolute horror that, when it comes to the percentage of GDP that we spend on our NHS, we are well down the league—indeed, we are close to the bottom—compared with nations that we would expect to be up there with. We are behind France, Germany, Canada, Switzerland,

Denmark, Belgium, New Zealand, Portugal and Japan—I do not have time to list them all, but we are well down the list.

The hon. Member for Henley (John Howell) quite rightly mentioned the issue of beds and how it is not really a bad issue—people ought to receive care at home where possible. I totally support that; the problem is that the cart is being put before the horse. The care, including social care, is not there in the first instance to allow us to reduce hospital beds and provide the excellent care in the community that we all want to see. When it comes to the number of hospital beds per head of population, we are again close to the bottom of the league.

For obvious reasons, healthcare in the modern NHS is delivered in a different way. In all comparable nations, the number of hospital beds has reduced, but nowhere near to the extent that it has been reduced in England. I particularly note with horror the reduction in maternity beds and mental health beds. There has been a lot of talk about standing up for the mentally ill, but beds in mental health care have actually been reduced by over 90%. That is very worrying when we all see that the necessary care is not there in the community. In fact, Oxfordshire County Council has said it is worried that there would be no impact assessment of some of the proposed changes. How was the community going to cope? Were the services in place in the community to provide support when, for example, hospital beds were removed? The council was not convinced that that was the case.

So, we are bottom of the league on spending as a percentage of GDP and close to the bottom—we are just bumping along the bottom—on hospital beds.

**Robert Courts:** I understand that the hon. Lady has her job to do, but I am quite keen that this debate, which is about a much more complicated local healthcare issue, is not reduced to one in which—if she will forgive me for saying so—some rather crude political points are made. For what they are worth, the statistics are that the NHS Oxfordshire CCG has received a funding increase of 2% in 2017-18 compared with the previous financial year, and another 2% increase is forecast for the following financial year, so more money is going into the CCG. What is clear—the CCG was quite open about this in the phase 1 consultations instigated and organised by my hon. Friend the Member for Banbury (Victoria Prentis) and I—is that the issue is not funding. It is about transparency of consultation and organisation, so I would be grateful if the hon. Lady did not reduce this debate to a political or money issue.

**Julie Cooper:** I am grateful to the hon. Gentleman for his intervention. I am sorry that he thinks I am reducing the debate; actually, I am looking at the national health service—we do still have a national health service, and I am thankful that we do. I take the points that he has made. These local reconfigurations of healthcare services are very complex; I understand that. However, underpinning all this—it is well documented—is that the STP for the region must make a saving of £480 million. That will be the funding gap if things continue as they are. The changes are not being made for patient gain, and that is why right hon. and hon. Members are rightly upset. They listen to their constituents, and their constituents,

[Julie Cooper]

as they begin to see the changes coming forward, know they are definitely not an improvement. There is a financial motivation behind them.

I am grateful to the hon. Member for Witney for introducing the debate. It is really important. I sympathise with the people of Oxfordshire, as I do with people across the country in the 44 different STP groups—we are hearing the same story in each of them. I hope that the Minister will address the points raised and that he will encourage clinical commissioning groups to consult more widely, thoroughly and transparently and will equip them with the tools they need. In case anyone does not believe me, did anyone really think that Simon Stevens, head of NHS England, was lying when he said that the NHS did not have enough funding? When the chair of the Care Quality Commission said that social care was close to its tipping point—that has a bearing on this matter—did anyone think he was lying? Of course not. These are very important issues, and I hope that the Minister is listening, because this is part of a Government's national plan for our health service.

10.41 am

**The Minister of State, Department of Health (Mr Philip Dunne):** It is a pleasure to speak under your chairmanship, Sir Roger. I congratulate my hon. Friend the Member for Witney (Robert Courts) on securing the debate and on the manner in which he spoke. I share the admiration of my right hon. Friend the Member for Wantage (Mr Vaizey) of the forensic skills he has brought here from a former life, and I feel somewhat fortunate that I am sitting on the same side of the Chamber as he is.

We have heard many powerful contributions about the strength of feeling in Oxfordshire from its many impressive elected representatives, and about how a large number of the service changes that are under consideration in the county have suffered from a lack of engagement, with the clinical commissioning group in particular failing to explain to local residents the purpose of and the objectives behind the changes. I take that on board, as something that needs to improve, and I will come back to it at the end of my remarks.

It is very clear, from the Government and the Department of Health, through the NHS leadership, that all proposed service changes should be based on clear evidence that they will deliver better outcomes for patients. That is at the heart of why service change is proposed. We have made an explicit commitment to the public that all proposed service changes should meet four tests. Just to rehearse them, they are that they should have support from GP commissioners, be based on clinical evidence, consider patient choice and, most specifically for the purposes of this debate, demonstrate public and patient engagement. In the case of the service change proposals that have been made thus far in Oxfordshire, when they are capable of coming to us for determination, for ministerial decision making on appeal, my colleague the Secretary of State and I are placed in some difficulty, because we need to remain impartial and consider the issues on their merits. I am sure that my hon. Friend the Member for Witney and other colleagues will therefore appreciate that I am unable to offer opinions on the merits of the proposals from the two transformation consultations, whether actual or anticipated.

We recognise that Oxfordshire, like many areas across England, faces unprecedented demand for its services. We are all aware of the growing number of older people, many of whom are living with more complex, chronic conditions, partially thanks to the success of the NHS in keeping people going for longer, but we have also heard from a number of colleagues that Oxfordshire faces particular population pressures, with welcome increases in house building planned for the coming decades. In addition, as my hon. Friend the Member for Banbury (Victoria Prentis) said when she intervened on the Opposition spokesman, the hon. Member for Burnley (Julie Cooper), there are particular challenges in recruiting high-quality NHS staff into many of our facilities, not just in rural and coastal areas but across the country. We accept that, and are looking to increase the numbers of medical and nursing staff being trained. There was an unprecedented 25% increase in doctors in training, announced last year by the Secretary of State, and earlier this month a record increase of 25% in the number of nurses in training was announced for the next two years. Those are all reasons why the Oxfordshire transformation programme has been reviewing the model of care to ensure that future health service provision in the county is clinically and financially sustainable.

My hon. Friend the Member for Witney began his remarks by referring to the closure of the Deer Park medical practice in Witney. I will not go into the full history, but he acknowledged that the closure took place in March this year. In the previous December, a judicial review had been requested and, as my hon. Friend pointed out, this was the first time in recent years that such a thing had happened to a primary care facility. The judge who heard the case refused permission to bring it for judicial review, and it was therefore passed to the independent review panel in March of this year. The panel concluded that the referral was not suitable for full review because further local action could address the issues raised.

The Secretary of State considered and accepted the recommendations—some of which my hon. Friend the Member for Witney read out—and the Oxfordshire CCG is now working to address them. Foremost among the recommendations was that all former patients of Deer Park medical practice should be registered at an alternative practice as soon as possible. My understanding is that, of the 4,400 patients who were registered with the practice, more than 4,000 had been reregistered, as of mid-September, and that the CCG is acting to encourage the remaining 400 patients to register at one of the three other GP practices in and around Witney, whose lists remain open so that patients can register at a practice of their choice, as long as they live within its catchment area. I believe that a further letter will be sent out to all those remaining patients, to encourage them to register with another GP.

The second key recommendation, which my hon. Friend the Member for Witney also referred to, was that a primary care framework be developed to provide direction for a sustainable GP service in Witney and the surrounding area. That is at the crux of his concern about the way in which the CCG engages. I happen to have a copy of its locality place-based plan for primary care, and I note that the consultation on how primary care services should be developed for west Oxfordshire opened last week. I strongly encourage my hon. Friend

to engage with the CCG and to encourage his residents to do so, so that it learns from the lessons of the Deer Park lack of consultation and, in devising services for the future, fully takes into account local residents' concerns. I believe that the consultation period is six weeks and is due to conclude at the end of November. A common theme in colleagues' contributions today has been that lack of engagement, as they see it, with the local CCG.

My hon. Friend the Member for Banbury raised again today her historic championing of the cause of Horton General, which clearly goes beyond primary care into secondary care. She gave us another history lesson. She has been campaigning on this issue since she was seven years old, and I think she could probably trump any Member who wanted to stand up and say that they had been consistently campaigning on any issue since a young age. Having said that, I suspect that one or two older Members have been campaigning on the same issues for longer, but certainly not from such a young age.

My hon. Friend referred to the temporary suspension last October of the obstetric-led service in the Horton because of the difficulties in recruiting doctors and midwives. It has temporarily become a midwife-led unit. As she also pointed out, at a public board meeting this August, the CCG accepted recommendations following consultation. *[Interruption.]* She may regard that as inadequate, but there has been some consultation. Those recommendations include one to centralise Oxfordshire's obstetric facilities in the John Radcliffe Hospital and one to make the midwife-led unit at Horton General a permanent establishment. As she has pointed out, that decision is subject to judicial review and referral to the Secretary of State, so no action will be taken to make that recommendation permanent until the referral process has run its course.

My hon. Friend has referred to a number of the challenges posed for local residents and for pregnant women in labour in getting access to Horton General. I have taken note of the comments made by her and other Members on the reliance on Google Maps to determine travel times. I understand that the CCG has undertaken an extensive travel survey. If a mother is in labour and is in an ambulance, she has the benefit of the blue light service to get through the traffic. That can mean a more rapid journey time than ordinary residents would expect or experience.

**Victoria Prentis:** I am so grateful to the Minister for giving way and for the comments he is making. Most people who go to hospital while in the later stages of labour to have a baby are not in an ambulance. The ambulance times relate only to transfers from the midwife-led unit to the Radcliffe. Although a significant number of the people who give birth in the MLU have to transfer during or immediately after labour—we are told that it is up to 40%—that is nothing compared with the vast majority of women, who travel in a private car, if they are lucky enough to have one.

**Mr Dunne:** Indeed, I recognise that. If we are moving to an obstetric-led service at the John Radcliffe, any mother who is high-risk or is expected to give birth will have time to travel in good order, rather than in an emergency. I accept that emergency transfers do take place from midwife-led units during the course of labour.

I have heard the criticism about the overall transformation programme for Oxfordshire being divided into two phases. At this point, we are where we are. The first phase has come to a conclusion, and we are entering the second phase. I recognise some of the criticisms that it is hard to comprehend a coherent system without seeing it all laid out together.

**Mr Vaizey:** I hate to interrupt the Minister's flow as he is getting stuck into the STP, but as time is running out, will he prevail on his officials to write to me after this debate and answer two questions? First, when will the next tranche of capital funding be available for GP surgeries in Oxfordshire? Secondly, what engagements could his Department facilitate between Assura, myself and the clinical commissioning group to try to break the logjam at the Wantage surgery? I do not want to waste any more of his time, and I feel reluctant to prevail upon his officials' time, but that would be very helpful.

**Mr Dunne:** I can do better than that; I can answer my right hon. Friend's first question directly. The bids for STP capital funding have been made by all 44 STP areas. They are being assessed at the moment, and we will be making submissions to the Chancellor for the Budget to see whether there will be a capital release for phase 2 of STPs. It is a competitive process. I can confirm that the STP area covering Oxfordshire has made a bid, but I cannot confirm whether it will be successful, because we will not know until we know how much the Chancellor is prepared to release in the Budget. I will happily write to him on his second question and his concerns about Wantage.

Members have said much about some of their concerns about their community hospitals. In his absence, I thank my hon. Friend the Member for Henley (John Howell) for his invitation to visit his hospital and look at the rapid access care unit. I am pleased that he supports the impact it is having in ensuring that elderly and frail people are seen quickly and can return to their homes without needing to be admitted. As he pointed out, and I think we all agree, care at home is how we should be seeking to treat as many people as possible, because that allows people to lead longer independent lives instead of having a prolonged stay in hospital.

The second phase of the Oxfordshire transformation programme is continuing. As has been pointed out in the debate, the CCG leadership is going through a transition period. We have a process under way to recruit a new chief executive, who is expected to be in post in the coming weeks. I am sure that the chairman will read this debate and take note of the comments that have been made on the challenges in engaging in recent years, as will the new clinical lead, who was appointed only yesterday. It is important that Oxfordshire CCG undertakes full public engagement for the second phase of the transformation, and I am aware that that is what it is intending to do. It is likely to begin early in the new year, and I strongly encourage all Members to engage with that consultation in as forceful and impressive a way as they have with this debate, led by my hon. Friend the Member for Witney. I pay tribute to the passion with which everyone has spoken about their commitment to their local residents in providing high-quality healthcare in Oxfordshire.

10.57 am

**Robert Courts:** I thank every Member who has contributed with such passion, in such detail and in such a thoughtful way to a debate that is of overriding importance to all our residents in all our constituencies.

In particular, I thank those Members who have brought extra elements into the debate. I am now under time pressure, but I am grateful to Members for listening to me when I spoke in some detail on some things. My hon. Friend the Member for Henley (John Howell) mentioned ambulatory care; as we all know, treatment close to or at home is ideal. He also told us about his community hospital of which he is so proud. It sounds very much as if it is the way in which things should be done.

My right hon. Friend the Member for Wantage (Mr Vaizey) mentioned the population growth of 700,000 to 900,000, which illustrates the challenge we face in Oxfordshire. I also thank him for mentioning the pressure on GP services, including on a number of the surgeries in his constituency. Through pressure of time, I have not been able to mention all those in my constituency, but I am well aware of the pressures on primary care, which go wider than Deer Park. Other hon. Members will feel the same.

My right hon. Friend mentioned the lack of an imaginative approach to the use of buildings, which is absolutely right. That is what I asked the CCG to do and that is really why I was talking about engagement with the local community and with patient groups; they are the ones who have those imaginative ideas.

We all bow down before the passion and knowledge of my hon. Friend the Member for Banbury (Victoria Prentis). She is a formidable voice in fighting for her constituents at the Horton and more widely. She quoted the IRP recommendation from nine years ago, and it is extraordinary how that almost directly foreshadows the remarks I made. As she said, patients must be fully involved.

I am very grateful to the hon. Member for Burnley (Julie Cooper) for attending. She is in the Opposition and so has a political job to do, but I slightly regret her tone, because the issue is not political. She does not realise that locally this has been a cross-party issue. I am grateful to people from other parties in Witney—I know that my hon. Friend the Member for Banbury feels the same—where we have been fighting for the common good.

The Minister gave us some statistics, but there are many others. I alluded to the increase in funding received by the CCG, and I thank the Government for the fact that we have record investment in the NHS, record numbers of doctors and nurses in training, and record investment in mental health in particular. Let us not lose sight of that. The issue is clear and it is not about funding—I echo that now.

I thank the Minister for his understanding. I understand the limits of what he can say. Service charges must be based on clear evidence—that is absolutely right. I shall of course engage with the primary care location plan. Oxfordshire is a wonderful place to live and if we all work together with the CCG we will secure the future of Oxfordshire's healthcare.

*Motion lapsed (Standing Order No. 10(6)).*

## Lowland Curlew

11 am

**Richard Benyon** (Newbury) (Con): I beg to move, That this House has considered lowland curlew.

It is a pleasure to talk about the natural environment under your chairmanship, Sir Roger, as you have spoken out forcefully for animal welfare and the natural environment during your time in Parliament. One of the great things about this forum is that it allows Members of this House to indulge their passions. I am proud to call myself a passionate bird lover.

I applied for this debate in the context of a crisis of species decline across these islands. For me, the curlew is special. It is one of our largest waders, with a beautiful, haunting call, but this species of bird is in serious trouble across large parts of Britain. Across many counties, species of birds, mammals, invertebrates and plants are going extinct. The curlew is already extinct in my county of Berkshire, and it is estimated that there are just 300 pairs of breeding curlew left south of Birmingham. At the current rate of loss, they will disappear from southern England in the next eight years. Like the nightingale and corncrake, these once-common and much-loved birds are silently vanishing. The reason is simple: curlew chicks are being killed by predators. In one study site in Shropshire, 63 eggs in 19 curlew nests were monitored by volunteers, and not one chick fledged. The majority were predated by foxes.

My hon. Friend the Member for Ludlow (Mr Dunne), who has just left the Chamber, is extremely proud of the volunteer operation to protect curlew in Shropshire and is desperate to know more about what can be done to protect the remaining curlew in his county. Sadly, those facts about predation are not unique to Shropshire. Sites in Hampshire and Devon reported 100% nest failure last year. Those dire results prompted me to request this debate about the failure of existing conservation approaches to face tough decisions.

We need to recognise that this species is slipping away because our national approach to conserving species does not work well enough. Ten years ago, the Environmental Audit Committee identified that a new approach was required to address the dramatic biodiversity loss that is occurring in England, but that never happened. I thought that I was helping it to happen with “Biodiversity 2020”, which was published under my watch at the Department for Environment, Food and Rural Affairs in 2011, but it was not enough.

Over the past decade or more, politicians and large conservation organisations have become locked in a doomed pact. Both want to achieve change through legislation and increasing regulation. The logic is simple enough, and it suits both sides: they can both take the credit for acting without ever having to undertake a day's conservation themselves. Should that approach fail, they can demand a further increase in regulation and take more credit. The problem, as the curlew illustrates, is that it does not work. The music has stopped, and as last year's “State of Nature” report highlighted, 56% of UK species have declined. The curlew declines are a reminder of that failure.

As a DEFRA Minister, I experienced lobby groups proposing that regulation would reverse losses. They were naive. In every area of life, regulation is important—I am the first to agree with that—but we never expect it to

deliver success on its own. Yet some conservation lobby groups suggest that it is possible; it is not. With the exception of some coastal areas, to which upland curlew migrate, curlew are vanishing from southern England because the young are being eaten by predators such as foxes and crows. Predators do not comply with regulations. Even putting electric fencing around nests does not yet work. In the Shropshire study, volunteers watched as foxes simply waited for the chicks to walk outside the protection of the electric fence—we can imagine the rest.

If we want to increase curlew numbers, we need to stop being squeamish and start killing some of the predators that eat the curlew young. A few will be uncomfortable with that, but it is time to focus on what works, not on what we like. I am not squeamish about killing animals such as foxes. I do not want to do it myself, but I would if I had to. I get no pleasure from it, save the satisfaction of protecting a rare and threatened species.

Some lobby groups have been incredibly successful in building their income through recruiting a large membership and then seeking to use it to influence policy. For the curlew, that has not worked. That is because, to maintain their popularity, big membership organisations avoid acknowledging that the approach they have been advocating for decades does not work, and they do not like the approaches that do work.

That lack of flexibility has resulted in farmers being paid to manage beautiful grass meadows for nesting curlew, but not to kill the animals that subsequently come along and eat the chicks. We would never allow that failure to continue for decades in other areas of Government spending—money being paid to people for no effect. Why should any conservation organisation want to use its significant lobbying power to block what works, just because it might lose a few members? One farmer in Kent said that

“predator control does seem to raise strong feelings as some policy-makers have, over the years, become separated from the realities of conservation management”.

In Ireland, which faces a similar crisis, this problem is being gripped. Plans have been announced to employ staff to cull foxes, mink, crows and magpies in the vicinity of curlew nests. How refreshing to hear that that will be happening alongside habitat management—the other key factor in species conservation.

**Julian Sturdy** (York Outer) (Con): My right hon. Friend is making a powerful argument. I want to bring his attention to my own experience on farmland. We allowed patches in fields where we know we get a lot of ground-nesting birds left among crops, but to our dismay we found, a few weeks later, that carrion crows came in, took the eggs and destroyed the nests. Those areas stood out like a sore thumb, so the crows prioritised and attacked them.

**Richard Benyon:** My hon. Friend makes a very good point. Sometimes the spatial measures that one tries actually draw the attention of the predator. As a Minister, I went up to Northumberland, where I saw layer upon layer of conservation designation, and lots of public money and public bodies protecting a very special site, but nothing had been done about the cloud of crows that were going to wipe out the lapwing they were seeking to protect. We need to reassess how we do this.

The contrast between Ireland and the UK is stark. The 50 organisations that published the comprehensive “State of Nature” report last year did not mention the curlew once in its 88 pages. I do not know whether that is because the plight of the curlew is too embarrassing; it is unlikely that they simply forgot. Only a year earlier, the Royal Society for the Protection of Birds and others published a paper suggesting that curlew are our “most pressing bird conservation priority”.

They were right to flag that up. Our Eurasian curlew are classified globally as “near threatened”, and since we are home to 25% of the global population, we have to look after them. We should not forget that two of the other curlew species—Eskimo and slender-billed—are already assumed to be globally extinct.

Twenty years ago, English Nature, as it was then called, produced the first curlew nesting study, which reported that 64% of chick mortality was caused by predation. Study after study kept making similar observations. As the studies continued, the curlew population fell slowly and silently by 46% in just 15 years. Regulation and legal protection were not enough. The drop would have been even more dramatic if the curlew were not thriving in the north of England on driven grouse moors. On those moors, the population is maintained because fox numbers are controlled by gamekeepers. There are actually more curlew on one grouse moor in Yorkshire than there are in the whole of Wales. On farms in the south of England it is an equally bleak story.

One organisation, of which I am proud to be a trustee, has undertaken much of the available research on controlling predators and recently launched a website offering information and practical advice for those who have curlew on their land. The Game & Wildlife Conservation Trust is a charity bucking the trend. It is part of a groundswell of smaller organisations that believe the curlew will be saved only by putting farmers, not big organisations, back in control. If we do not, it fears the only place we may soon be able to see curlew in southern England will be on nature reserves where someone is paid to control predators. Those are some of the same organisations that object to the Government funding of fox control on farmland. I would go further and suggest that we should stop funding curlew conservation projects that do not include effective predator control options. We have to do what works, not what is popular, before those wonderful birds vanish completely.

Research carried out by the GWCT revealed that predicted populations of curlew will increase by 91% where predation control takes place, and populations will reduce over the same period by 64% where it does not. So please, no more research; we need action.

I am pleased to hear of the various workshops and meetings that have taken place in recent months that have brought together many of the different groups that share my anxiety about the potential extinction of the lowland curlew. I was pleased to hear from the RSPB:

“We are investing £1.8 million in an ambitious five-year Curlew recovery programme... One of our main objectives is to test the response of breeding Curlew to a combination of habitat and predator management work.”

It specifically links foxes and crows. It stated:

“Working with a range of partners, the trial management is happening across six key sites in upland”—

[Richard Benyon]

not lowland—

“areas of the UK: two in Scotland, two in Northern England, one in Wales and one in Northern Ireland. This will help us identify what we need to do (and how) to help Curlew breed more successfully in the wider countryside. This might include developing policy and practice to reduce the numbers of predators in the landscape and shaping new agri-environment options to support land managers who want to do positive things for birds like the Curlew.”

That is great, but it means more research and I do not think we need more research. I do not think we need to demand more money, as some are. It seems that some want more money from a post-Brexit agricultural support mechanism that is targeted towards species such as the curlew. That is fine, but I suspect some sort of agri-environmental plan that a curlew project could slot into is already on the cards and being worked on by my hon. Friend the Minister and her team. Anyway, if we wait until 2022 when the current arrangement for farm support ends, that might be too late for the curlew in lowland England.

Then there are some who want Government money to support the voluntary work currently happening in certain areas. I am happy to support that if it is focused in the right way, but what would it be for? I would not advocate money for project officers to go around telling farmers what they should or should not do. Farmers, landowners and land managers are key to the success of any recovery project. Most already buy into plans, even at their own expense.

After 20 years of studying curlew, we know enough to take action. We need to empower, not criticise, farmers. The recent highly successful conference last week on cluster farms showed how an enlightened non-governmental organisation and charity can get huge environmental results by getting farmers to work together to pool resources and deliver real conservation in a short space of time across large landscapes.

**Simon Hart** (Carmarthen West and South Pembrokeshire) (Con): By way of an example and to reinforce my right hon. Friend's comments on predator control, on the island of Caldey, just off Pembrokeshire, it was decided to simply eliminate the resident population of rats. It cost £75,000 of private money and was a straightforward operation. No permissions were necessary. Within less than a year, puffins have returned and the skylark population is improving. A relatively modest investment has brought about a transformation and, most importantly, the pest control has been profound. It has come at no social or economic cost, but I suspect that is because the problem concerned rats rather than foxes.

**Richard Benyon:** My hon. Friend talks my language. When I was briefly relevant, I managed to shoehorn some money out of the Treasury to assist the RSPB, which did a superb job in annihilating mice and rats on South Georgia and other islands. As a result, South Georgia is on the fast track to returning to the pristine environment it was before the whalers arrived at the end of the 18th century, but I digress.

My hon. Friend is absolutely right. I stop when I see a fox. I love looking at them in the context of the environment, but when a species is threatened we have to treat all

animals in the same way. We have to do things humanely in an understanding way and try to maintain a balance of nature. We cannot see species wiped out. We have to face the facts of the research that we know exists and take action.

Most land managers, like me, love their wildlife. Since they do not have large memberships to please, let us give them the practical tools and support that they need to take action. Only our farmers and land managers can save our southern curlew now. I have the highest respect for the Minister and look forward to hearing what she says. She has proved to be a fantastic listener in her role and also a fantastic doer. I hope the combination of what we say today will be a cause for celebration.

I have had the rare pleasure of lying in a meadow in Fermanagh listening to the rasping call of the corncrake. I will never hear that in Berkshire because the species now lives only in an existential state in the margins of these islands. We must not let that happen to the curlew. We owe it to future generations to do whatever we have to do to save this rare and special bird.

11.17 am

**The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Dr Thérèse Coffey):**

It is a pleasure to serve under your chairmanship, Sir Roger. I congratulate my right hon. Friend the Member for Newbury (Richard Benyon) on securing this debate. He has set out a compelling and passionate case for saving, preserving and enhancing the life of the curlew in this country. As we know, he was one of my most successful predecessors. I appreciate his years of valued service and experience, and indeed the advice he has given me from his time when he was the Minister responsible for the natural environment.

As my right hon. Friend highlights, the curlew is among the UK's most widespread wading birds, but its breeding range has contracted substantially in the past 50 years. As a result, and as he set out, 10 years ago the species was moved to the globally near-threatened category of the International Union for Conservation of Nature red list of threatened species. As was noted earlier in the debate, in the past 20 years the curlew population has decreased by about a half.

Supporting a quarter of the summer breeding population and a fifth of the overwintering population in global terms, the UK has an important role to play in protecting curlew. This is reflected in the fact that declines in the UK have a greater impact on the global population than in any other country. As my right hon. Friend knows from experience, the Government are absolutely committed to reversing the declines in bird populations, including curlew and other wading birds.

Declines in the curlew have been caused by a reduction in breeding. Although adult curlew are long-lived birds, very few breed successfully, and the few remaining lowland populations that have been studied show that very few, if any, chicks are produced each year. There are two principal causes of the decline in production in lowland areas. My right hon. Friend set out very clearly the predation of nests and chicks, but there is also the intensification of grassland management, especially earlier rolling and cutting of grasslands, which crushes nests and can kill chicks.

On protection, the curlew is a migratory species and there is an obligation to classify special protection areas under article 4 of the birds directive, which requires the provision of SPAs. The UK network of more than 270 SPAs covers about 2.8 million hectares of key habitats. There are currently 87 SPAs in England, of which 13 have been classified for non-breeding curlew. There are currently no SPAs classified for breeding curlew in England or elsewhere in the UK, but reviews of the network show that the north Pennine moors—admittedly not lowlands—are the single most important site in England for breeding curlew.

A third of curlew overwintering in Britain use habitat provided as part of those SPAs. I recognise that that is only part of protecting the species, but increasing that suitable habitat and then focusing on breeding success in upland and lowland grasslands is vital. We have to have an international action plan for curlew. We are contributing internationally to actions to address that in our role as a signatory to the African-Eurasian migratory waterbird agreement, notably through the national implementation of our international action plan for the species, which was adopted two years ago. The long-term goal of that plan is to restore the favourable conservation status of the Eurasian curlew throughout its AEW range, and for it to be assessed by 2025 as “least concern” against the International Union for Conservation of Nature’s red list criteria. The short-term aims are to stabilise breeding population declines, to improve knowledge relating to the population and conservation status, and for any hunting activity to be sustainable.

In spring last year, an Ireland and UK curlew action group was formed by a range of organisations, including our country’s conservation agencies, the RSPB and the Game & Wildlife Conservation Trust to co-ordinate conservation measures. The group is meeting for the third time, but as my right hon. Friend points out, talking is challenging when it is time for action.

Activities already under way include Natural England working with the RSPB on a recovery programme aimed at providing a co-ordinated approach to the management of curlew habitats, including predator control, to increase breeding numbers. That forms part of the international action plan to address the “near threatened” status of the curlew.

My right hon. Friend argued passionately for the increased use of predator control in the protection of curlew, and was reinforced in that by my hon. Friends the Members for Carmarthen West and South Pembrokeshire (Simon Hart) and for York Outer (Julian Sturdy). I absolutely agree that control of predators such as foxes and stoats has a role to play in the recovery of rare or declining species, particularly ground-nesting birds.

As my right hon. Friend knows, predator control already takes place throughout the countryside as part of normal farming and game-keeping practice. It is true that predation at the egg stage is common in some areas and control of those predators has a role to play in their recovery. However, that control should be effective and not lead to making the predators themselves extinct.

A number of species predate curlew nests and chicks in the lowlands, including red fox, carrion crows and badgers. The relative importance of different predators differs locally. Land-use changes can have an impact on

curlew populations through support of predators, so there is sometimes the interesting challenge of fragmented landscapes—where we may introduce patches of woodland—that have often been shown to support greater numbers of predators, but can be beneficial in other aspects of biodiversity.

Areas where predators are managed, such as areas managed for grouse shooting, have higher rates of breeding success, as my right hon. Friend illustrated, and we have seen a threefold increase in curlew abundance. The question of predator-prey interactions, however, is not straightforward. A variety of research shows that predators are part of a complex mix of factors that can influence prey populations. I am assured by my scientific advisers that the research shows that, although predation is the main reason for egg and chick losses in many bird species, most can withstand high levels of predation. There may be local short-lived benefits and we need to consider long-lasting measures.

**Richard Benyon:** Will the Minister go back to her officials? I entirely accept that populations of certain species can withstand levels of predation as long as there are plenty of them, but when there is a very small number of a declining species, there is no margin for error. We can do as much habitat preservation as possible, but if we do not include this part of the piece—predator control—then that margin for error means that we will continue to see a decline.

**Dr Coffey:** My right hon. Friend, dare I say it, needs to wait for the conclusion of my speech, which I have rewritten during the debate.

I wholeheartedly agree that we need to empower farmers. He will know that our agri-environment schemes have been designed with the aim of encouraging habitat management to promote conservation in targeted areas, whether that is about suitable nesting or foraging conditions. We are delivering significant areas of habitat for wading birds, including the curlew. About 600,000 hectares from the predecessor schemes are managed for wading birds, and since 2016 Countryside Stewardship has provided 10,000 hectares under the new schemes.

A payment-by-results approach currently being piloted in the Yorkshire dales includes looking at habitat, but I want to stress to my right hon. Friend that farmers are able to manage the land as they wish. They are paid on the suitability of the habitat that they provide, but they can undertake predator control. That is farmers’ choice. It is important to stress that they have absolute clearance from the Minister responsible. It is about managing habitat, but they are also free to use techniques to ensure that predator control does not undermine the intended outcome of the project.

In highlighting projects to help curlew decline, my right hon. Friend rightly praises the work of the Game & Wildlife Conservation Trust, including their action for curlew project launched earlier this year. However, GWCT states that it is not just about predator control. We have to make sure that we get a balance of dry nesting areas, wet foraging areas and insect-rich grassland for chicks in spring and summer. Through that combination of proactive habitat management and predator control where required, we can bring about positive change for curlew.

[Dr Thérèse Coffey]

I am also conscious of the RSPB's upper Thames wader project, which is working with more than 200 farmers to create, restore and manage wetland grasslands to support species including curlew. That area now supports the largest population of curlew on lowland farmland and again demonstrates the importance of providing habitat and feeding resources for birds and chicks.

My right hon. Friend may well be aware of the curlew country project in Shropshire, which brings together local communities to raise awareness and monitor local curlew populations. I understand that, although they may not be having quite the impact that he rightly demands, in raising awareness and bringing communities together to work to preserve the curlew, they do valuable work that we should not underestimate.

I am genuinely grateful to my right hon. Friend for raising this issue. He will be aware, from his time as a Minister, that in a portfolio as wide as the natural environment, it often does take debates to get some focus on a particular topic. He has passionately set out why we need effective action, and I agree. That is why I will be asking Natural England and policy officials from the Department for Environment, Food and Rural Affairs to include the use of predator control in all current and future projects that we fund. It is important to me that it is at least considered, and that reasons are given for why it is or—equally importantly—why it is not included in a particular scheme.

My right hon. Friend will understand that we need to undertake an appropriate mix of actions, including protecting important sites, working with farmers and other land managers to manage these habitats carefully, and targeting legal predator control to halt, and then reverse, the decline of this iconic species. The curlew is too important to be lost from our world's biodiversity. As I set out earlier, our actions matter because a substantial proportion of these birds winter or breed in the United Kingdom. We need to make this a success, so that England and lowland curlew can continue to have the bright future for which my right hon. Friend hopes.

*Question put and agreed to.*

11.28 am

*Sitting suspended.*

## Safeguarding Adults with Learning Disabilities

[PHIL WILSON *in the Chair*]

2.30 pm

**Catherine McKinnell** (Newcastle upon Tyne North) (Lab): I beg to move,

That this House has considered supporting and safeguarding adults with learning disabilities.

It is a pleasure to serve under your chairmanship, Mr Wilson, as we consider this hugely important issue. How we better support and safeguard adults with learning disabilities is a subject on which I have been seeking to secure a debate for some time, following the most appalling case involving a young man with learning disabilities from my constituency and his violent death back in June 2015.

The circumstances leading up to Lee Irving's killing have been the subject of a safeguarding adults review which was published in June 2017, following the trial and sentencing of those responsible which finally concluded in December 2016. I will return to Lee's case and the outcome of the review in more depth, but first I will briefly provide some context to the debate.

About 1.4 million to 1.5 million people with a learning disability are estimated to live in the UK, of whom some 350,000 have a severe learning disability. The charity Mencap, which describes itself as the leading voice of learning disability, replies to the question, "What is a learning disability?" by explaining:

"The answer is that it's different for every person who has one. But there are some things that are true for everyone with a learning disability, and some common (and not so common) conditions that will mean you have a learning disability."

Mencap goes on to state:

"A learning disability is a reduced intellectual ability and difficulty with everyday activities—for example household tasks, socialising or managing money—which affects someone for their whole life.

People with a learning disability tend to take longer to learn and may need support to develop new skills, understand complicated information and interact with other people.

The level of support someone needs depends on the individual."

Importantly, Mencap concludes:

"It's important to remember that with the right support, most people with a learning disability in the UK can lead independent lives."

I saw that for myself in Dinnington in my constituency when I visited the home of the then 18-year-old Joe to hear about how he was being supported by the national charity United Response during the transition from childhood to adulthood. That involved providing Joe with tailored assistance in a supported housing setting to help master tasks such as managing money, basic cooking skills, cleaning the house, keeping up with the laundry, managing his coursework on his construction course at the local mainstream college, and being able to use public transport safely.

One of the concerns that Joe raised with me during that visit was his disappointment that he had been prevented from securing an apprenticeship because he was unable to achieve the required grade C in maths and English at GCSE. I am pleased, as one of the

co-chairs of the all-party parliamentary group on apprenticeships, that that requirement has recently been lifted for people with learning disabilities, following a review conducted by the hon. Member for Blackpool North and Cleveleys (Paul Maynard).

I am regularly lobbied by constituents with learning disabilities who, with the support and encouragement of the Newcastle-based charity Better Days, are able to send me easy-read letters about issues of concern, such as the lessons to be learned from the independent review of deaths of people with a learning disability conducted following the tragic death of Connor Sparrowhawk, or the Government's decision no longer to provide funding to the National Forum of People with Learning Disabilities, which meant it closed in March 2017, having been operational since 2001.

There is a variety of good support out there, but we all know that many people with learning disabilities, and their families and carers, will face a series of enormous challenges, barriers and indeed discrimination throughout their lives, all of which inevitably puts a great deal of strain on family relationships. What do those barriers involve for people with learning disabilities?

Mencap highlights that children with special educational needs are twice as likely as other children to be bullied regularly; 40% of disabled children live in poverty; and 75% of GPs have received no training to help them treat people with a learning disability. The House of Commons Library has noted the evidence that people with a learning disability experience inequalities in healthcare and the fact that, on average, men with a learning disability die 13 years sooner and women with a learning disability 20 years sooner than those without learning disabilities.

Learning Disability Today has reported on a survey that found that almost two thirds of parents of children with learning disabilities said that they missed social engagements in the past year due to the fear of how other people would react to them; one in four young people with a learning disability had been bullied by members of the public at nightclubs or concerts; and only 30% of people would feel comfortable sitting next to someone with a mild learning disability at a show or a concert.

**John Howell (Henley) (Con):** I hear what the hon. Lady is saying about GPs. Does she think that it would be useful if training were made available to MPs and their staff to deal with such situations?

**Catherine McKinnell:** That is an interesting suggestion. As a constituency MP, I work closely with the organisations I have mentioned so that I may correspond with and represent people with learning disabilities. There are local solutions and, potentially, national ways to support MPs. That is a good suggestion to ensure that those voices are heard in Parliament, and the intention of this debate is very much to give voice to some of the concerns. I am sure that other hon. Members are present for the very same reason.

The issues that I have outlined are just some of the frankly depressing ones faced by people with learning disabilities. Such issues were commented on by Mencap in its response to the Equality and Human Rights Commission report, "Being disabled in Britain: a journey

less equal", which was published earlier this year. In responding to the EHRC report back in April, Mencap commented:

"Rather than move forwards in the past 20 years this report shows how inadequate action and a constant stream of cuts have condemned disabled people to a life of poverty and inequality.

With the employment rate for people with a learning disability currently standing at less than 6% and with cuts to Employment Support Allowance coming into effect this week, it's not hard to see why so many disabled people are struggling to find money for things as basic as food. People with a learning disability also face inadequate housing, poor access to health care and a society that misunderstands them."

One challenge facing people with learning disabilities and their families is of course being able to access the right social care support at a time when adult social care budgets are at breaking point after years of punitive cuts to local authority funding since 2010, combined with rising cost pressures. The Local Government Association outlines that some 127,725 adults in England under the age of 65 were receiving long-term social care from their local council for a learning disability in 2015-16, meaning that about one third of councils' annual social care spending, or approximately £5 billion, is used to support adults with learning disabilities.

The LGA also highlights, however, that the number of adults with a learning disability needing social care is set to rise by 3% a year, piling further pressure on local authority finances. Overall, councils face a £2.3 billion shortage in funding by 2020. I therefore strongly urge the Chancellor to address this issue next month as part of his autumn Budget, as well as the ongoing and serious concerns about the potential historic and future costs associated with sleep-ins, following the change in Government guidance on them, which have significant implications for the future provision of support to adults with learning disabilities.

As I said, there is a particular reason that I secured this debate, which I have been trying to do so for several months. Undoubtedly, all Members of Parliament frequently have to handle very distressing issues, and I have dealt with a lot.

**Barbara Keeley (Worsley and Eccles South) (Lab):** My hon. Friend is making a valiant attempt. This is a very difficult subject and she is talking about a very distressing and tragic case. To go back to the point about greater public awareness, I have been a Member for 12 years and have certainly never been offered any training about learning disabilities. There is so much to know and she has just given us a useful range of facts. I encourage the Minister to take away what my hon. Friend has just raised as things we should all know.

**Catherine McKinnell:** I thank my hon. Friend for her intervention. It is hard to imagine a more harrowing and disturbing case than that of Lee Irving. My thoughts remain very much with Lee's family, particularly his mother, Bev, who I know is determined to ensure that something positive comes of her son's death. I am sorry; I must do this subject the justice of staying composed. I am particularly conscious that Lee's mother is watching this debate online in Newcastle and that having to relive what happened to her son clearly will always be upsetting. However, it is important that right hon. and hon. Members appreciate the gravity of this case.

[Catherine McKinnell]

Lee was a 24-year-old vulnerable young man with learning disabilities from the West Denton area of my constituency, who was tragically murdered in 2015. In the months leading up to his death, he was living on and off—perhaps existing would be a better word—with a group of people he had befriended and trusted, at their home in the Kenton Bar area of Newcastle. During that time, he was the victim of sustained abuse and exploitation. Lee's mother, Bev, had reported him missing on three occasions in the weeks before his death, and indeed had alerted the authorities to where he was staying and of her serious concerns about Lee's safety, given the previous behaviour of those individuals towards her son.

Tragically, Lee's badly beaten body was found on 6 June 2015, dumped on a grass bank near the A1 in Newcastle, not far from the house he had been occupying with those who were accused of his murder. The cause of Lee's death was given as respiratory failure due to multiple severe injuries that were inflicted upon him at the house in Kenton Bar between 28 May and 5 June 2015. The injuries included fractures to his nose and jaw, the fracture of 24 ribs and damage to underlying organs, after he had been drugged with a combination of morphine, Valium and buprenorphine—medication used by heroin addicts—which enabled his attackers to conduct sustained physical beatings against him. The four people responsible for Lee's death also prevented him from receiving the urgent medical attention that he clearly required on several occasions.

Following Lee's death, a safeguarding adults review was established to hear from the myriad organisations and agencies involved in providing support to Lee and his family during his short life. The review explains:

"The relationship between Lee Irving and his killers was described as one of subservience with Lee beholden to the primary perpetrator"—

James Wheatley—

"for drugs and shelter and where Lee looked up to the primary perpetrator and desperate to fit in tolerated continued violence and abuse. This coercion and drugging were used to control him, prevent him seeking help and over a period of time drawing him back to the house at 33 Studdon Walk."

Indeed, Mencap has informed me of its concern that Lee's case is not an isolated one, commenting:

"There are many examples, both reported and unreported, of people with a learning disability who have been abused physically and psychologically by people who they thought were friends. This has given rise to the phrase 'mate crime', where individuals take advantage of someone's vulnerabilities, bullying them physically, psychologically or stealing money or possessions."

I believe that the safeguarding adults review instigated after Lee's death raises serious issues, not just for Newcastle, but about how we, as a wider society, support and safeguard adults with learning disabilities. Vida Morris, chair of the Newcastle Safeguarding Adults Board, said after the review had been published:

"Lee's story will be used locally, regionally and nationally to improve safeguarding and protect vulnerable adults."

That absolutely must be the case.

It is evident from the review that Lee's vulnerabilities, which were the result of his learning disability, were clearly identified by a number of local agencies some years before and right up to his death. On six occasions between 2010 and 2014, different organisations considered

the risk to Lee to be such as to merit formal multi-agency adult safeguarding written referrals. Examples of Lee's known vulnerability include an assessment undertaken by Percy Hedley School when he was nearly 18, which described him as

"socially immature and impressionable, a very vulnerable young man who could not ignore people who are distracting him, naive in social situations, easily influenced by others, and unable to identify people's motivations and intentions."

The national probation service in Northumbria had numerous interactions with Lee, as he was arrested 30 times between May 2011 and March 2015 for various offences. In December 2012, Lee was sentenced to nine months' imprisonment for the offences of burglary and theft, and was

"treated as an adult fully responsible for his own actions and able to understand the consequences of the measures imposed."

Yet the year before, in 2011, the NPS carried out an assessment of Lee and identified that he was

"incredibly vulnerable to the influence and harmful behaviour of others he encounters; that he was financially vulnerable from others. In addition, he was assessed as being vulnerable in custody and in a hostel setting."

A further NPS assessment stated:

"Lee seems to understand that he is being used and bullied but seems to put up with it rather than be rejected by his peers."

Another commented:

"Lee is not aware of the risks that he places himself in e.g. spending time with homeless people, sleeping rough, sharing taxis with strangers and giving his clothes and money away. His level of Learning Disability means that he behaves in a way which is focussed on pleasing people, to develop acceptance within groups and possibly to gain kudos through offending for others."

Despite those assessments, no safeguarding alert was raised by the NPS about Lee Irving during its interaction with him in 2011 and 2012.

An assessment carried out in 2010—five years before Lee's death—under the Mental Capacity Act 2005 confirmed that Lee's overall reasoning and thinking abilities were the same as or better than only 0.2% of adults his own age. In other words, Lee's intellectual abilities placed him in the bottom 1% of adults his own age. There is also a concern that Lee's intellectual ability may at times have been overestimated, because his relatively better verbal skills may have masked his deficits in other areas.

In March 2015, shortly before Lee's death, a further Mental Capacity Act assessment was undertaken, at which both he and his family were present, after his family reported that he had returned to live with the people who were exploiting him. That assessment identified that he did not have the capacity to make decisions to keep himself safe when alone in the community. The assessment resulted in an exploration of supported living options, which were still being explored at the time of his death.

The safeguarding adults review notes:

"Throughout his long engagement with services Lee failed to attend nearly half his numerous appointments with various services. While in his early teenage years his family often ensured his attendance, when in his late teens, his family's influence declined and his chaotic lifestyle led to less frequent attendance at appointments, making it...difficult for...agencies to deliver the care and support that Lee needed."

I find it hard to understand why that behaviour did not set more alarm bells ringing about Lee's welfare, given that his vulnerabilities were well documented.

The review further states that

"Lee's life slid into a chaotic cycle of offending, being reported missing and associating with so called 'friends' who exploited him. In October 2014 a decision was taken to award Lee with a direct payment—giving him control of some of his monies in order to directly purchase services or other forms of support... later that control passed to Lee himself."

Again, given the circumstances in which Lee was living and the fact that his mother was already reporting that he was being financially exploited, I find that hard to understand.

Tragically, given what was to happen later, the police actually attended the address at which Lee was being held between 28 May and 5 June 2015, when we know that Lee was inside the house and already injured. However, no search was conducted, despite Lee having been reported missing by his mother, her belief that he was at the house and the police being aware of the extensive criminal records of those living at the property, including for violent offences.

The safeguarding review notes:

"It is clear that all agencies tried hard to deliver a service to Lee and/or his family but on many occasions this was made difficult due to Lee's lack of engagement and his determination to keep bad company...these efforts were not adequately co-ordinated or led by each of the main agencies...Throughout the long engagement with agencies the lead changed according to the circumstances...Therefore, no agency was able to take overall responsibility for co-ordination and leadership, however, as noted in the report agencies were in contact on a regular basis with each other."

The review adds:

"Lee Irving was a difficult person to help. His reluctance to engage with services and his failure to attend appointments made it extremely difficult for agencies to support him and his family. Despite this, agencies persisted in their attempts to help and protect him. It is clear that all agencies approached Lee Irving with the best of intentions."

I continue from the review:

"Many agencies were involved in Lee's complex case over a lengthy period. They saw him in different ways according to their discipline and...many did not appreciate the risk attached to his lifestyle and disability. There were, however, clear indications of Lee Irving's vulnerabilities and recorded Safeguarding Alerts pointing to the threats present at the house at 33 Studdon Walk where he lived latterly and where he was killed...his specific vulnerabilities were accurately identified. The cumulative effects of these risk factors were not, however, weighed or considered in a multi-agency forum when planning for his care."

The review also made clear:

"Perhaps as a consequence of a lack of co-ordination a number of options for intervening in the case of Lee Irving were not considered. No legal advice was sought from agencies solicitors and the possibility of Court of Protection proceedings or other legal options—

deprivation of liberty—

"were not pursued."

Whether any of those options would have succeeded in intervening in Lee Irving's decline and eventual death will never be known.

Extremely worryingly, the safeguarding adults review suggested that:

"The behaviour of Lee was perhaps interpreted by some professionals as consistent with his choice of an antisocial and criminal lifestyle. Whilst not held by all agencies this interpretation meant that his criminal conduct was not always considered as a symptom of his disability, increasing vulnerability or the exploitation that he was subject to."

Of particular concern to Lee's mother, Bev, following her son's death, are the challenges that parents of adult children with learning difficulties face in continuing to be involved in decisions about their care. The safeguarding adults review outlined that Lee's family

"described the difference in the way professionals were able to respond to Lee as an adult as being frustrating and difficult to understand...Lee was...classed as an adult while his mental capacity remained that of a child".

It also recorded that, on Lee reaching adulthood, Lee's family

"felt excluded from some of the key decisions about his care. They felt that some professionals excluded or disregarded them and that decisions about options for the ongoing care of their family member were made without their input. In particular, they express severe concern that despite their specific warnings about Lee's living conditions at the home at Studdon Walk, the measures taken to protect him were unsuccessful.

In conclusion, the family felt that while more should have been done to protect Lee towards the end of his life such as Lee's determination to place himself at risk that only secure accommodation would have protected him. Whilst they had resisted this option at the time, with the benefit of hindsight they recognise that other measures were unlikely to have succeeded."

Indeed, following the publication of the review in June, Lee's mother, Bev, commented:

"Nobody listened to each other, but my main concern was nobody listened to me. If I had been listened to, then my son would still be alive now. I had my son reported missing three times in the previous few weeks up until his death and they wouldn't bring him back. They wouldn't inform me where he was, which I find very, very hurtful. It's disgusting."

In response to that, the director of people at Newcastle City Council stated:

"I know that Lee's family felt excluded from some of the decisions that were taken about his care and that their warnings about his living conditions were not acted upon effectively. For that we are truly sorry."

The safeguarding adults review highlighted that Lee's family "had two main recommendations" following their son's death. First, that

"the move from Children's to Adults' services be better managed to ensure a smoother transition without loss of support and that services consider the capacity rather than the age of the individual."

Secondly, that

"families remain part of the decision-making process in the case of vulnerable adults and be fully involved/consulted on 'best interest' and other decisions relating to family members."

Bev Irving has explained that she hopes those changes will be made so that, in her words,

"Lee's name can live on in the name of Lee's law".

I look forward to hearing the Minister's response to the recommendations and whether the Government can act on them to help ensure that the lessons from Lee's case are genuinely learned across the country.

There is one further aspect to the case that I find deeply concerning. James Wheatley was found guilty of murdering Lee in December 2016. His mother, Julie Mills, his then girlfriend, Nicole Lawrence, and Barry

[Catherine McKinnell]

Imray, who also had learning disabilities, were found guilty of, or admitted to, conspiring to pervert the course of justice and causing or allowing the death of a vulnerable person. Wheatley was sentenced to a minimum 23-year term and the original sentences of Mills and Lawrence were increased after the Crown Prosecution Service successfully appealed them as being unduly lenient, with the support of the Solicitor General. I know that the family are grateful for that.

Both the CPS and Northumbria police believed that the multiple and horrific offences perpetrated against Lee were motivated by his disability. Indeed, the safeguarding adults review commenced with that view. However, the trial judge, in his sentencing remarks, told Wheatley that

“In order to reach the conclusion”

that the offence was aggravated by disability

“the statute requires me to be sure that, at the time of committing the offence or immediately before or after doing so, you demonstrated hostility towards Lee Irving based on his disability or that your offence was motivated by hostility towards persons who have this or any disability. I am not satisfied on either basis. Although your texts”

to one of the other accused

“show repeated use of the repellent word ‘spastic’, I am not able to infer that such language was used towards Lee Irving at the time or immediately before or after your murderous assault. Furthermore, in my judgment you were motivated in this offence not by hostility towards those with disability but by your vicious and bullying nature which particularly takes advantage of those who are unable or less able to resist.”

That calls into question whether the current legislation—section 146 of the Criminal Justice Act 2003, which provides for an aggravated sentence—is fit for purpose, as it is unclear how anyone could prove a disability hate crime under the threshold unless the perpetrator made such an admission. I raised this issue with the Solicitor General, to which I received a response that the judge’s “finding that the offences were not motivated by hostility is a finding of fact. Such findings are incredibly difficult...to challenge on appeal to the Court of Appeal, since I need to satisfy the court not only that the judge was plainly wrong, but also that it is in the interests of justice to overturn his finding of fact.

My decision was that I would not succeed in overturning the finding of fact in this particular case. I only reached this conclusion after receiving advice from the leading counsel at trial, the CPS’ hate crime stakeholder manager, and a senior barrister who is a specialist in these kind of cases. I also looked at general advice from First Senior Treasury Counsel, the Government’s most senior barrister in criminal matters, on how to apply the hate crime provisions.”

I am aware that the CPS has recently published revised guidance setting out the factors to be taken into consideration when reviewing cases and prosecuting offences classified as disability hate crime. However, in Lee Irving’s case the issue was not with the police or CPS not recording or prosecuting the barbaric offences committed against him as disability hate crimes but that the judge could not be sure that, at the time of committing the offence, or immediately before or afterwards, the perpetrator demonstrated hostility towards Lee based on his disability, or that the offence was motivated by hostility towards people with disabilities—the threshold set in the existing legislation. That is concerning at a time when we know that disability hate crime is a significant issue.

Mencap highlights that some 73% of people with a learning disability and autism responding to a 2016 Dimensions survey said that they had experienced hate crime, while recorded hate crime based on disability has increased by 44% since last year. The true extent of the problem is being masked by people with a disability or learning disability who are too scared or do not feel able to report incidents. I strongly urge the Minister to ensure that the Government look at this issue again, in the light of Lee’s case, although I am conscious that it is not within her departmental remit.

I fully recognise that I have raised a number of wide-ranging issues this afternoon, many of which do not fall directly within the Minister’s portfolio. However, I am pleased to have been able to put on record the different, and very important, concerns that Lee’s mother has raised with me following her son’s death. Those ultimately responsible for Lee Irving’s horrific abuse and murder are now locked up in prison where they belong. Indeed, thanks to the intervention of the Solicitor General, some sentences were increased for being unduly lenient. However, the current legislation needs to be reviewed, because if Lee’s case could not be regarded as a disability hate crime, it is hard to know how the current threshold could be met.

I have also outlined how important it is for adults with learning disabilities to receive the right care and support to enable them to live independent lives where that is appropriate. However, I have real concerns about the issues raised by Lee’s case, and the fact that those charged with safeguarding Lee—an extremely vulnerable adult—did not get the balance right between independence and protection. Nor does it appear that the many agencies that interacted with Lee shared information with each other about his vulnerabilities, or properly listened to or acted on the concerns repeatedly raised by his family, which might have resulted in Lee still being here today.

It is critical that lessons are learned from Lee Irving’s case as quickly as possible, right across the country. I look forward to hearing from the Minister how she intends to ensure that that will be the case.

3 pm

**John Howell (Henley) (Con):** I will not make a long intervention, but I put on the record my thanks to the hon. Member for Newcastle upon Tyne North (Catherine McKinnell) for raising that case, which was clearly a distressing one, as the emotions she has shown illustrate. What she said about the safeguarding rules is absolutely crucial, and all our county councils could take note of those and ensure that they follow them clearly. My concern is always about the gap that might exist between the safeguarding rules that apply to children and those that apply to young adults. The gap that can emerge there causes many problems, so the more we can do about it, the better.

I make a suggestion to the hon. Lady. She has raised a lot of concerns about the law, and I wonder whether, if she could gather together enough evidence to make a presentation to the Select Committee on Justice, it might be willing to take up an inquiry into a review of this area, which would provide further support for her efforts to change the law. I cannot speak for the Justice Committee, even though I am a member of it, but I think it is worth her trying to gather as much information as possible to take that forward.

I completely agree with the hon. Lady that we need to look after people with learning disabilities. In my constituency we try to do that in a number of ways outside the country council system. First, the Ways & Means Trust's operation in my constituency tries to provide in-work experience for young people with learning disabilities by providing them with garden centre experience. They are trained in how to look after flowers, how to bag pots—if hon. Members see what I mean—and eventually how to sell them. At Christmas time in particular, it is a useful place to go to get wreaths and things like that, made by people with learning disabilities. That is a good way of showing that we care and of providing them with enormous opportunities to fulfil their lives by holding jobs that are meaningful and keep them in work.

Secondly, an event called the Regatta for the Disabled occurs in my constituency every autumn. I have been involved since its commencement some seven years ago, usually in opening and compering it. The regatta provides an opportunity for people with physical and learning disabilities to enjoy the river. It provides boat trips for them and allows them to share with others their enjoyment of life and what they can do. One would need to be there to see their physical enjoyment of life; it is absolutely catching. I point that out as a way in which my own constituency tries to look after people with learning disabilities.

Finally, every year, with the help of Mencap, we bring together all those people with learning disabilities who are able to come in the town square in Henley, and we sing to the population who come along and do their shopping, stop and have a cup of coffee and listen to the singing. The quality of the singing and the enthusiasm with which people with learning disabilities take it up are amazing. I am convinced that, by putting the effort into ensuring that we understand and care for people with learning disabilities, we can achieve a vast amount.

3.5 pm

**Neil Gray** (Airdrie and Shotts) (SNP): It is a pleasure to serve under your chairmanship, Mr Wilson, and to sum up the debate on behalf of the Scottish National party. It is customary at this stage to congratulate the hon. Member who has brought the debate, but those words do not do justice to what the hon. Member for Newcastle upon Tyne North (Catherine McKinnell) has brought before us.

This is an incredibly tragic, harrowing and cruel case, and she has done her constituent and his family a great service in bringing it to the House. She should be congratulated on her perseverance in ensuring that the story was heard today; the manner in which she covered such tragic and horrendous issues was commendable and incredibly honourable. I pay considerable tribute to her for her contribution and I thank her for it, and I am sure the House does also. I am also sorry that there were not more hon. Members in the Chamber to hear what happened. I am sure we all, as constituency MPs and representatives as well as parliamentarians, will have taken note of what happened in Lee Irving's case, and will hopefully have learned lessons for ourselves and our local services as well.

The case that the hon. Lady raised covered unspeakable cruelty and was harrowing and devastating to hear; it was probably one of the hardest things I have had to

hear in my time as a parliamentarian, particularly in the Chamber. Most concerning are Mencap saying that this is possibly not an isolated case and the history of missed opportunities in the handling of Lee's case, with clear warning signs and failures from a variety of services that should have supported him to get on, but sadly let him down.

I am also very sorry for Lee's mother, Bev; if she is watching and listening, this will be incredibly difficult. As a father, my worst nightmare must be losing a child, but to do so in such cruel and painful circumstances must be an incredible torment. My heart goes out to her. It is unspeakable, and I am so glad that, in the end, it appears that justice has been done and that those murderers are behind bars and serving the time they deserve for their horrible crime.

Most aspects of the issues discussed are devolved, so forgive me for raising some of what is happening in Scotland. It would not be right for me to comment too heavily on aspects of the case, as much of it is a matter for England and Wales. The SNP Government acknowledge that transformational change is needed for disabled people of all ages to realise their full potential. That is why the Scottish Government are working with partners towards the long-term ambition of halving the disability employment gap in Scotland. In 2015, the employment rate in Scotland for those who were Equality Act-disabled was 42%, compared with 80.3% for those who were not. It was 73.1% for the total population aged 16 to 64. We will work to reduce the barriers to employment for disabled people and will redress the imbalance of disabled people making up only 12% of the private and public sector workforce in Scotland.

The SNP Government are also working with the national skills agency, Skills Development Scotland, to make modern apprenticeships more open, attractive and available to people with disabilities. The SNP is also committed to promoting and protecting equality and human rights for disabled people. We want to make sure that disabled people can take part fully in all areas of daily and public life. We are working to break down the barriers to independent living that people may face. Living an independent life is important to people with learning disabilities. That means having the same choice and control in their lives that others have.

The Scottish Government have taken practical steps such as supporting disabled and young people and their families from birth, through school and into the world of work. We are also investing £5.4 million over the next two years to improve learning disability services in Scotland. We are continuing our work to create a fairer and more equal society through our draft delivery plan, which sets out the steps we will take over the next four years to implement the United Nations convention on the rights of persons with disabilities. We are also consulting disabled people and the organisations that represent them, including the likes of Mencap, to bring the voice of disabled people into the heart of Government in Scotland.

We are committed to the independent living fund and will protect the funding for it. The Deputy First Minister announced in April 2014 that the new Scottish independent living fund would be set up following the decision here in Westminster to close the fund. On 1 July 2015, the Independent Living Fund Scotland came into force and now administers the Scottish and Northern Irish

[Neil Gray]

independent living fund service users' awards. The scheme will safeguard more than 3,000 disabled people across Scotland and will build on existing care through a £5.5 million investment, which will reopen to new users, ensuring its long-term future.

Clearly, there is more work to be done with ILF Scotland, but I am confident that Scottish Ministers can and will continue to support that service. We also passed the Social Care (Self-directed Support) (Scotland) Act 2013, which embodies the ideas of equality, human rights and independent living. The Act is designed to give those who require community care more choice and control over the social care they receive and will integrate the language of self-direction into support in legislation. The Scottish Government also legislated to better integrate the provision of adult health and social care with more joined-up working between local authorities, health boards and third sector organisations.

Again, I congratulate and pay tribute to the hon. Member for Newcastle upon Tyne North. I wish to put on the record my deep condolences again to Bev, Lee's mother, at a time when the cruel and unspeakable death of her son is being raised in such a public way again. If nothing else comes from this debate, I desperately hope that the fact that this case has been heard today in such a public setting will trigger the people responsible for the care of vulnerable adults with learning disabilities to always press a little bit harder to save a life.

**Phil Wilson (in the Chair):** Order. I got the procedure the wrong way round and called the SNP spokesman before the hon. Member for North Swindon (Justin Tomlinson), so I apologise for that.

3.13 pm

**Justin Tomlinson (North Swindon) (Con):** Thank you, Mr Wilson. It is a pleasure to serve under your chairmanship, and it is always a pleasure to follow the spokesman for the SNP who, during my time as the Minister for Disabled People, was one of the most constructive Opposition Members and engaged regularly with good proactive ideas.

I pay tribute to the hon. Member for Newcastle upon Tyne North (Catherine McKinnell), who set out the horrific case of Lee Irving. There is no other way of describing it. Nobody could fail to be touched by the pure emotion that was shown, which is no surprise, because the system failed somebody so vulnerable. It should never have happened.

We have two Ministers here today, the Under-Secretary of State for Health, my hon. Friend the Member for Thurrock (Jackie Doyle-Price) and the Minister for Disabled People, Health and Work, my hon. Friend the hon. Member for Portsmouth North (Penny Mordaunt), who I know care deeply about the most vulnerable people in society. They have listened and, I have no doubt, will take this matter forward. I hope that one of the commitments today will be for them to meet with the hon. Member for Newcastle upon Tyne North and with Beverley to learn the lessons. We cannot put the clock back, but we need to make sure that such a case never ever happens again.

What horrified me most was all of the warnings and the fact that the family had flagged up that they felt they were not part of the decisions. The hon. Lady summed it up when she said that Lee was treated as an adult, but really he was a child. Yes, he was. We have to do everything we can collectively to make sure that the lessons are learned. The two Ministers are best equipped to do that. I know that they care deeply. It is good that the matter has been flagged up today because that is the best way that we can make a difference.

I was proud to serve as a disabilities Minister. I did a lot of national news and interviews, which were normally quite tricky. That was when I heard for the first time the statistic that only 6% of those with a learning disability could expect to find employment, in contrast with around 80% of people across the population. That is by far the worst statistic of any disability. Yet at the same time, when we meet anybody with a learning disability, particularly young people, they have an incredible amount of enthusiasm, energy and determination. It is not necessarily the case that all of them will be able to have a full-time job. For some, an hour a week is the equivalent of landing a dream job. We talk to their families and friends, and people with learning disabilities are all united in wanting an opportunity to contribute and to feel part of society.

I was greatly impressed when I visited Foxes hotel in Bridgwater. It was one of my favourite visits. The hotel had taken part in a TV programme, which I had seen, so I recognised some of the young adults when I went there. I was star-struck and demanded lots of photographs.

The hotel offered a three-year course for the young adults. There were two roles. In the first role, they developed independent living skills. They would start by being heavily supervised and over the three years would become more and more independent until the end of their three-year experience, when they would go into a separate house. That equipped them with the skills they needed to have the best chance to live independently, because once people get to 25, they really need them. A lot of these people rely on their family and friends, and the biggest fear for family and friends relates to when their health starts to fail, because who will be there to look after them? The course was brilliant and the young adults were really well equipped.

The second part involved developing skills that would give the young adults an opportunity to work. The hotel worked with the other hotels, restaurants and care homes across Bridgwater and the surrounding areas to train them in the skills where there were job vacancies. It was key that there were job vacancies for them. Towards the end, they would spend their final year working in the hotels, restaurants and care homes and taking on different roles. They were supervised with patient training, because it takes them longer to pick up a role, but by the end the vast majority remained in employment. Some 80% remained in employment, of which half were paid.

The course was brilliant. One lad I saw celebrated his birthday shortly afterwards. His employers baked him a cake and they sent me a wonderful picture. I was really touched by that. We made sure that each and every one of those young adults was given the best opportunity to have an independent life and to participate and engage constructively in society, and the employers benefited. They were not doing this for charity, but were filling

skills gaps. Yes, they had to be more patient with the training, but they ended up with somebody who was enthusiastic, who always turned up on time, who always had a big smile on their face and who made their workforce better, so they came back year after year.

I called the headteacher involved and she was very cynical about politics, which she made clear in her speech. We all hear those. We go on visits and they do not always roll out the red carpet when we turn up. However, she saw my enthusiasm and acknowledged that in her speech. I said to her, "I need to talk to you in more detail. I need to understand why there isn't a Foxes hotel in every single constituency," so she came to Parliament.

Ultimately, it came down to two things. The first was the postcode lottery of funding. In some towns we have brilliant examples where things go really well, but there are too many towns where the system is not joined up, where there are not the opportunities and where there is too much demand and not enough supply.

Secondly, that final year, which is a supervised work placement, was very expensive. That capped the number of young adults who were given that amazing opportunity. That was when I said, "Why is this not an apprenticeship?". It is work-based learning, something that all politicians support. We all want more apprenticeships. They said they could not access the apprenticeship system, because most of the young adults would not get a grade C in GCSE maths and English.

I therefore organised a meeting with the then Minister at the Department for Business, Innovation and Skills, my hon. Friend the Member for Grantham and Stamford (Nick Boles). I said to him, "We have got to get this sorted," and he agreed 100%. His officials fell about on the floor and had to be scraped back up and gently reminded him, "We don't want to dilute the perceived quality of apprenticeships." I said, "I don't care; rename it. Call it a disability apprenticeship. We just need access to the funding. I am not proud how we do it." We came up with a cunning plan to ask my hon. Friend the Member for Blackpool North and Cleveleys (Paul Maynard), now the Under-Secretary of State for Transport, to head a taskforce. We gave him about four weeks, because we suspected we might not be the decision makers beyond that time, and we were right. We needed to get things in motion and I am delighted that the proposal is now coming on line. I hope that it will allow the left and right hands to join together, to give those young people an opportunity.

The Solicitor General has been fantastic about disability hate crime. When I lobbied to make the justice system better, he was really engaged. It is great that there has been an increase in reporting. The system is getting better, but there is still a long way to go, and the case that we have heard about today highlights that hate crime was not recognised. My legal knowledge is based on watching "Columbo" on a Sunday, so I do not profess to be an expert, but it is clear that advantage was taken of Lee's disability. In my mind there is no discussion: the offence should have been categorised as disability hate crime. The Government, including the Solicitor General, are engaged on that issue, and we should all keep passing on examples of how the law is or is not working. The Government are determined to get that right.

I have four quick requests. We must embrace innovation and technology. I loved going to events where we, as a nation, were spearheading brilliant new products to help people with learning and other disabilities with their everyday lives. We can be a world leader in that.

Secondly, let us not forget the power of sport. Nothing matches the time when I took part in a learning disability netball game. I thought the other participants were going to explode with excitement. They were people who had never had the opportunity to exercise and many of them were overweight. One young adult had lost three stone over the summer. I have never seen people more enthusiastic about an opportunity to engage. I urge the Minister to continue to remind Ministers at the Department for Digital, Culture, Media and Sport about the power that sport has. Thirdly, tackling the postcode lottery is an absolute must.

Finally, we should not forget the families. They face a huge challenge. Many of those I met were families that had a good network of support, which was how they got through the postcode lottery, but many carers are not best equipped to navigate an incredibly complicated system, and ultimately it is the vulnerable people for whom they are responsible who miss out. We must all collectively do much better to improve the system. There is a lot of good practice; we just have to make sure that it is a given.

3.23 pm

**Barbara Keeley** (Worsley and Eccles South) (Lab): It is an honour to speak with you in the Chair, Mr Wilson. As other hon. Members have done, I congratulate my hon. Friend the Member for Newcastle upon Tyne North (Catherine McKinnell). It is usual to congratulate another Member on securing such an important debate, and she has been persistent in trying to secure this one; the dignified and passionate way in which she set out a deeply tragic case made it an important speech to listen to.

As my hon. Friend said, Lee Irving's extreme vulnerability due to his learning disability was known about three years before the tragic murder of her constituent. It is disturbing that, despite knowing that, the national probation service did not raise an alarm or a safeguarding alert. As we heard, Lee was being treated as an adult, not a vulnerable adult. The failings highlighted by the safeguarding adults review in the case of Lee Irving included a failure to involve his family in decisions about his future. Mencap has also highlighted the fact that only 1% of hate crimes reported against disabled people result in prosecutions.

Mencap has also called for greater public awareness of learning disabilities. It is important that we have talked about that issue in this debate, and that we have realised that MPs do not have much training on it. Clearly, there is much to know, and many of us could help with that and bring about greater public awareness. I shall say more later about the Mental Capacity Act 2005 and the impact that it can have on the families of people with learning disabilities, and their ability to stay involved in decisions about vulnerable people such as Lee Irving. I share the view of my hon. Friend the Member for Newcastle upon Tyne North that lessons must be learned from his case. There is much to learn.

[Barbara Keeley]

I want to mention the campaign Justice for LB, which was set up to campaign on learning disability issues following the tragic death of Connor Sparrowhawk while he was in the care of Southern Health NHS Foundation Trust. My hon. Friend the Member for Newcastle upon Tyne North touched on the case earlier. We have discussed issues at Southern Health a number of times in debates, because Members of the House have had deep concerns about the safety of the care and services provided by the trust. Connor Sparrowhawk was left to drown in a bath; and there were many other deaths. The Mazars investigation, commissioned by NHS England, looked at all deaths at the trust between April 2011 and March 2015. It found that during that period 10,306 people had died. Most deaths were expected, but 1,454 were not. The likelihood of an unexpected death being investigated by the trust depended on the type of patient. The most likely group of deaths to be investigated was deaths among adults with mental health problems, of which 30% were investigated. For those with a learning disability the figure was just 1%. Parents and families left bereaved and grieving want to see accountability, but too often they do not.

There has not, for example, been accountability at Southern Health NHS Foundation Trust. In fact, the opposite has happened. Last October, I asked the Health Secretary to investigate the way the Southern Health Trust created a sideways move, to an advisory role at the same salary, for Katrina Percy, the chief executive who was criticised for leading the trust through the time when it failed to investigate all those patient deaths. Six weeks later she resigned from that newly created advisory role and received a £190,000 salary pay-off that was signed off by the Department of Health and the Treasury. How does the Minister think that makes bereaved and grieving parents feel? Justice for LB called the pay-off “utterly disgraceful”, and I agree with that, but the Health Secretary would not investigate it.

Campaigns such as Justice for LB are asking that provision for people with learning disabilities should be an integral part of health and care services—not a specialist branch that can be ignored, as it appears to have been ignored at the trust in question. They believe that the law should be changed so that every unexpected death in a secure or locked unit is automatically investigated independently. It is also an important point of crossover with the case that my hon. Friend the Member for Newcastle upon Tyne North put so well today that they want to stop the Mental Capacity Act 2005 being used to distance families and isolate people—particularly young people.

The Justice for LB campaign, which obviously focuses on different issues from those relating to Lee Irving, has asked for a critical look to be taken at the system of inspection and regulation under which catastrophic events have happened—as they have: from Winterbourne View to the Southern Health NHS Foundation Trust there are too many. Sadly, failures carry on over many years. Last week, Southern Health NHS Foundation Trust was fined £125,000 after a prosecution in the case of a patient who fell from the roof of the mental health complex of Melbury Lodge in Winchester. The prosecution was brought following the injuries sustained by a patient known as Mr AB. Since 2010, a number of patients

detained under the Mental Health Act 1983 had climbed onto the roof of Melbury Lodge in a bid to abscond. The trust’s own security review had recommended safety measures, including anti-climb guttering, but those improvements had not been made.

Mr AB had climbed on to the roof earlier, in March 2012, slipping twice and nearly falling before he was brought down. Three years later, he was admitted to Melbury Lodge again. His family were so worried that he might try again to abscond and climb on to the roof that they asked the staff to keep a close eye on him. However, in the early hours of a morning in December 2015, Mr AB again climbed on the roof of the lodge and fell to the ground, sustaining very serious neck injuries. Despite that accident, three more patients were able to gain access to the roof in February 2016, two months later, and one of them was injured.

The court was told that the trust had not taken action to deal with the risk as there was no money to spend on the remedial work. This is a trust that paid a consultancy firm more than £5 million for a contract originally tendered for £288,000, while another firm was awarded a contract for £600,000, for which it did not even have to bid. It makes things worse that both companies awarded contracts were run by former colleagues of the trust’s chief executive, Katrina Percy. Nearly £6 million of NHS funding went from that trust to a company called Talent Works, described as experts in culture and behaviour change. It is not good enough that an NHS trust spends £6 million on culture and behaviour change consultants when it cannot get the basics right and safeguard its patients or a young person put in its care.

Those events, and everything we have heard in the debate, leave us questions to answer, which I will put to the Minister. Why were only 1% of the unexpected deaths of people with learning disabilities at a trust such as Southern Health investigated? Why do only 1% of hate crimes against people with learning disabilities result in prosecutions? Parents from both campaigns for better safeguarding of people with learning disabilities urge us to stop the Mental Capacity Act being used to distance those families and isolate people, particularly young people.

My hon. Friend spoke powerfully of the need to give families of adult children with learning disabilities much clearer and increased rights over their adult child’s welfare. She highlighted well the horrific events that can occur when families do not remain part of the decision-making process. I will repeat, because they are important, the two recommendations of Lee Irving’s family. The first is that the move from children’s to adults’ services be better managed, to ensure a smoother transition without loss of support, and that services consider the capacity, rather than the age, of the individual. That was clearly an important factor in the case of Lee Irving. Secondly—and very importantly, because this matters to many families—they recommend that families remain part of the decision-making process in the case of vulnerable adults and are fully involved in and consulted on best interest and other decisions relating to family members.

In a dignified and passionate speech, my hon. Friend also argued convincingly of the need to introduce a new offence of disability hate crime, to send a clear message that what happened to Lee Irving will not be tolerated in 21st-century Britain. It is unusual to have such a small debate, but it has been worth while to lay out that

case and make other points. We must continue to have an informed debate about the status of adults with learning disabilities as full citizens, but more important than anything is that we should listen to them and their families. We should remember the deeply disturbing words of Lee's mother, Bev:

"nobody listened to me. If I had been listened to, then my son would still have been alive now."

3.33 pm

**The Parliamentary Under-Secretary of State for Health (Jackie Doyle-Price):** It is a pleasure to serve under your chairmanship, Mr Wilson. I join everyone else in paying tribute to the dignified and passionate way in which the hon. Member for Newcastle upon Tyne North (Catherine McKinnell) outlined her case. It is truly heartbreaking. Lee's mother is watching today. She put her trust in the institutions of the state to care for her son, and we failed her. It should never have happened, and for that I am truly, truly sorry. I give the hon. Lady and Bev my commitment that I will take lessons from this. I hope the hon. Lady will act as my conscience in ensuring that I do so. The issues highlighted across the Chamber today need to be acted upon, to ensure that we do our best by all our constituents.

I was struck by the way that the hon. Lady talked more generally about people with learning disabilities. It is, frankly, the reason we all get involved in politics—we get involved in politics when we see the state failing and to make sure we do the best for everyone in society and for the people we can see being failed. I do not think that any group is failed more than people with learning disabilities. They have potential and the ability to live independently, but all too often they have been parked. My hon. Friends the Members for Henley (John Howell) and for North Swindon (Justin Tomlinson) outlined examples of where, with some support, people with learning disabilities can lead very productive lives, but it requires support and investment. Sadly, that is not always forthcoming, and without it, they are very vulnerable, as this tragic case all too clearly illustrates. We owe it to them and to ourselves, in order to make the best of society, to do all we can to help people with learning disabilities to live independent lives.

We need to do more to tackle the whole issue of prejudice. The hon. Member for Newcastle upon Tyne North said she has been very persistent in trying to secure this debate, but perhaps it is fitting that the debate is happening in the middle of National Hate Crime Awareness Week. That is the perfect backdrop against which to address her case. It is fair to say that we are still early in the day when it comes to hate crime prosecution. There is slowness in reporting all hate crime, and suddenly people have become more aware.

People with learning disabilities are generally victims of quite widely held prejudice. It is not just the fact that they are targeted because of their disability; the agencies that should support them do not necessarily give them the support they need because of their disability. We have seen across the board, in so many examples of abuse, that particular social groups who are not the best at representing themselves do not always get a fair deal at the hands of the organisations that support them. We should look at that under the umbrella of hate crime, but it is slightly different; it is about prejudice more generally that we can all help to tackle. It is a very real inequality that we are tackling.

Central to our job as Members of Parliament is supporting people who have been victims of maladministration and who are not getting enough support from the state. In many cases, that is people with learning disabilities. I have always found that some of the most rewarding work I do as a Member of Parliament is in supporting people with learning disabilities. It is also the most inspiring, and it is great to see the enthusiasm that my hon. Friend the Member for North Swindon referred to.

Unfortunately the Minister for Disabled People, Health and Work, my hon. Friend the Member for Portsmouth North (Penny Mordaunt), is no longer in her place, but the fact that she was here is testimony to her support for this work. We are very keen that people with learning disabilities receive more attention. I give the hon. Member for Newcastle upon Tyne North that commitment, and we will continue to engage with her as this work develops.

I agree with the hon. Lady that people with learning disabilities are among the most vulnerable in our society, and it is the responsibility of all of us to protect them from risk. I will not pretend that we have got this perfect—there is a hell of a lot more to do. There has been significant progress in identifying and managing risk, but it is not consistent, and there are too many occasions when it just does not happen.

The hon. Lady articulated clear views on a specific case of hate crime. She will appreciate that that falls outside my bailiwick, but I will make a few observations, in so far as I can without treading on other Departments' toes. As she said, the judge concluded that hate was not a factor in the motivation behind the crime. That is a matter for the courts, and it is for them to interpret, but I come back to the issue of prejudice. That case throws up a number of issues that we all need to be more vigilant about. We know that people with learning disabilities are very vulnerable to bad people, and bad people will find vulnerable people to prey on. I am aware that young women with learning disabilities are often preyed upon sexually, which is a real hidden issue that we need to think about. There is also the whole issue of modern slavery. People with learning disabilities are often subject to that. In this case, Lee was obviously being exploited financially by the people who murdered him.

**Barbara Keeley:** I did not manage to raise the very important point that my hon. Friend the Member for Newcastle upon Tyne North (Catherine McKinnell) raised about the fact that Lee Irving was labelled as difficult to help and classed as an adult who could choose a lifestyle, with such tragic results. That has echoes of other forms of abuse because, as my hon. Friend so clearly pointed out to us, his intellectual skills and reasoning were at 0.2% of those of adults of his age. Why were agencies saying that he could choose that awful lifestyle, which ended up having such a tragic result?

**Jackie Doyle-Price:** I totally agree with the hon. Lady. As she says, we have seen that in other cases of abuse. We can look at Rotherham and how the agencies behaved there. It is almost as if there is a view that, "He's a bad 'un; he doesn't deserve protection." That is absolutely not the case. We need to be thinking about the person in a very person-centred way. It was very clear that Lee had a learning disability and did not have the capacity to act as an adult, yet he was treated as one. That is one of the real lessons of this case.

[Jackie Doyle-Price]

With specific regard to the requests of the family, the whole area of transition is certainly of concern to me. We see this issue in relation not just to learning disabilities, but to mental health. In both cases, families are often completely unable to influence support or care for their loved one; they are utterly powerless because they are in the control of institutions. We need to be learning the very clear lessons there.

We need to raise awareness of hate crime against people with disabilities. Too often, we look at hate crime through the prisms of race and gender. To be honest, we look at hate crime through those prisms because it is the victim of a hate crime who will raise it as such and, frankly, people with disabilities are in less of a position to do so. That said, things are getting better. As I said, it is early days for the offence and prosecution of hate crime, but I am told that in the past year the police have recorded an additional 5,558 disability hate crimes; the number is up by 53%. That suggests that people are more inclined to report it and that the police are more inclined to identify hate crime due to disability, but we continue to monitor the situation and see what else needs to be done to protect the vulnerable.

**Catherine McKinnell:** I appreciate the response that the Minister has given, but the increase in reporting of hate crime is very concerning. There are potentially two issues here. One is that people are more motivated or able to report hate crime, but it may be that there is a significant increase in hate crime as well. It is incumbent on the Government to find a way of monitoring that, so that we can understand whether this is a growing problem or whether there is just more success in terms of the reporting of the crime. We should not confuse the two.

**Jackie Doyle-Price:** That is a fair point. Data is everything, and as time progresses, we will build up more meaningful data, but certainly if crimes are being reported, they are more likely to be prosecuted. Even if the behaviour has been hidden, or if it is on the rise, at least prosecution can happen, but we need to tackle the behaviour first and foremost, to be frank. Prevention is always better than cure.

Under the hate crime action plan launched in July 2016, we committed to providing funding to community-led projects aimed at tackling hate crime. In the first year of the scheme, we funded nine projects across England and Wales covering all types of hate crime. We funded a project in Carlisle involving Mencap. It was to develop an education resource to raise awareness of disability hate crime and how to report it. The great thing about that was that it was created by people with learning disabilities for people with learning disabilities, so it was enabling and empowering the victims. I am advised that three of the projects for the second year of the programme will focus on tackling disability hate crime, but clearly there is more to do.

On 21 August 2017, the Crown Prosecution Service published revised public statements and legal guidance for all strands of hate crime, as well as a support guide for disabled victims and witnesses. One of the most telling things about the speech by the hon. Member for Newcastle upon Tyne North was that it was in the interaction with the criminal justice system that perhaps

the most decisive intervention to support Lee could have occurred. Again, we can do more. The Solicitor General is well aware of this matter and, I am sure, is already having discussions with the legal agencies about how we can spread good practice and perhaps look at guidance.

Safeguarding was obviously the real failing in this case. Clearly, we need a system that protects those at risk and acts on issues effectively; that did not happen in this case. As we have heard, once someone becomes an adult, it is very important that it has regard to their feelings and wishes, but the whole issue of mental capacity needs to be determined. In the Care Act 2014, there is a clear legal framework for safeguarding, which gives clear instruction on the responsibilities of local authorities and the rights of adults, but it is also important to involve their families and loved ones as and when necessary. Again, that is a very troubling aspect of this case.

We need to do better. We need to make clear what is expected of the various agencies under the Care Act. We are pursuing Making Safeguarding Personal, which is a sector-led improvement programme that aims to reinforce the placing of the individual at the centre of safeguarding. We are also working with the Association of Directors of Adult Social Services to improve that.

To come back to the issue of the criminal justice system, that was a missed opportunity to give Lee support. During the past two years, we have been working very hard to expand liaison and diversion services. It has been a good news story: more than 71,000 vulnerable adults have been taken out of the criminal justice system and instead put on an integrated health and justice pathway, helping them into health services and away from custody where appropriate. I can assure the hon. Lady that that is still a key part of how we will approach this issue. In fact, I met the team doing that work just last week.

To address the specific recommendations made by the family, the transition from children's to adults' services is clearly key. That is where things go wrong; we need to ensure that it is joined up. I always say that if we have a weak link in a chain, we can usually get over that, but if we have a succession of them, that is when things go terribly wrong. As the hon. Lady outlined, there were probably half a dozen in this case.

We are determined that young people with learning disabilities will be properly prepared for adulthood. We are looking at four specific areas: employment, good health, independent living and community inclusion. From the way the hon. Lady articulated Lee's circumstances, I do not think he could have been judged to be meeting all four of those criteria by any stretch of the imagination, so we must ensure that the support network is in place to help to steer individuals through that, for as long as it takes. It can take a number of years, but the end goal is a good one if we are prepared to make that investment. If people are not ready, they must have support to prevent them from being exploited by those who would exploit people who are vulnerable.

Many people think that the Mental Capacity Act 2005 is very complex legislation, and clearly in this case not everyone knew their obligations under it. There was not a clear understanding of how far the family should have been involved when Lee's mental capacity was clearly not that of an adult. We want to do a lot more work on educating people in this space. In 2015 we established,

with the Ministry of Justice, the National Mental Capacity Forum, specifically to develop those messages and good practice across the sector.

We also have to look at deprivation of liberty safeguards. The Law Commission has recently published its report on mental capacity and deprivation of liberty, and I welcome the observations of the hon. Member for Newcastle upon Tyne North in the light of this case. Like all Law Commission reports, it is a very well-thought-out piece of work. It has had lots of investigation and engagement with stakeholders. We need to make sure that the law is proportionate in respecting people's liberties, but can also be used to protect the vulnerable. That is clearly the test that we will apply.

We have heard that Lee struggled to navigate the system and that agencies did not work well to support him. Another important tool that will perhaps avoid cases like Lee's in future is having a named social worker who owns the individual and their needs, and makes sure that those have been satisfied. I think that would make a big difference. We have the named social worker pilot scheme so that more people can have that personalised care and support. They can hold every agency responsible under care plans and be really person-centred, recognising that this is an individual with his own personality, needs and circumstances. That is a very important piece of work. It is our response to the 2015 consultation, "No voice unheard, no right ignored", which sought views on strengthening the rights of people with learning disabilities, autism and mental health conditions, to enable them to live more independently.

The hon. Lady raised the case of Southern Health and Connor Sparrowhawk. I think we agree that sunlight is the best disinfectant, so all NHS trusts are now required to publish estimates of how many deaths they could have avoided had they been better. That includes the deaths of people with a learning disability. From June next year, trusts must also publish evidence of learning improvements that happen as a result of those data. We expect that the leaders of trusts should show some real accountability and leadership in how they deal with their duties under that requirement.

I want to give the hon. Lady plenty of time to speak at the end, because this is clearly a very important subject for her, but I will quickly add that one of the most important things we need to get right in supporting those with learning disabilities is to invest in good quality supported housing. That is central to encouraging independent living and to having the infrastructure in place to protect them from any potential exploitation.

The hon. Lady also raised the issue of costs and challenges. It is to be celebrated that people with learning disabilities are living longer—for a long time they were dying prematurely. That is a massive improvement in justice, but it does bring with it cash challenges, and obviously we are facing cash challenges across the sector. I wish that was easy to fix. It is not, but it is at the top of my in-tray, as I am sure both she and the hon. Member for Worsley and Eccles South (Barbara Keeley) will understand, and we are very keen to address it. On the specific issue of sleep-ins, which I know Mencap is very worried about, we are actively involved in discussions about how we can support the sector to deal with that.

To conclude, what happened to Lee was not the result of a single cause. There were a number of failings, as the

hon. Member for Newcastle upon Tyne North articulately set out. I think there are real challenges: how the criminal justice system understands people with a learning disability, how all the agencies can work more effectively together and how we can provide support for people with a learning disability, so that we not only support, but protect them. We are taking action at a national level to address those. The permanent secretary at the Department of Health is about to convene a cross-departmental roundtable to look at how we can deal with this across Government.

I can give the hon. Lady my assurance that people with learning disabilities are a key priority of mine, and I look forward to making sure that we do not have to have a debate like this in future.

3.54 pm

**Catherine McKinnell:** I am pleased to have been able to put the details of Lee Irving's case on the parliamentary record, for his family and in the hope that some good can come out of this horrendous tragedy. Unfortunately, after seven years of representing the people in Newcastle North, I have not yet succeeded in growing a cold heart or cynicism. I wanted to remain composed in order to make the strongest case possible on behalf of Lee Irving and his family, but the sheer inhumanity of what happened to him shocked the local community and everybody here. Only a cold-hearted person would not be moved by what happened. There is not only upset, but anger and frustration on my part, that the system—our system—let them down so badly.

I thank hon. Members for their powerful and constructive contributions to the debate today—the hon. Members for Henley (John Howell) and for North Swindon (Justin Tomlinson), and both the SNP and Labour Front Benchers, but in particular my hon. Friend the Member for Worsley and Eccles South (Barbara Keeley) for her timely intervention. I thank the Minister for a very sincere and encouraging response. That the Minister for disabled people has been present for this debate, and that the Government are listening so intently, will mean a lot to Lee's family and anybody following these proceedings.

As well as listening, we need to make sure that the lessons that can be learnt from this case are learnt, as Lee's family have reasonably requested. I understand what the Minister said about the funding situation, but I could not miss this opportunity, ahead of the Budget next week, to make that case for funding for local authorities, to make sure that we protect and safeguard the most vulnerable in our society. That is to make sure that our local authorities have the funding to put in place some of the measures that the Minister has outlined, because it cannot be done on the cheap. I appreciate that there is also a lot we can do on the funding issues, so I will continue, as invited, to work with the Government, the Department of Health, the Ministry of Justice, the Department for Work and Pensions and the Department for Communities and Local Government, to make sure that something good can come out of this horrific tragedy.

*Question put and agreed to.*

*Resolved,*

That this House has considered supporting and safeguarding adults with learning disabilities.

## Dangerous Driving involving Death: Sentencing

[MR PHILIP HOLLOBONE *in the Chair*]

3.59 pm

**Kevin Brennan** (Cardiff West) (Lab): I beg to move,

That this House has considered sentencing in cases of dangerous driving involving death.

It is a great pleasure to serve under your wise chairmanship as ever, Mr Hollobone. As hon. Members and the Minister will know, this debate is timely, given the publication on 16 October of the response to the Government's consultation on maximum sentences for particular driving offences. Our debate today is inevitably and rightly informed by the changes that the Government announced yesterday, but like many other Members, I sought this debate in response to a case in my constituency in which the perpetrator was convicted after pleading guilty to causing death by dangerous driving. As a former Minister, I understand and sympathise with the fact that the Minister will not be able to comment on individual cases, but my aim is to use this tragic case as an example to question whether the current sentencing regime is fit for purpose, to discuss some of the Government's proposals and changes, and to discuss how this case and ones like it need to lead to a change in policy.

**Ms Marie Rimmer** (St Helens South and Whiston) (Lab): I am sure that many will know of the sad case of four-year-old Violet-Grace Youens, who was killed this year and whose grandmother was left seriously injured when they were returning from their nursery. A stolen car crashed into them at 80 miles per hour in a 30 mph zone in St Helens. Two young men were in the car, one driving and one not. One of them ran past dying Violet-Grace laughing, making his getaway. The other posted a video from his prison cell celebrating his birthday; it depicts drug-taking and misbehaviour in prison. One will understand why Violet-Grace's parents are deeply distressed and have no faith in our justice system. The boy who was celebrating his birthday received a 10-day extension to his sentence for posting the video. I have read these proposals with interest and welcome them, but please consider those who may not have been on drugs and drink at the time.

**Kevin Brennan:** I thank my hon. Friend for her intervention. Obviously, that is a horrendous case and a great deal needs to be done on our prisons policy. It is not for us to debate that here today, but there is much to be done to improve the current state of affairs in our prisons, and I sympathise with her constituents and their families.

I want to talk about Sophie Taylor, a 22-year-old constituent of mine; she was a young woman in the prime of her life, with much to look forward to. She was described by her distraught mother, Jackie, as a loving and caring individual. I pay tribute to Jackie for somehow finding the strength to come and talk to me about the case, and to talk to the media about her horrific loss and her subsequent experience of the criminal justice and court system.

During the early hours of the morning of 22 August 2016, Sophie and her friend, Joshua Deguara, were chased through the streets of Cardiff by her ex-boyfriend,

Michael Wheeler, and another driver. I will not comment on the case of the second driver, because elements of that case might still be sub judice, but I will focus on the actions and sentencing of Michael Wheeler, who entered a guilty plea and whose case is not subject to appeal.

During the chase, Sophie called 999 because she was scared and felt unsafe. She was on the phone, talking to an operator for 24 minutes. As that duration shows, the chase was a sustained and deliberate action by Mr Wheeler. During that time, his car reached speeds of up to 56 mph as he chased Sophie and Joshua into narrow residential streets. Then, he turned his car to the left into Sophie's, causing her car to crash into a block of flats. The collision caused Sophie a catastrophic brain injury, which led to her death. Joshua suffered life-changing injuries, including a brain bleed, a shattered pelvis and an injury to his leg that has since led to its amputation. News reports stated that Mr Wheeler drove away after the crash before parking nearby, where he was arrested.

The judge who heard the case at Cardiff Crown court described what happened that night as "nothing more than a pack chasing its prey".

He added:

"You were trying to ram her off the road and you did".

It is also worth noting that Sophie had made several reports to the police and visited the police station in the weeks leading up to her death about the problems she was experiencing with Mr Wheeler. The chase was an act of decisive, prolonged and co-ordinated aggression, and in my view, one which should have led to an even more serious charge than causing death by dangerous driving, but the judge was clear, saying

"you were consumed by a self-righteous and jealous rage, chasing her down to frighten her and teach her a lesson".

We can only imagine Sophie's family's loss and the stress and torment that they have endured throughout the legal process. As I said, I met her mother, Jackie. Understandably, she is absolutely devastated by what happened, but she is equally determined to do what she can to prevent other families having to go through what her family has suffered.

As I said, I completely understand that the Minister cannot comment on individual cases. However, the details of the case that I have outlined are extremely pertinent in discussing the sentencing of cases of death by dangerous driving.

**Ellie Reeves** (Lewisham West and Penge) (Lab): I thank my hon. Friend for securing this important debate. Members might know of an incident that happened in Penge last year, when two of my constituents, Makayah McDermott—a 10-year old boy and aspiring young actor—and his aunt, Rozanne Cooper, were killed when a stolen vehicle was travelling at 55 miles per hour in a residential area just opposite a playpark. That case is particularly close to my heart because I was at school with the mother of the boy and his aunt, both of whom died. Does my hon. Friend agree that the disparity between sentences for manslaughter and sentences for death by dangerous driving has long been unjust?

**Kevin Brennan:** Yes I do, as a matter of fact, and I extend my sympathies to my hon. Friend and her constituents in relation to that tragic case. The case I will try to develop in my argument is that it is not enough just to get parity of sentence. We need to look at

what sentences are being handed out and why, and whether justice is being served by the system, whatever ultimate maximum tariff the Government decide is appropriate for this offence.

The details of this case are pertinent. As hon. Members know, the maximum sentence for death by dangerous driving has been raised in recent years to 14 years in custody. I note that in its guidelines, the Sentencing Council characterises a level 1 conviction for causing death by dangerous driving as

“a deliberate decision to ignore (or a flagrant disregard for) the rules of the road and an apparent disregard for the great danger being caused to others.”

Given that Sophie was deliberately and persistently chased through the streets of Cardiff and forced off the road in a way that ultimately led to her death, it seems to me that a level 1 sentence would have to apply in this case. However, although the starting point for a level 1 conviction is eight years in custody, Wheeler was sentenced to seven and a half years, which is just over half the maximum sentence available. My constituent Jackie Taylor’s understanding is that the guidelines available to the judge did not allow for the maximum sentence to be given, despite the obvious aggressive and aggravating factors in this particular case.

The Justice Secretary said in reply to a letter that I sent to him about this case that the courts must follow sentencing guidelines

“unless it is not in the interest of justice to do so”.

That leads to an obvious question: how could it be in the interests of justice to opt for a shorter sentence in a case such as the one that I have outlined? The sentence following Sophie Taylor’s death poses questions about the current frequency and circumstances of use of the maximum sentence that are particularly timely, given the Government’s announcement that they intend to increase the maximum sentence from 14 years to life in cases of death by dangerous driving.

The first issue is how often the maximum sentence is used. In my previous correspondence on the matter with the Justice Secretary, I asked how many maximum sentences for causing death by dangerous driving had been handed out in recent years. I noted that the Government press release yesterday containing the announcement on the maximum sentence said that 157 people were sentenced in 2016 for causing death by dangerous driving. In his response to the question I asked in my letter, the Justice Secretary—it is not like him not to respond to my direct question—simply said that the maximum sentence was rarely used. When the Minister responds, can he give us that figure? I looked carefully at the Government’s press release to see whether it was there, but it was not.

I say gently to him that such sensitive matters should be carefully proofread. The final point of the notes to editors in the press release says:

“The government will give further consideration to increasing minimum driving bans for those convicted of causing serious death.”

I know that that is an error, but an error so crass is not really acceptable in something so sensitive.

**Conor McGinn** (St Helens North) (Lab): My hon. Friend is getting to the fundamental point. This week, Merseyside Road Safety Partnership announced a strategy to reduce road deaths dramatically by 2020, but I am

sure he will agree that preventive measures are useful and good only if those who cause death by dangerous driving know that they will be dealt with harshly by the law.

**Kevin Brennan:** Justice should be served by the right sentence being given for the offence. There should also be an anticipation that offenders are likely to be caught and justice served upon them. My hon. Friend is absolutely right: if that is not clear, such offences will continue.

I hope that the Minister can at least give us that figure. The public are entitled to know. When my constituent, Jackie Taylor, read the Justice Secretary’s response, she said:

“I note that the right hon. David Lidington, CBE, MP mentions about the government in consultation on driving offences and penalties relating to causing death and serious injury, possibly increasing to life imprisonment. This will only deem as a deterrent, not deal with the offence committed. If 14 years has never been passed down to any individual for this charge, why would life imprisonment ever be used? If the Sentencing Council control what the judges can serve, and are recommending low guidelines in the criteria that the judges work with, then what difference would it make if it’s life?”

That is a reasonable question for my constituent, as a victim of this crime, to pose to the Government. I hope that the Minister can deal with it in his response to this debate.

Obviously, I am interested in how often the maximum sentence is given, as the Government’s consultation showed that 70% of respondents did not feel that the current maximum of 14 years was long enough. The Minister will understand that if the sentence of 14 years is hardly ever used, it raises the question how a new increased maximum would be used and why it was found to be necessary. Have the Government estimated how often they estimate the new maximum sentence is likely to be given, based on current experience and their consultation? Likewise, what effect does he think the new maximum will have on the average sentence for causing death by dangerous driving? If there is no answer to those questions, the obvious next question is what is the point of the proposed change.

In 2015, with a maximum sentence of 14 years, the average custodial sentence length was 57.1 months. Is it projected, as the Government anticipated, that that will increase in line with the new maximum? The second issue is the circumstances in which the maximum penalty is used. Maximum sentences and sentences of a similarly lengthy duration are rightly reserved for the most heinous crimes. I have outlined the horrible circumstances of my constituent’s death. Given that Wheeler was sentenced to just over half the maximum time in custody, the victim’s mother’s question is what someone would have to do for the maximum sentence for causing death by dangerous driving to be available, if it was not available in this case. How will that change as the Government change the maximum sentence?

As I mentioned, my constituent understands that the sentencing guidelines prevented the judge from giving Wheeler the maximum sentence; indeed, it was reduced by six months from the eight-year starting point. Sophie’s mother is concerned about how the sentencing guidelines operate. What assessment has the Minister made of how accountable the Sentencing Council is? I know that it is independent, but it should still be accountable for how it draws up its guidelines.

**Alex Chalk** (Cheltenham) (Con): Will the hon. Gentleman give way?

**Kevin Brennan:** I will give way briefly, but I want to give the Minister a chance to respond.

**Alex Chalk:** The Sentencing Council does important and valuable work, but does the hon. Gentleman share my concern that in some of its guidelines—for the sake of argument, let us say assault occasioning actual bodily harm, for which the maximum is five years—the range that the Sentencing Council imposes for the most heinous offence stops well short of the maximum, effectively sending a steer to the judges that says, “Don’t ever sentence for the maximum”? Does he agree that that is a concern?

**Kevin Brennan:** I do, and I think that there are similar concerns in relation to the offence of causing death by dangerous driving. I do not advocate not having proper guidelines—we want consistency in sentencing—but it sometimes seems to victims that the sentence they are told the perpetrator is likely to get is a bit of a fiction, and that the tariff actually served is nothing like the maximum, even in a case such as the one I have discussed, in which there are horrific aggravating factors. Can the Minister address the questions posed by Sophie Taylor’s case about the frequency and circumstances in which a maximum sentence is given?

I want to make it clear that this is not about revenge; it is about justice. In the case that I am discussing, sentencing guidelines led to an outcome that outraged not only the victims’ families but the wider community. The Government need to be clearer about what they are doing to deter such crime. Knowing that a life sentence is a real possibility would be a start, as would increasing the likelihood of getting caught by funding the police properly; that is a vital part of it. The prospect that sentences could be increased on appeal when judges are too lenient is also important. I understand that out of 713 such requests in recent years, 136 have resulted in longer sentences, but not one has been for the offence of causing death by dangerous driving.

Sophie Taylor’s death was a horrible tragedy. Nothing will relieve her family’s loss. However, the perception that justice was not done because the maximum sentence is unreachable adds another burden for them to bear.

4.18 pm

**The Minister of State, Ministry of Justice (Dominic Raab):** It is a great pleasure, as ever, to speak under your doughty chairmanship, Mr Hollobone. I begin in the customary manner by congratulating the hon. Member for Cardiff West (Kevin Brennan) on securing this debate on sentencing for causing death by dangerous driving offences. I know that many colleagues here will have dealt with tragic cases in their constituencies; we have heard, movingly, of a couple of them. Those who have had that misfortune will know that reckless driving ruins lives and devastates families, whether the culprit is racing, talking on a mobile phone or under the influence of drugs or alcohol.

The hon. Gentleman has championed this cause tenaciously since the tragic case in the summer of 2016 in which Michael Wheeler and Melissa Pesticcio started a car chase that, as he described, left Sophie Taylor dead and her passenger Joshua Deguara seriously injured.

I extend my deepest sympathies to Sophie’s mother Jackie, whom the hon. Member for Cardiff West described, and to Sophie’s wider family and friends. I cannot begin to imagine their loss. The technical and legal changes that we are making will not bring her back, but these reforms must try to deliver some reassurance and solace, through a greater sense that justice is being done. I also pay tribute to Joshua Deguara and his family, whose suffering has been immense. The case highlights the need for reform.

Thomas Crowther, QC, the Cardiff Crown court judge in the case of Sophie Taylor, said that

“that shattering of two families was completely avoidable. It was caused by...the self-righteous and jealous rage”

of the defendants, who were

“chasing her down to frighten her and teach her a lesson”.

The court sentenced Michael Wheeler to seven and a half years in prison and Melissa Pesticcio to six and a half years.

Such cases are far too common. The reforms that we have announced this week will come too late for the families of Kris Jarvis, John Morland and James Gilbey, to name the victims of just a few of the tragedies that have struck me as I have worked on proposals for reform. The hon. Members for St Helens South and Whiston (Ms Rimmer) and for Lewisham West and Penge (Ellie Reeves) gave moving accounts of tragedies in their constituencies; I pay tribute to them and extend my sympathies and condolences to the families. I appreciate the frustration and anguish that they must feel. I met Major Gilbey, James’s father, last week. It is right to pay tribute to his courage and strength, and to all the families who have campaigned for a change in the law. Numerous colleagues across the House have also raised cases with me and my predecessors at the Ministry of Justice.

We recognise that the law has too often prevented judges from handing down sufficiently long sentences for the very worst cases of dangerous driving, bearing in mind the severity of the harm and the anguish of the victims’ families. We have looked at the evidence, and now is the time to change the law. Although we cannot bring back lost loved ones, we can make sure that justice is done. Yesterday, we published our response to the consultation on driving offences and penalties relating to causing death and serious injury. The consultation, which closed earlier this year, received more than 9,000 submissions with different views on the offences and penalties. That shows the widespread public interest in reform and the concern about how the law has operated.

Based on the evidence, we propose three specific changes to the law. I hope the hon. Member for Cardiff West will welcome them, but I will also try to address his specific points. Even more importantly, I hope the changes will give the victims and the wider public a stronger sense that justice is being done. All three proposals received overwhelming support in the consultation.

First, we propose to increase the maximum penalty for causing death by dangerous driving from 14 years to life imprisonment. We want the courts to have additional powers to deal with the most serious cases in which life is lost. In 2016, the average sentence for causing death by dangerous driving was five years. In the last two

years, three sentences of longer than 10 years have been imposed. That makes the case that those sentences are not attracting the level of seriousness that the hon. Member for Cardiff West and the Government think is due.

In answer to the hon. Gentleman, the point of the change is to send an unequivocal, crystal-clear message to the courts that they can and should impose a higher sentence—a life sentence—for the very worst cases. It is for the Sentencing Council to decide whether new guidelines are needed on this sentence or on any of the others that I will mention. He is right to mention that the ULS—unduly lenient sentences—scheme applies to those cases and that they will therefore be referred to the Court of Appeal if the Attorney General so decides. He rightly acknowledges that as politicians, we cannot and should not interfere with individual decision making, as opposed to the sentencing framework that applies in such cases.

In very serious cases in which there are multiple victims, in which the offender has previous convictions or in which their behaviour is particularly reckless and culpable—as in some of the cases described by the hon. Members for St Helens South and Whiston and for Lewisham West and Penge—offenders will face a maximum life sentence. The effect of that change is twofold. Offenders who receive a life sentence will serve a minimum period in prison and will be released only when the Parole Board considers it safe. For offenders who do not merit a life sentence, the court will have the power to impose a determinate sentence of any length. That will empower the courts to reflect the full severity of the worst offending and its devastating impact on victims and their families.

**Alex Chalk:** The Minister speaks about sending a powerful message. A powerful message is sent to the Sentencing Council too. Does he agree that for offences such as stalking, for which the maximum sentence has been doubled, that message has been reflected to a large extent in the Sentencing Council's most recently published guidelines?

**Dominic Raab:** My hon. Friend is right. I remember his tenacious campaign on that subject from my early days as a Justice Minister. As well as empowering the courts, the change sends a message that will have an effect, right through the system, on the raw power available to a sentencing court. It will have a knock-on effect on the Sentencing Council and its ability to assess and consider whether further guidelines need to be provided. At the appeal level, there is also the ULS scheme.

In the time available, I will address the other key proposals. The second proposal is to raise the maximum penalty for the separate offence of causing death by careless driving while under the influence of drink or drugs. We recognise that although the driving in such cases may not amount to dangerous driving, the overall seriousness of the offence is the same, because of the combination of careless driving and the irresponsible decision to get behind the wheel under the influence of drink or drugs. Again, for the worst cases, we propose that the maximum sentence be life imprisonment.

Our third proposal will close a gap in the law. At the moment, if a driver who is driving carelessly injures another road user, passenger or pedestrian, the maximum penalty is a fine, even if the incident results in the victim being left with serious, debilitating or permanent injuries. The case that particularly struck me was that of Sophie Wilkinson, who was left in a coma with a life-changing set of injuries after a horror crash in 2007. We need the criminal law to cover careless driving that results in such severe harm and injury, so we will introduce a new offence of causing serious injury by careless driving. That offence will carry a custodial penalty and will sit alongside the existing offence of causing serious injury by dangerous driving.

Those are the three key areas of reform that we plan to implement as soon as parliamentary time allows. We will incorporate any further changes that emerge from the review of cycling safety announced by my right hon. Friend the Secretary of State for Transport last month, so that we have a consistent overarching framework for sentencing people who kill or cause serious injury on our roads. I am grateful for the time and effort that so many people, including the hon. Member for Cardiff West and the campaigning families, put into their responses to the consultation. No punishment in these cases can make up for the loss of a loved one, but we can make sure that justice is properly done.

**Kevin Brennan:** The Minister says that three sentences longer than 10 years have been imposed in the last couple of years, but he did not say that the maximum 14-year sentence had been used. I hope he wants to signal that that maximum sentence should be used more frequently.

**Dominic Raab:** The hon. Gentleman is absolutely right. As we develop these proposals, I look forward to working with him and other hon. Members across the House. It is the very least that the victims and their families deserve.

*Question put and agreed to.*

## Devolved Powers in Scotland

4.30 pm

**Stephen Kerr** (Stirling) (Con): I beg to move,

That this House has considered the use of devolved powers in Scotland.

It is a pleasure to serve under your chairmanship, Mr Hollobone, and to lead my first debate as a Member of Parliament.

Twenty years ago, I was in the minority. At the referendum in 1997, I campaigned against the establishment of a Scottish Parliament, not from party loyalty but from the starting point that any dilution of the Union could lead to its ending. I urged the people of Scotland to think twice and vote no. They did not; instead, they voted yes to a future with a devolved Parliament in Edinburgh.

However, I now realise that I was wrong. With the zeal of the convert, I have trodden my own road to Damascus and now I stand here today to extol the virtues of the Scottish Parliament and devolution. The Scottish Parliament has helped and is helping to create a better Scotland, and a more comfortable and confident Union, too; but more than that, I firmly believe that devolution is a principle worth arguing for. I am not talking about devolution in the sense of the establishment of a Scottish Parliament or Welsh Assembly, but about the concept of devolution. It is core to my credo that politics should be and is local. It is personal to communities that decisions that impact on people's lives should be made as near to them as possible. Edinburgh is not the end of the road; Holyrood should just be the beginning. Politics should be local and we should seek to localise decision making.

**Angus Brendan MacNeil** (Na h-Eileanan an Iar) (SNP)  
*rose—*

**Mr Philip Hollobone (in the Chair):** Order. This is an hour-long debate. Lots of Back Benchers have put in to speak. The time limit is already looking like it will be three minutes; that time limit will go down if there are interventions. I say now that if a Member intervenes, they will not catch my eye to be called to make a speech.

**Stephen Kerr:** I give way to the hon. Member for Na h-Eileanan an Iar (Angus Brendan MacNeil).

**Angus Brendan MacNeil:** I am grateful to the hon. Gentleman for giving way. As he might know, we have a problem on the west coast of Scotland, because we need fishermen from non-European economic area countries. Westminster is stopping that, in contrast to Switzerland, for example, where half the visas are controlled by Bern and the other half by the 26 cantons. Does he not think that it is time for Westminster to loosen its iron grip and allow fishing boats on the west of Scotland, and indeed in Northern Ireland, to fish?

**Stephen Kerr:** I do not necessarily recognise the nature of the problem that the hon. Gentleman is describing and I will come on to talk about the relationship that should exist between the Parliaments of this island.

As I was saying, Edinburgh is not the end of the road; Holyrood should just be the beginning. Politics, indeed, should be local. However, that is not Scotland's story, nor has it been for the last 20 years of our Scottish Parliament. Instead of treating devolution as a process

of bringing power to the people, first the Scottish Executive and then the Scottish Government have consolidated power in their offices in Edinburgh.

There has been a power grab in Scotland, sucking power from communities and taking power from the many into the hands of the few. Decisions taken around the Cabinet table in Bute House are remote and removed from the daily lives of the people of Scotland. They often run roughshod over the views of the public, and are apparently unheeding to and uncaring about the difficulties that communities face.

I am, however, full of hope that that situation can be addressed by the simple adoption of the principles of devolution by the Scottish Nationalist Government in Edinburgh. Since the passage of the Scotland Act 2016, we now have a powerhouse Parliament. It should not be forgotten that it was a Conservative Government who delivered those powers, in fulfilment of the vow made by David Cameron and, as Scottish Conservatives, we are proud to have done that. It is David Cameron's proud legacy. Powers over equalities, gaming machines, income tax, railway policing, welfare, quarrying, air passenger duty, consumer advocacy and advice, the Crown Estate, elections and employment programmes—all these are in addition to the powers of general competence that the Scottish Government already enjoy, and there are more powers on their way.

The powers at the disposal of the Scottish Parliament have the potential to make a real difference to the lives of the people of Scotland. The Scottish Parliament can develop the economy, create specific help for people who need welfare and choose to vary taxation. I am by no means a fan of the idea of raising taxes, but I believe that services must be paid for and it should be for local councils and the Scottish Government to set an appropriate level of tax to pay for those services. With all those powers and the ability to tax and borrow more than ever before, the Scottish Parliament is well placed to get to work to solve our country's problems and to work for Scotland's betterment. What a shame that we still have so much confusion and grievance being shown.

Let me give an example of that. One of the Members of the Scottish Parliament made a statement just last month calling on Westminster to do something about the number of fixed odds betting machines, with the grievance about the lack of power hanging in the air, but of course that power was devolved in May 2016. It is possible that that statement was a simple mistake brought about by the confusing nature of the legislation, but it also misled members of the public about who is responsible. Instead of using such an important issue as a political ping-pong ball batted over Hadrian's Wall, would it not be better if we approached such issues as a way of creating partnerships between different levels of Government, in order to achieve something?

**David Linden** (Glasgow East) (SNP): I am very grateful to the hon. Gentleman for giving way and for giving us the opportunity to talk a bit about why the Scottish Nationalist party Government are still polling very highly and why the Tories have moved back into third place in Scotland. However, on the subject of fixed odds betting terminals, I represent a constituency that is littered with betting shops, as a result of the liberalisation of the Gambling Act 2005. Does he recognise that most of those shops are covered by previous legislation and that only new terminals are dealt with differently?

**Stephen Kerr:** The reality is that the power to legislate in this area belongs with the Scottish Parliament.

As I have said, instead of treating such issues as political ping-pong balls, where there are elements reserved for Westminster, elements that are at Holyrood level and elements that require the intervention of a local authority, would it not be better if we worked together? Problems can be passed between Holyrood and Westminster without resolution, or we can take responsibility as lawmakers to work together for a solution. I believe in creating partnerships to achieve things, rather than issuing press releases as a display of political virility. Activity and achievement are not the same thing in politics. There is much to do in Scotland.

**Ian Murray** (Edinburgh South) (Lab): I congratulate the hon. Gentleman on securing his first debate in this Chamber and on his election. He talks about working together, so was he as astonished as I was when the Scottish Nationalist Government in Edinburgh voted against lifting the public sector pay cap in Scotland while SNP Members here voted to lift it in Westminster? If so, could the UK and Scottish Governments work together to lift the public sector pay cap?

**Stephen Kerr:** Contradictions between what the SNP does in the Scottish Parliament and what it says here are quite common.

The Scottish Parliament has powers to do so much good, but some of those powers remain unused. The tax-raising powers that the Scottish Parliament has had since its inception, which were agreed to at the referendum in 1997, remain in their box, unused. I do not believe in higher taxes, but there have been a few parties that might have some small representation in the Scottish Parliament that do. The SNP has the full right to use those powers, so when we hear talk decrying the funding settlement, we should remember that the Scottish Government have the power to vary the tax rate and to raise their own money.

Newer powers, on speed limits and air passenger duty, also remain unused, but we will see what the future holds in respect of those powers. All these powers are weapons in the arsenal, and let us not forget that they were brought forward by a Conservative Government looking out for the interests of the people of Scotland.

Just because we have our own powerhouse Parliament in Edinburgh does not mean that our Parliament in London should be less of a force for good in Scotland. The UK Parliament is still as much of a Scottish Parliament as it has been since the Act of Union in 1707. Scotland is one land with two Parliaments. We deserve our voice to be heard here and we deserve our Government—the UK Government—to work in our interests. Action taken by the Exchequer to work with the oil industry, to ensure that the full force of the UK economy can come to the assistance of the regional economy of Aberdeen, is an example of our working together as a United Kingdom.

**Colin Clark** (Gordon) (Con): On 3 October the Scottish Government announced an absolute ban on fracking in Scotland. In 1969—the year I was born—the main discovery of oil was made in the North sea. Does my hon. Friend agree that if the Scottish National party were in power now, it would ban the exploration of oil in the North sea, based on quasi-science?

**Stephen Kerr:** Indeed, the SNP is more defined by what it is against than what it is for, in most instances.

I say to the Minister that it is vital that the UK Government do not devolve and forget. Betterment will come—in so many ways—only when different levels of government work together in co-operation. That is why a positive relationship between all levels of government—Edinburgh, Westminster and local government—is imperative. Such a relationship should be built on respect, and it should not matter whether someone is a local councillor, a Member of the Scottish Parliament or a Member of this Parliament. We are all unified in our goal of making Scotland a better place. We might have different approaches, but I believe that people who enter politics do so out of a genuine belief, either in a cause or in the value of public service or, as is often the case, in both. That respect must run both ways, and political parties have a fundamental responsibility to embody the principle of respect, as we all know what happens when it breaks down.

In Stirling we have a city deal, which, to work, requires the agreement of the local authority, the Scottish Government and the UK Government. The UK Government have made a significant commitment to the city region deal and the local authority is already spending money on projects. The Scottish Government are coming to the table, but there is a nagging feeling that Edinburgh is reticent about getting involved. I hope that changes soon and that we see movement, but it is part of a worrying trend. I will work with all levels—politicians, officials and businesses—to make the deal happen and to make it work.

On the other side, the UK Government are responsible for broadband policy in Scotland. *[Interruption.]* Listen, listen. That policy is being delivered through the Scottish Government. There is a contract set by the Scottish Government, targets set by the Scottish Government and a delivery body, within the Scottish Government. When new areas are released as being covered by broadband, SNP Ministers will be there getting their photos taken. Who can blame them? All politicians love to have their pictures taken. But then when questions are raised or there are negative stories, it all somehow, as if by magic, becomes a problem caused by Westminster neglect.

The Scottish Government—the SNP Government—tends towards grievance instead of fixing the issues. With fixed odds betting terminals, welfare rights or broadband, they prefer to focus on process. The reason the SNP exists is to build support for independence. Despite its being an overwhelmingly negative way of doing things, grievance is clearly how it likes to do them and, frankly, Scotland suffers because of that.

While the Scottish Government are distracted, education is slipping. The fact that international scoring puts us behind England should be a source of national embarrassment, yet the Scottish Government prefer to focus on independence. Business growth in Scotland in 2016 was the lowest for any part of the United Kingdom. The business community are crying out for a more joined-up approach to business support and reform of the business rates system. Despite that, the Scottish Government want to focus their time on fighting for more economic power, when they will not use the powers they already have at their disposal. Instead of focusing on the crime rate and the leadership crisis in the police

[Stephen Kerr]

force, the SNP Scottish Government choose to put their time and attention into scrapping the British Transport police.

There is a clear pattern: the SNP puts process and stoking up grievance ahead of the good of the people of Scotland, and that is not what the powers of the Scottish Parliament are for, nor what people pay their taxes to support the Scottish Government for—nor is it to pay for ministerial limos, by the way, but that is a different story. And there are more process issues being stoked up by Brexit. Scotland's most important markets are in England, Wales and Northern Ireland—one could call that the United Kingdom single market. We have been in a social union with those countries for 310 years. There is freedom of movement and a customs union, but the SNP would prefer powers to be handled by unelected bureaucrats in Brussels than by a Government elected by the people of the United Kingdom. I have always found that position to be confusing at best and disingenuous at worst.

We need a regulated, open market within the UK, so it remains vital that some of the regulations and frameworks are set at Westminster level. Equally, some of the powers that Europe now holds should sit logically in the devolved Governments of Cardiff and Edinburgh. Beyond that, the devolved Assemblies have a responsibility to consider which of those powers can be reasonably held at local authority level. Again, if we approach this in partnership for Scotland, the UK and Scottish Governments can really deliver on the benefits of Brexit, but if we focus on the process and on fomenting grievance, Scotland will be let down again.

**Several hon. Members** *rose*—

**Stephen Kerr:** I am closing. With an approach that respects the motives of politicians from all along the political spectrum and from different levels of government, the people of Scotland would be better served. Our Scottish Government—

**Angus Brendan MacNeil:** Will the hon. Gentleman give way?

**Stephen Kerr:** I am going to close. Our Scottish Government have a wide range of powers that they can use for the good of Scotland—more powers delivered by a Conservative Government. Devolution, however, should be a process and the Scottish people are best served when decisions are made closest to where they live. We must push for more power to be delivered to town halls across Scotland. Clarity over where power sits and honesty about that is essential. Politicians should be problem solvers, working across government levels to achieve for their constituents, rather than throwing their hands up in the air and decrying their lack of power.

Throughout all this is my fundamental belief that by working together we can achieve so much more for Scotland. We need to stop arguing—[*Interruption.*] Sorry, I correct myself: we need to keep arguing—[*Laughter*]—about policy and ideas. That is part of our nature as Scots. If we get away from the grievances and use the powers of devolution, we can all be winners. That is the promise of the use of power by government,

whether local, devolved or national. Scotland is a land with two Parliaments, but it is one land and it deserves to be governed not in conflict but in partnership.

**Mr Philip Hollobone (in the Chair):** The debate ends at 5.30 pm. Mr Kerr has three minutes to sum up at the end. The guideline limits for the Front-Bench speeches are five minutes for Mr Sheppard and the SNP, five minutes for Mr Sweeney and Her Majesty's official Opposition, and 10 minutes for the Minister. That means that I have to call the Front-Bench spokespeople at seven minutes past five. There are 19 minutes between now and then, and there are nine Members seeking to speak, so to get you all in there will have to be a two-minute limit, starting from now. If there is a two-minute limit, all those Members will get to speak; if there are interventions, someone or some people will lose out.

4.48 pm

**Chris Stephens (Glasgow South West) (SNP):** It is a pleasure to see you in the Chair, Mr Hollobone. I must confess that when I saw the debate on the Order Paper I had very low expectations, and the hon. Member for Stirling (Stephen Kerr) matched every single one of them.

The hon. Member for Stirling talks about politics being local. What about the Trade Union Act 2016? In that Act, local authorities and the Scottish Parliament were denied an opportunity to deal with their workforces in the way they wanted to because a Westminster Government imposed restrictions on them. That is not grievance, it is a simple fact. If the hon. Gentleman thinks that politics should be local, the Government should devolve the Trade Union Act to the Scottish Parliament.

As for the public sector pay cap, it was very strange that not one Scottish Conservative contributed to, or was in, the debate on that a couple of weeks ago. They were absent. They boycotted the debate, and they were local. The treatment of workers is one of the key powers that we need to debate—whether it should be a power for the Scottish Parliament or for Westminster. The Scottish Parliament would not be treating workers in the way that the Westminster Parliament is by not taking action against companies exploiting employees.

**Bill Grant (Ayr, Carrick and Cumnock) (Con):** Will the hon. Gentleman give way?

**Chris Stephens:** I am afraid I have only 30 seconds left, so I will not. I apologise.

**Bill Grant:** I will be quick as a flash: I was there and I spoke in the debate, so the hon. Gentleman is wrong.

**Chris Stephens:** The hon. Gentleman did not speak in the public sector pay cap debate, and *Hansard* will show that. He asked a question during the ministerial statement. He was not there for the debate.

I think there should be an honest debate about powers being devolved to the Scottish Parliament, and I hope we will see that in the rest of the debate.

4.50 pm

**Kirstene Hair (Angus) (Con):** I am grateful to my hon. Friend the Member for Stirling (Stephen Kerr) for bringing this incredibly important debate to Westminster Hall, and to you, Mr Hollobone, for kindly allowing me to speak.

In my constituency of Angus, one of the biggest challenges is delivering effective and efficient healthcare in such a rural community. While the Scottish Parliament should in theory have the ability to better understand local needs, with this SNP Government, that unfortunately applies only to the central belt. For example, in my home town of Brechin—part of it falls into the 20% most deprived areas in Scotland—the health centre was staffed by six full-time GPs back in 2007. After 10 years of an SNP Government, that service has halved. In addition to the difficulty now faced by residents in simply securing a GP appointment—never mind continuity with the same GP—other services that should be delivered locally to reduce demand on Dundee's A&E department are being withdrawn or reviewed with no guarantees about their replacement.

**Angus Brendan MacNeil:** Will the hon. Lady give way?

**Kirstene Hair:** No, I am going to make some progress. Speaking on behalf of my constituents, I say quite simply that we are fed up of being hoodwinked by this SNP Government. They should stop pulling the wool over our eyes. We deserve honesty, clarity and an open dialogue on such vital services—not back-room discussions that the service users have no ability to influence effectively. As a result of the fall in the number of doctors, out-of-hours care services that should be delivered in the community have all but disappeared. Rural residents are being forced to travel up to 40 miles to Dundee or wait until the daytime services re-open.

It is not just general practice that has been badly hit by the SNP's mismanagement of Scotland's NHS; every aspect of healthcare is being threatened by a Government set on centralisation. Whether it is the sham consultation on the Mulberry mental health unit—the SNP MSP who claims to be fighting the case refused to turn up to the regional NHS meeting where that exact issue was at the top of the agenda—or whether it is the closure of Brechin Infirmary—

**Mr Philip Hollobone (in the Chair):** Order. I call Martin Whitfield.

4.52 pm

**Martin Whitfield** (East Lothian) (Lab): Thank you, Mr Hollobone. I thank the hon. Member for Stirling (Stephen Kerr) for securing this debate. To have power and not use it is a crime. For a Government to have power and to let it lie in abeyance for so long is to mistrust and ill-serve the people who voted for them.

**Angus Brendan MacNeil:** Power unused is the approach of the Labour party in Scotland, which sent billions of pounds back to Westminster. They had money, and they did not use it for the good of Scotland. They handed it back.

**Martin Whitfield:** I hear the hon. Gentleman's intervention, and I thank him for the extra time. Devolution under the Scotland Act 1998 created the Parliament that sat on 12 May 1999. The first Act passed was the Mental Health (Public Safety and Appeals) (Scotland) Act 1999, and it is interesting that we still talk about the need and desires for mental health services to this day.

From the formation of the Scottish Parliament we are now in a position where in a recent poll, 19% of people in Scotland seemed to indicate that they want devolved powers returned to Westminster. That is an appalling state of affairs. After this length of time, instead of an increasing number finding confidence and security in our Parliament in Scotland, one fifth of the population wants to go back to what they had.

I want to look at the powers in relation to one industry that concerns my constituency greatly, which is timber. Businesses north of the border can draw down from the apprenticeship levy if and only if they have an approved training provider. Businesses south of the border can draw down for the individual apprentices they have. In my constituency, we have a forestry business that can produce 10 million trees a year, but the number of apprentices within the industry is so small that there is no provider, so the businesses cannot draw down on the levy and they get no financial support.

Other industries in my constituency have apprenticeships that cross the border. The nuclear power station wants to send its apprentices around the whole fleet, and that causes problems, because it can draw down on the apprenticeship levy south of the border, but not north of the border. This debate is very timely, and the discussion needs to be across the border so as to facilitate the best interests of those in Scotland and of the United Kingdom and its economy across the board. Maybe it is time we stop screaming and shouting at each other and sit down and talk and act in the best interests of both Scotland and the United Kingdom.

4.55 pm

**John Lamont** (Berwickshire, Roxburgh and Selkirk) (Con): I am delighted to take part in today's debate, and I commend my hon. Friend the Member for Stirling (Stephen Kerr) on initiating it. Devolution should have been a good thing for Scotland, bringing power and decision-making closer to the people. Holyrood has evolved to be one of the most powerful devolved Parliaments in the world, and I for one welcome that process, but it does mean that the Scottish Government must face the reality of spending within their means. Every time the SNP objects to a reduction in public spending, they have a simple solution: increase taxes to pay for what it is promising.

Devolution does not and should not stop at Holyrood. What we have seen, particularly over the past 10 years, is an increasingly powerful Scottish Parliament refusing to hand over any powers to local authorities. In fact, the reverse has often been the case. The current SNP Administration in Holyrood have been one of the most centralising Governments in recent years. Most people in Scotland do not feel that decision making has been brought any closer to them.

**Mr Alister Jack** (Dumfries and Galloway) (Con): Will my hon. Friend give way?

**John Lamont:** No, I have got only a short amount of time left. In many cases, decision making has moved from Westminster to Holyrood. Scotland has become one of the most centralised countries in the western world. The vast majority of economic decision-making powers are kept by the Scottish Government, and councils have been relegated to little more than service providers. Council oversight of policing has been all but destroyed

[John Lamont]

by the creation of Police Scotland. Local sheriff courts have been shut in Duns and Peebles, as have local police station counters. The Scottish Government meddle in hundreds of planning decisions each year, overturning council decisions half the time.

My final point is this: the Scottish Government constantly say that they want more devolution, but it is interesting to see what they do with that devolution when they get it. The answer is nothing. The Scottish Government have had the power to raise or lower income tax, but have chosen not to use that power. They have the power to compensate women who have been affected by the changes to pension age, but they choose to do nothing apart from complain about it. Most recently, after years of demanding control over welfare, what did the SNP do when it actually got those powers? It asked the Department for Work and Pensions to remain in charge of payments for three more years because they were not ready for the responsibility. Time and time again, the SNP is failing Scotland because it fails to use the powers it has available.

4.58 pm

**Hugh Gaffney** (Coatbridge, Chryston and Bellshill) (Lab): I thank my comrade the hon. Member for Stirling (Stephen Kerr) for calling this debate. I will be as brief as possible. I want to talk about where Scotland is today and about our future. Most importantly, I want to talk about how we can use our significant powers to make the lives of the people of Coatbridge, Chryston and Bellshill and all those across Scotland better, healthier and happier.

My commitment to the Union of England, Scotland, Wales and Northern Ireland is not a secret. I proudly campaigned for a no vote across Scotland during the referendum because I believed that the powers in the Scottish Parliament were sufficient to ensure that Scotland and her people were adequately and effectively represented and served while still being part of the United Kingdom. Our issue is about the use of the powers. Some people in Scotland, many of them on the Conservative side, say that Holyrood has too many powers. Those in the SNP, who have been in government for more than 10 years, say there are not enough. To both sides, I say, "Rubbish." We have enough powers to do it, so please let us start focusing on the issues that affect our young people in their schools, on our hospital wards that are at breaking point, and on our transport system that needs investment and focus.

**Several hon. Members** *rose*—

**Hugh Gaffney:** I apologise for not giving way; I have only got two minutes.

We have the powers to change and improve the lives of people in Scotland. The current Government in Scotland are a one-trick pony and do not seem to want to focus on the issues facing my constituents. If there is no appetite to use the powers, then we look forward to Scotland electing a Labour Government that will use the powers—a Labour Government that will empower, enrich and serve our people. Scotland will use the powers—

**Mr Philip Hollobone (in the Chair):** Order.

5 pm

**Luke Graham** (Ochil and South Perthshire) (Con): It is a pleasure to serve under your chairmanship, Mr Hollobone. I will make it nice and brief. Devolution, as my colleagues rightly said, was meant to bring power closer to people and to ensure that our two levels of government worked better together.

I want to focus on spending choices in health and education. In health, we know that there is a gap. In England, spending has been increased by 50% in the last 10 years. In Scotland, spending has increased by 34% and, after 20 years of devolution and 10 years of SNP Government, Scottish people still have the lowest life expectancy in the whole United Kingdom. That is a problem.

My real focus today, however, is on education. To put it bluntly, the nation of the enlightenment is foundering under the yoke of nationalism. Despite substantially higher overall spending in Scotland—£37.9 billion, up from £34.2 billion—Scottish schools and colleges have suffered. Spending in further education has been squeezed by the decision to abolish the graduate endowment fee, increasing the burden on the public purse to pay for free tuition fees for Scottish and EU students, although not for our nearest neighbours from England, Wales and Northern Ireland. That decision has actually led to a smaller percentage of deprived children going to university than in any other part of the United Kingdom. Just 12.5% of the poorest 20% in Scotland go to university, versus 20.2% in England. Since 2006, our reading score has dropped from 499 to 493; our mathematics score from 506 to 491; and our science score from 515 to 497.

That is unacceptable, but it is not just the SNP's spending decisions in education and health that are harming Scotland; it is the deliberately divisive nature of the SNP Administration—from frustrating the relationship with the UK Government to the Cabinet Secretary for the Economy, who is from my constituency, refusing to meet me about a city deal for four weeks and counting. That is neither good nor bad devolution; it is dysfunctional devolution, and we need to bring it to an end.

5.2 pm

**Stewart Malcolm McDonald** (Glasgow South) (SNP): I have to say, in congratulating the hon. Member for Stirling (Stephen Kerr) on introducing the debate, that I think he just had a 15-minute argument with himself—not, perhaps, the best use of his time, but that is for his judgment.

I am slightly concerned that we are learning nothing new here. This debate is on more powers for Scotland, and not a single Conservative Member has argued for a single new power to come to Scotland. I understand why the Minister is looking so nervous as he sees this historic event happen in front of us—the Scottish Conservative and Unionist party transforming from caterpillars into butterflies of devo-max-olutionism.

Nobody is buying it, and I ask Members in all seriousness what they are adding to the debate. We can have a slagging match on my Government or the Conservative Government's record. That is fine, but hon. Members should ask themselves what members of the public watching the debate will think. This is meant to be a serious debate about where power lies

and—yes, I accept—how it is used, but what Members have come here for this afternoon is essentially a stairhead rammy.

If hon. Members want to have a serious debate about how powers are used to combat poverty or better the lives of the people of Scotland, let us have that discussion. As to all the accusations about not getting on with the day job—I really do not think so. When their own leader in Scotland is about to embark on a celebrity version of “The Great British Bake Off”, I will take no lectures in how to govern.

I also say this: there is a Minister here. Why not tear him apart on the half a trillion pounds that the Government have just lost—wiped off the UK’s wealth? There is not a single piece of holding to account. They were elected to send a message; well what a message it is.

5.4 pm

**Ross Thomson** (Aberdeen South) (Con): The SNP has been in power for a decade now and throughout its time in office, the approach to dealing with any issue has been that control from Edinburgh is inherently better. The SNP Administration under Nicola Sturgeon have been characterised by illiberal reforms such as the named person scheme, where the Government did not trust parents to the extent that they wanted to assign a state guardian, because state officials know better than parents. The Supreme Court was unanimous in declaring that the Scottish Government had exceeded their powers in making a law that gave unprecedented powers to officials to share sensitive, private information about children without the consent of their parents.

Across Scotland, we have seen the Big Brother centralisation of power to an unprecedented degree and it is deeply disturbing. We have seen the Scottish Government’s illiberal control-freakery in the area of education, where the SNP’s top-down, authoritarian, one-size-fits-all approach is failing Scotland’s children. Schools are falling down international rankings and a smaller percentage of the most deprived children are going to university in Scotland than in any other part of the UK. Furthermore, the SNP has cut 152,000 college places.

In health, ministerial control has been tightened over health boards. Subsequently, NHS waiting times are being missed. We have seen widespread staffing crises right across Scotland, in every region. Turning to Police Scotland, eight regional police forces were merged into one, with accountability to a board appointed by Scottish Ministers, while right here, under the Prime Minister when she was Home Secretary, we saw local accountability with elected police and crime commissioners. The SNP has called for more devolution for Scotland, but is silent when it comes to devolution within Scotland.

5.6 pm

**Andrew Bowie** (West Aberdeenshire and Kincardine) (Con): It is a pleasure to serve under your chairmanship, Mr Hollobone. Eighteen years since the opening of the Scottish Parliament, it is right that we in this place—the place that passed the original Scotland Act 1998—consider the use of devolved powers, and I commend my hon. Friend the Member for Stirling (Stephen Kerr) for introducing this debate.

It is a fact that thanks to the actions of this Government, the Scottish Parliament is one of the most powerful

devolved legislative Assemblies in the world, with powers over justice, education, health, transport, the environment, and now taxation and elements of social security. That is a good thing. However, for the people of my constituency, and indeed for the people of the wider north-east of Scotland, far from the renewing or revitalising experience promised in 1999, the reality of devolution has been cuts, tax rises and the perception of a central-belt bias in all decision making.

Let us just look at what has happened: sheriff courts closed; the Grampian police gone; motorway improvements in the central belt, but still no new junction at Laurencekirk; 120 teaching posts in Aberdeen still vacant; council tax up; income tax up; business rates up; the land and buildings transaction tax unfairly hitting the north-east; psychiatric wards closing; GP surgeries overstretched; planning decisions that were taken by Aberdeenshire Council overridden by the Scottish Government; and our farmers completely and utterly failed. It is quite clear that devolution and the use of devolved powers, as they are at the minute, have not delivered for the people of the north-east of Scotland, but I am an optimist and I think that they really could.

Now is the perfect time to begin a genuine, rational cross-party debate about the future of devolved powers, where they are held, and how they are used. For me, the biggest question has to be: must devolution stop at Edinburgh? Real, accountable local authorities; directly elected and accountable provosts for our cities; a return to local, accountable policing; and more democracy and devolution within Scotland—that is what we need.

**Mr Philip Hollobone (in the Chair):** We now come to the first of the speeches from the Front-Bench spokespeople. I call Mr Tommy Sheppard.

5.8 pm

**Tommy Sheppard** (Edinburgh East) (SNP): It is customary, when I rise to make the third party submission, to thank the Member who has brought the debate. On this occasion, I will decline to do that. The Scottish Government are accountable to the elected Members of the Scottish Parliament, who are elected by and accountable to the Scottish people. It is not a matter for this Westminster Parliament—indeed there is an explicit constitutional convention that forbids it—to try to hold to account the Scottish Government, so I wonder why the hon. Member for Stirling (Stephen Kerr) has chosen, among all the things he could discuss that affect his constituents, to bring this motion here today.

I conclude that the only possible reason for this debate is not to try to advance or develop public policy but purely and simply political point scoring and to have a go at the SNP. It is a matter of some regret that the hon. Gentleman has been aided and abetted in that endeavour by Her Majesty’s loyal Opposition.

It seems that contributors to the debate cannot make up their mind about whether the problem is that the Scottish Government are not using the powers they have, or whether they are using their powers, as some speakers have complained. The truth is that the Scottish Parliament and Government use their powers every day and in every way to try to make things better for the people of Scotland, but they do so within considerable legislative and financial constraints, which have seen Scottish public funding cut by almost 10% in real terms in a decade.

**Luke Graham:** Will the hon. Gentleman give way?

**Tommy Sheppard:** Sit down, please. I have not got time.

Despite that adversity, there have been many achievements. Time is short, so let me list just 10. First, in Scotland, people get free medicine. Since that policy was introduced, 34,000 free prescriptions have been issued in Stirling.

In Scotland, we do what we can to make taxation progressive. Higher-rate taxpayers in Scotland today pay more than they do in England. People with larger houses pay more when they sell them than they do in England, and people who live in larger houses pay more council tax than they do in England.

**Mr Jack:** Will the hon. Gentleman give way?

**Tommy Sheppard:** No, I will not.

We use the powers we have got. Crime is at an all-time low. More than 1,000 extra police officers have been on the beat over the 10 years of the SNP Government.

Scottish school students' highers results were a full third higher than they were 10 years ago—a better performance than in any other part of the United Kingdom.

**Christine Jardine** (Edinburgh West) (LD): Will the hon. Gentleman give way?

**Tommy Sheppard:** I shall not be giving way at all, because I have not got the time.

Help for small businesses in Scotland is at an unprecedented level, and much higher than it is in the rest of the UK. In Stirling, 4,882 businesses benefit from the small business scheme.

In Scotland, we will ensure that fracking will not take place beneath the houses of people living in Stirling, in line with their publicly expressed wishes. We have done what we can to mitigate the effects of the Westminster Government. We have used the hardship fund to try to mitigate the bedroom tax—a pernicious attack on the poor. In Stirling, there are 1,021 recipients of that fund.

We have a better-performing national health service than any other part of the United Kingdom. There are still many challenges, but there is a higher spend per head, more staff, shorter waiting times and a better public perception.

We have built 60,000 affordable homes in Scotland in the last 10 years, including 3,085 in Stirling, of which 777 are social housing. Most of all, in Scotland, if someone wants to go to university, it is free and they do not have to cripple themselves with unnecessary debt to pursue their education.

Compare and contrast the Scottish Government's record with that of the Tory Government here in Westminster—a Government who, after just four months in office, appear to be punch-drunk and adrift on a sea of uncertainty and chaos of their own making. I know which Government I would rather have in control of my life: the Scottish Government led by the SNP. No wonder the SNP is 17 points ahead in the opinion polls and the Conservative party is trailing in third place in Scotland. The wafer-thin majority of the hon. Member for Stirling is disappearing day by day.

5.13 pm

**Mr Paul J. Sweeney** (Glasgow North East) (Lab/Co-op): It is an honour to serve under your chairmanship, Mr Hollobone.

I thank the hon. Member for Stirling (Stephen Kerr) for securing this debate, and I congratulate him on his first speech in this Chamber. I also thank him for reminding us that this is the 20th anniversary of the historic referendum on devolution. It was generally accepted at the time that it was the settled will of the Scottish people to establish a Parliament in Edinburgh—they were clearly not in agreement with the hon. Gentleman. He reminds us that the Scottish Parliament was founded in the face of Tory intransigence—that must never be forgotten. I am heartened that he has changed his view since then. Perhaps the evidence of the Parliament's credibility over its two decades of operation has made him see the light. I fear that we may be doomed to disappointment, because it is clear that there is continued intractable opposition from Conservative Members about how we progress the constitutional future of the United Kingdom sustainably.

Several Conservative Members referred to the need to move power closer to the people, yet the Strathclyde Regional Council was abolished because it dared to hold a referendum on maintaining a public-sector water supply company. How does that square with their position?

I have asked questions on two occasions—including to the Prime Minister—about the need to establish a constitutional convention to deal with the distribution of power and governance across the United Kingdom in the wake of Brexit, and I had a totally unsatisfactory response on both. It is clear that, when it comes to defending the integrity of the United Kingdom, the Tory party is utterly inept and totally incapable. That is unacceptable. It is becoming increasingly clear to me that the only presence in this House that will fight for a sustainable future built on solidarity in the United Kingdom is the Labour party.

I recall John Smith's comment that there are two forces sawing away at the legs that support the Union—the Scottish National party, whose primary mission is to destroy the United Kingdom, and the stupid Conservative party, which always fails to rise to the occasion when it comes to delivering deep, meaningful and fundamental reforms to the constitution of this country. That is unacceptable, and it must be called out in this Chamber today.

Although the hon. Member for Stirling lauds the Scotland Act 2016, which enhanced the Scottish Parliament's powers, he failed to say that the devolution of welfare powers was due to my hon. Friend the Member for Edinburgh South (Ian Murray), who tabled more than 120 amendments to the Bill, including on all of the welfare powers. Therefore, to suggest that it was all the initiative of the Conservative party is absolutely bogus and unacceptable.

**Stephen Kerr:** We did deliver it.

**Mr Sweeney:** They delivered it in the face of intransigence. They failed to rise to the occasion.

The hon. Member for Angus (Kirstene Hair) talked about NHS cuts, but did not propose to use the Scottish Parliament's powers to deal with them meaningfully. Conservative Members talk about NHS cuts, but I have

heard repeated claims that they have no interest in using the Scottish Parliament to deal with them meaningfully. My hon. Friend the Member for East Lothian (Martin Whitfield) said that 19% of Scots feel that the Scottish Parliament has not risen to the occasion; in fact, they wish to abolish it.

We have to raise our game. We have to look at what we can do to build a credible devolution settlement. We need to use the Scottish Parliament's powers to maximise the benefit for the Scottish people.

**Mr Jack:** Will the hon. Gentleman give way?

**Mr Sweeney:** No, I do not have time—sorry.

Why has the SNP ignored the will of the Scottish Parliament five times since 2016 on key issues pertaining to things such as the public sector pay cap and raising tax in Scotland to deliver a progressive outcome? The hon. Member for Glasgow South West (Chris Stephens) talked about workers' rights, but why is it that only the Labour party has consistently voted to lift the public sector pay cap in both Houses? That is clearly the case, and yet the Scottish Parliament only responded as a result of Labour pressure. The SNP's record in both Houses is clear. *[Interruption.]* Its record reflects that, I am afraid.

The only real, practical and progressive measure for tax reform in the Scottish Parliament has come at the behest of the Labour party. Proposals for progressive taxation—potentially raising up to £600 million extra a year in Scotland—would deliver real, meaningful reform, because it would end austerity in Scotland. We would also add £5 a week more to child benefit, which would raise 30,000 children a year out of poverty. That is the opportunity in front of us today.

I am a child of the devolution settlement—I was only seven years old when the vote took place. We have to remember Donald Dewar's words: it was not an event, but a process—

**Mr Philip Hollobone (in the Chair):** Order.

**Chris Stephens:** On a point of order, Mr Hollobone. In a sedentary intervention, the hon. Member for Ayr, Carrick and Cumnock (Bill Grant) claimed that he was at the last debate about the public sector pay cap. I have checked *Hansard* for 13 September, and he is not listed as having made a contribution in that debate. As an experienced Member of this House, Mr Hollobone, can you advise me what steps an hon. Member who makes an inaccurate claim in a sedentary intervention can take to correct the record?

**Mr Philip Hollobone (in the Chair):** I thank the hon. Gentleman for his point of order. As I understand it, *Hansard* is an almost verbatim record of verbal contributions in the House. It does not record attendance. Members may be in the Chamber without making a verbal contribution.

5.20 pm

**The Deputy Leader of the House of Commons (Michael Ellis):** It is a pleasure to speak under your chairmanship, Mr Hollobone.

I congratulate my hon. Friend the Member for Stirling (Stephen Kerr) on securing this debate, his first in this Chamber. Hearty congratulations are very much in

order. The debate has provided an important opportunity for us to reflect on devolution within the United Kingdom and within Scotland, and to look ahead to a stronger Holyrood in the next few years as we exit the European Union.

As my hon. Friend highlighted in his speech, it has been just over 20 years since people in Scotland voted to support the creation of a Scottish Parliament with tax-varying powers on 11 September 1997. In just over a year from now we will celebrate a further anniversary, that of Royal Assent of the Scotland Bill in November 1998. The Scotland Act 1998 established the new Scottish Parliament and set out its powers as a legislature within the United Kingdom. Since the Scottish Parliament first sat in May 1999, it has truly come into its own. Devolution is clearly the right approach for Scotland. It is what the people in Scotland voted for and it ensures that decisions are taken at the right level.

The Scottish Government may choose their own path on key policy decisions. Of course, I cannot say that I agree with everything that the Scottish Governments do or have done since 1999. I do not agree, for example, with the SNP Government's decision to make Scotland the highest taxed part of the United Kingdom, and I do not agree with how they chose to handle common agricultural policy payments in the past couple of years, but I do agree that it is their right to decide those things for themselves. It is up to the people of Scotland to make their own judgment of their Government in devolved matters.

**Jamie Stone** (Caithness, Sutherland and Easter Ross) (LD): Will the Minister give way?

**Michael Ellis:** I am sorry, I do not have the time.

The SNP are failures—Ruth Davidson has the right ideas. Because of devolution, key decisions about Scotland can be taken in Scotland, while Scotland benefits from the pooling of risk and resources that comes from being part of a successful and historic Union. A powerful Scottish Parliament within a strong United Kingdom offers people in Scotland maximum security and opportunity, representing their interests in the world and allowing resources and risks to be shared effectively.

Devolution has also been shown to be flexible and responsive to changing needs and circumstances. Most recently, the Scotland Act 2016 ensured that the Scottish Parliament has a significantly greater say on matters including further taxation powers and welfare support in Scotland. The Scotland Act is now in the process of being implemented, with a number of its new powers already in force and the Scottish Parliament able to legislate and make choices on a range of new policy areas. The Scottish Parliament also has new powers, for example, to top up reserved welfare benefits or to create new benefits in devolved areas, should it decide to do so. Taken together with the existing powers of the Scottish Parliament, the Act creates an even more powerful and accountable Scottish Parliament within a strong United Kingdom.

That is what the people of Scotland voted for. The Scotland Act balances more decisions being taken in Scotland, closer to those they affect, with retaining the strength and security that comes from membership of the larger United Kingdom. The 2016 Act provides the Scottish Parliament with much greater tax-raising powers,

[*Michael Ellis*]

which means that, from responsibility for raising around 10% of what it spends today, Holyrood will in future be responsible for raising more than 50% of what it spends. With new powers on welfare, the Scottish Government need to publish details of how they plan to support disabled people in Scotland, for example.

Enough of the grievance culture and the obsession with process; the SNP and the Scottish Government must use their powers to serve the people. The Scottish Parliament has unprecedented flexibilities on income tax—to set income tax rates and thresholds for earned income, including the ability to introduce new tax bands—so it is most unfortunate, and I suspect that many in the Chamber who represent seats in Scotland will be dismayed, that that power is being used to hike income tax on Scots in their constituencies and throughout Scotland. It is vital that the new powers are used to the greatest benefit in Scotland. I have heard much concern this afternoon about that not being the case from those on the Conservative Benches, who are rightly concerned that it is not the case.

**Ross Thomson:** The Minister mentioned income taxes. He is right that the First Minister, in conversation on her programme for government, not only mentioned increased taxes but spoke about her “cast-iron mandate” for independence. Yet she never once mentioned tax increases in her manifestos in 2016 or for the 2017 snap general election. If she is to talk about mandates, there is no mandate for increased taxes.

**Michael Ellis:** It is vital that the new powers are used to the greatest benefit in Scotland. I have heard much concern this afternoon about that not being the case, and I expect that we will see more of this debate in the coming months, as the Scottish Government outline their plans in their budget and beyond.

Of course, the question is not simply one of existing powers and how they are used. We are now engaged in a new discussion about devolution in the United Kingdom, because leaving the European Union gives us the opportunity to determine where powers that will return from Brussels will best sit.

The UK Government have clear objectives in mind. We want the UK after Brexit to work for the whole of the United Kingdom. It is right that we consider the big picture and ensure that our future constitutional arrangements support our new position in the world as we leave the EU. However, let me be clear that where there is no reason to keep a common framework, we will not, and where there is no reason to hold on to powers, we will not. No powers currently exercised by the Scottish Parliament will be taken away from the Scottish Parliament, and the Government expect that leaving the EU will mean more powers for the devolved Administrations. Only the SNP could turn no powers removed and more powers to come into an alleged power grab.

The time for divisive rhetoric is over, on Brexit and elsewhere across public policy. We have opportunities as we leave the EU to shape the UK and Scotland within the UK. We need to take those opportunities and to consider them properly. In doing so, both Governments have to continue to work together, as people in Scotland rightly expect us to do. It was my pleasure to respond to this debate, and I am sure that the debate on devolution will extend beyond the limited time we have had today.

**Stewart Malcolm McDonald:** On a point of order, Mr Hollobone. Will you advise the Chamber on why a departmental Minister did not respond to the debate and instead that was left to the Deputy Leader of the House?

**Mr Philip Hollobone (in the Chair):** The rules of engagement in these debates are that Her Majesty's Government decide which Minister will respond.

5.27 pm

**Stephen Kerr:** I thank all my colleagues serving in the House of Commons who have come here today to participate in the debate in one form or another. I have thoroughly enjoyed the experience. If nothing else, what we have displayed together in Westminster Hall this afternoon is the shared passion and love that we have for Scotland and its people. With that passion and all the arguments that go with it, I hope that there might be enough good will that we can occasionally stretch across the divide between nationalists and Unionists to work together to get the best possible deal for the United Kingdom.

For my part and that of those in my party who serve in the House of Commons, there is nothing but the utmost respect for the institution of the Scottish Parliament. We look forward to the increased powers to which the Minister referred coming to the Scottish Parliament. I note, however, that I found the speech of the SNP Front-Bench spokesman, the hon. Member for Edinburgh East (Tommy Sheppard), to be totally graceless. I do not feel that he did himself any credit in how he conducted himself in this debate. On a personal level, I have always held the hon. Gentleman in a degree of respect, which has sadly been challenged this afternoon by the things he has said and the way in which he has spoken.

Once again, I thank everyone for supporting this debate and for the privilege of leading it.

*Question put and agreed to.*

*Resolved,*

That this House has considered the use of devolved powers in Scotland.

5.29 pm

*Sitting adjourned.*

# Written Statements

*Tuesday 17 October 2017*

## **BUSINESS, ENERGY AND INDUSTRIAL STRATEGY**

### **International Investment**

**The Secretary of State for Business, Energy and Industrial Strategy (Greg Clark):** The Government are today publishing a Green Paper: “National Security and Infrastructure Investment Review”. This sets out proposals for amending the current regime in relation to national security and investment.

First, the Government are introducing amendments to the Enterprise Act 2002. For most sectors, the Government are only able to intervene in mergers involving companies with a UK turnover of over £70 million, or where the parties’ combined share of supply increases to 25% or more. This means mergers or acquisitions of some smaller businesses whose ownership is critical to our national security cannot be scrutinised.

The Government propose to amend the thresholds in two areas: the dual use and military sector, and certain parts of advanced technology, namely the design of computer chips and quantum technology. For these two areas only, we will lower the threshold for Government intervention to businesses with a UK turnover of over £1 million, and remove the requirement for a merger to increase a business’s share of supply to or over 25%.

The Government are also consulting on longer-term proposals, including:

introducing a ‘call-in’ power modelled on the existing power within the Enterprise Act 2002, to allow the Government to scrutinise a broader range of transactions for national security concerns within a voluntary notification regime; and/or

introducing a mandatory notification regime for foreign investment in parts of the economy which are critical for our national security. Mandatory notification could also be required for foreign investment in key new projects or specific businesses or assets.

These proposals will ensure that our arrangements for protecting national security are more closely aligned with those of major, developed economies, and more robust to the changing nature of threats to our national security.

The Green Paper delivers on the commitment made in the Queen’s Speech to bring forward proposals to consolidate and strengthen the Government’s powers to protect national security.

I will be making an oral statement in the House later today and placing a copy of the Green Paper in the Libraries of both Houses.

[HCWS177]

## **TREASURY**

### **Crown Estate Transfer Scheme 2017**

**The Exchequer Secretary to the Treasury (Andrew Jones):** The Smith Commission agreement recommended that the management of The Crown Estate’s assets in Scotland should be devolved. It also stated that, following this transfer, responsibility for the management of those assets should be further devolved to local authority areas. It was agreed that the UK Government would not determine how the Scottish Government managed further devolution. The Crown Estate Transfer Scheme 2017 brought this change into law on 1 April 2017.

During the passage of the Scotland Bill which implemented the Smith Commission recommendations, the UK Government promised that they would update Parliament on progress made by the Scottish Government with the onward devolution of management of The Crown Estate assets via a written ministerial statement six months after the transfer.

The Scottish Government held a consultation on the long term management of The Crown Estate in Scotland, including opportunities for further devolution. The consultation opened on 4 January and closed on 29 March 2017. It covered four key areas:

Vision

Managing Crown Estate Assets for Scotland and Communities

Securing the Benefits for Scotland and Communities

Assessing Impact

The Scottish Government are currently in the process of analysing the consultation responses. These will inform policy and proposals for a Bill to be introduced in the current session of the Scottish Parliament.

The consultation document is available at: <https://consult.scotland.gov.uk>.

[HCWS178]



# Petitions

Tuesday 17 October 2017

## OBSERVATIONS

### COMMUNITIES AND LOCAL GOVERNMENT

#### The Redwell fields, Wellingborough

*The petition of residents of Wellingborough,*

Declares that the petitioners strongly object to the building of a 3G sports pitch on Redwell Field open 8am until 10pm weekdays and 8am until 8pm weekends; further that the location is wrong; further that our field is for recreation, dog walking, wildlife, free football and cricket, running and other sports; further that it is a place where families relax in a quiet pleasant residential area; further that the planned 3G sports pitch will mean that the petitioners' children have nowhere to play; further that the residents will suffer noise, traffic, light pollution and other inconvenience; further that the pitch will spoil the character of the area; and further that the park should not be spoiled.

The petitioners therefore request that the House of Commons urges the Government to urge Wellingborough Council to reject the planning application of a 3G sports pitch on Redwell Field.

And the petitioners remain, etc.—[Presented by Mr Peter Bone, *Official Report*, 13 September 2017; Vol. 628, c. 947.]

[P002058]

*Observations from the Secretary of State for Communities and Local Government:*

My role in the planning system is quasi-judicial, and I am not able to comment on specific planning cases for reasons of propriety. Local authorities, working with their communities, are responsible for deciding the best locations for new sports and recreational facilities in their areas.

When they receive planning applications, local authorities should determine them in line with the Local Plan and all other material considerations. These considerations are likely to include any relevant views and evidence expressed by local people, an assessment of all the potential impacts and planning consequences of the proposal; and the policies set out in our National Planning Policy Framework.

The Framework, for instance, explains that planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision. It makes clear that existing open space, sports and recreational buildings and land should not be built on unless an assessment has been undertaken which has clearly shown them to be surplus to requirements, or the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location.

The Framework also sets out that noise arising from new development should not give rise to significant adverse impacts on health and quality of life and that the impact of light pollution from artificial light on local amenity should be limited. All developments that generate significant amounts of movement should be supported by a Transport Statement or a Transport Assessment.

I hope that the Petitioners and the local community have taken every opportunity to comment on what has been proposed.

## HEALTH

### Glenfield Children's Heart Unit

*The petition of residents of Harborough, Oadby and Wigston,*

Declares that the petitioners want Glenfield Children's Heart Unit to be retained; further that this is a high performing unit and it is vital to retain such a service in the East Midlands.

The petitioners therefore request that the House of Commons urges NHS England to keep Glenfield Children's Heart Unit open.

And the petitioners remain, etc.—[Presented by Neil O'Brien, *Official Report*, 12 September 2017; Vol. 628, c. 811.]

[P002055]

*Observations from the Minister of State, Department of Health (Mr Philip Dunne):*

The observations are as follows:

Specialised services, such as those for Congenital Heart Disease (CHD), need to be planned on a regional and national basis.

NHS England has run a national consultation on its proposals for CHD service change and expects to make a decision at its board meeting in November 2017. This follows NHS England's assessment of all CHD providers, including those in the East Midlands, in July 2016.

NHS England is planning for the future to ensure our CHD services are the best in the world.

NHS England's proposals do not involve the closure of the CHD service at University Hospitals of Leicester NHS Trust. Rather its proposals for the Trust are focused on the moving of surgery and interventional cardiology only, with the Trust continuing to provide Level 2 specialist medical care for CHD patients. If implemented, these proposals would still provide local access for the vast majority of patients with CHD, who do not require any surgical or interventional procedures.

If it is decided that changes need to be made, these will be managed carefully and carried out in partnership with current service providers, and with patient groups and advocates. NHS England will keep patients and their families informed every step of the way.

It is important that all parts of the NHS work together to ensure best outcomes for adults and children with CHD.



# Ministerial Correction

*Tuesday 17 October 2017*

## HEALTH

### Mental Health Workforce

*The following is an extract from topical questions to the Secretary of State for Health on 10 October 2017.*

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

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

*[Official Report, 10 October 2017, Vol. 629, c. 163.]*

*Letter of correction from Mr Hunt:*

An error has been identified in the response I gave to a topical question.

The correct response should have been:

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



# ORAL ANSWERS

Tuesday 17 October 2017

	<i>Col. No.</i>		<i>Col. No.</i>
<b>FOREIGN AND COMMONWEALTH OFFICE</b> .....	695	<b>FOREIGN AND COMMONWEALTH OFFICE—</b>	
Catalonia .....	707	<i>continued</i>	
CHOGM .....	709	Malaysia: General Election .....	707
Counter-terrorism .....	702	Rohingya People .....	706
Cyprus .....	699	Russia .....	701
Daesh .....	708	Somalia .....	697
Hurricane Support .....	704	Topical Questions .....	710
Kashmir .....	697	West Bank .....	699
Libya .....	695		

# WRITTEN STATEMENTS

Tuesday 17 October 2017

	<i>Col. No.</i>		<i>Col. No.</i>
<b>BUSINESS, ENERGY AND INDUSTRIAL STRATEGY</b> .....	43WS	<b>TREASURY</b> .....	44WS
International Investment .....	43WS	Crown Estate Transfer Scheme 2017 .....	44WS

# PETITIONS

Tuesday 17 October 2017

	<i>Col. No.</i>		<i>Col. No.</i>
<b>COMMUNITIES AND LOCAL GOVERNMENT</b> .	15P	<b>HEALTH</b> .....	16P
The Redwell fields, Wellingborough.....	15P	Glenfield Children's Heart Unit .....	16P

# MINISTERIAL CORRECTION

Tuesday 17 October 2017

	<i>Col. No.</i>
<b>HEALTH</b> .....	5MC
Mental Health Workforce .....	5MC

No proofs can be supplied. Corrections that Members suggest for the Bound Volume should be clearly marked on a copy of the daily Hansard - not telephoned - and *must be received in the Editor's Room, House of Commons,*

**not later than  
Tuesday 24 October 2017**

STRICT ADHERENCE TO THIS ARRANGEMENT GREATLY FACILITATES THE  
PROMPT PUBLICATION OF BOUND VOLUMES

Members may obtain excerpts of their speeches from the Official Report (within one month from the date of publication), by applying to the Editor of the Official Report, House of Commons.

---

## CONTENTS

Tuesday 17 October 2017

**Oral Answers to Questions [Col. 695] [see index inside back page]**  
*Secretary of State for Foreign and Commonwealth Affairs*

**International Investment [Col. 721]**  
*Statement—(Greg Clark)*

**EU Exit Negotiations [Col. 731]**  
*Statement—(Mr David Davis)*

**Channel 4 (Relocation) [Col. 747]**  
*Motion for leave to bring in Bill—(Jack Brereton)—agreed to  
Bill presented, and read the First time*

**New Southgate Cemetery Bill [Lords] [Col. 750]**  
*Read the Third time and passed*

**Middle Level Bill [Col. 756]**  
*Revival Motion agreed to*

**Backbench Business**  
**The Rohingya and the Myanmar Government [Col. 764]**  
*Motion—(Rushanara Ali)—agreed to*

**Sale of Puppies [Col. 813]**  
*Debate on motion for Adjournment*

**Westminster Hall**  
**Healthcare in Oxfordshire [Col. 213WH]**  
**Lowland Curlew [Col. 236WH]**  
**Safeguarding Adults with Learning Disabilities [Col. 244WH]**  
**Dangerous Driving involving Death: Sentencing [Col. 267WH]**  
**Devolved Powers in Scotland [Col. 275WH]**  
*General Debates*

**Written Statements [Col. 43WS]**

**Petitions [Col. 15P]**  
*Observations*

**Ministerial Correction [Col. 5MC]**

**Written Answers to Questions [The written answers can now be found at <http://www.parliament.uk/writtenanswers>]**

---