

**Monday**  
**13 November 2017**

**Volume 631**  
**No. 49**



**HOUSE OF COMMONS**  
**OFFICIAL REPORT**

**PARLIAMENTARY**  
**DEBATES**

**(HANSARD)**

**Monday 13 November 2017**

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# HER MAJESTY'S GOVERNMENT

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(FORMED BY THE RT HON. THERESA MAY, MP, JUNE 2017)

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## OFFICIAL REPORT

IN THE FIRST SESSION OF THE FIFTY-SEVENTH PARLIAMENT OF THE  
UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND  
[WHICH OPENED 13 JUNE 2017]

SIXTY-SIXTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II

SIXTH SERIES

VOLUME 631

SIXTH VOLUME OF SESSION 2017-2019

### House of Commons

*Monday 13 November 2017*

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

#### PRAYERS

[MR SPEAKER *in the Chair*]

### Oral Answers to Questions

#### WORK AND PENSIONS

*The Secretary of State was asked—*

#### Gurkhas

1. **Mims Davies** (Eastleigh) (Con): What recent discussions he has had with Cabinet colleagues on support for Gurkhas in the welfare system. [901832]

**The Parliamentary Under-Secretary of State for Work and Pensions (Caroline Dinenage):** The Department for Work and Pensions has regular discussions with colleagues across Government about the treatment of Gurkhas in the benefit system and its responsibilities under the armed forces covenant. Additional support is already in place for members of the armed forces community, to take account of their needs and circumstances.

**Mims Davies:** Gurkhas put themselves on the line for our country. I recently met members of the Gurkha community in Eastleigh. They have travelled a long distance from home and they are phenomenal soldiers. Will my hon. Friend continue to ensure that their unique circumstances are recognised in both our pensions and benefits systems?

**Caroline Dinenage:** As you will be aware, Mr Speaker, I am married to a former Gurkha, so I fully understand and share my hon. Friend's gratitude for their bravery and service. No member of our armed forces should be disadvantaged by their service to our country. I would like to reassure her that the DWP takes very seriously our commitment to the armed forces covenant. We will do everything we can, and work as hard as we can, to help them get the best possible support.

#### Universal Credit: Advance Payments

2. **Paul Blomfield** (Sheffield Central) (Lab): Whether he has made an assessment of the potential merits of reducing the repayment rate on advance payments of universal credit. [901833]

**The Secretary of State for Work and Pensions (Mr David Gauke):** Advances are interest free and repayable over six months for those making a new claim, or 12 months for those who were on benefits before claiming universal credit. Our objective is to strike the right balance between supporting claimants with their living expenses and ensuring they have the ability to repay the advance.

**Paul Blomfield:** The Secretary of State knows that the guidance states that 40% of the standard allowance can be used to repay an advanced payment, and that 40% can be deducted to pay back creditors. It is not clear from the guidance whether a claimant might end up paying both, meaning that they will have more than 40% deducted from their award. Will the Secretary of State clarify the maximum amount repayable? Does he recognise that, as it stands, this is a charter for loan sharks?

**Mr Gauke:** The deduction from subsequent payments that take into account an advance does not apply to the 40%. We have to remember that it is an advance. An advance gives people greater flexibility to access universal credit early, so they are able to cope during the initial assessment period.

**Mark Pawsey (Rugby) (Con):** We hear a lot from Opposition Members about universal credit, but we have to remember that it is a much more effective system at getting people into work. Nationally, 113 people move into work under universal credit for every 100 under the previous system. My constituency, which was a pathfinder for universal credit, is seeing very substantial falls in the number of people claiming. Is it not a better system all together?

**Mr Gauke:** My hon. Friend is absolutely right. Universal credit is helping people to get into work and to progress in work. It is also clear that people on universal credit are spending more time looking for work than those on legacy benefits. It is really important that we all work to ensure the success of universal credit. We believe it will result in 250,000 more jobs—something worth achieving.

**Helen Goodman (Bishop Auckland) (Lab):** What the Secretary of State has repeated again this afternoon falls into the trap of treating everyone on universal credit as if they were out of work. Surely one big issue is the problem of applying conditionality to people who already have jobs?

**Mr Gauke:** The point about universal credit is that it operates when people are out of work and when they are in work. What we will not get is what happens with the legacy system: people worrying about working extra hours in case they find that their claim is closed. That holds people back from progressing. I believe that in-work conditionality has a role to play within our system to ensure that people progress. There is an issue in terms of people who are in work but are none the less receiving substantial support from the taxpayer. We want them to be able to progress to be less dependent on the state. That is what universal credit will deliver.

**Stephen Kerr (Stirling) (Con):** What steps has the Secretary of State taken to increase awareness of advance payments?

**Mr Gauke:** We have changed the guidance that applies in jobcentres on advanced payments and increased publicity in jobcentres. I visited a jobcentre in Bedford and saw myself how the operation of advances is working. We believe there will be an increase in take-up, which will ensure that people receive the support they need. The suggestion that people under universal credit will face weeks and weeks and weeks without any financial support whatever is, I am afraid, scaremongering. That is what is happening under the system as it is operating now.

**Neil Gray (Airdrie and Shotts) (SNP):** Yesterday, the Scottish Finance Secretary, Derek Mackay, wrote to the Chancellor ahead of his Budget appealing for universal credit to be fixed, and today 114 academics published an open letter in *The Daily Telegraph* criticising the advance payments system and echoing Derek Mackay's call to reduce the first payment wait time, move to a twice-monthly payment system and reverse cuts to work allowances. Does the Secretary of State agree that the Chancellor should act?

**Mr Gauke:** On universal credit and early payments, of course the Scottish Government have flexibility, which they are exercising, but that means that at the end of the

second assessment period people get only 50% of what they are entitled to, the rest being deferred and paid in the third assessment period, which strikes me as making the situation more difficult, not easier, for claimants, although it is for Scotland to decide how it wants to do it.

**Neil Gray:** If the Secretary of State is looking for the Scottish Government to show him how it is done, he should devolve universal credit in full, and we will get on with it. Has he seen the report from the Child Poverty Action Group and the Institute for Public Policy Research saying that cuts to universal credit will leave an extra 1 million children in poverty? Is 1 million more children in poverty not evidence enough for the UK Government to reverse their cuts to work allowances and make work pay?

**Mr Gauke:** My point was that the Scottish Government are delivering universal credit differently and in a way that I think is worse than the situation in England and Wales. The point about universal credit is that it will help people into work. I will give one brief example: I heard of an account last week of a single mother on income support not previously able to claim for her childcare costs but now able to do so under universal credit. She is taking up a job, working eight or nine hours a week, which she could not do previously—a first step on the ladder. That is an example of what universal credit is delivering.

**Margaret Greenwood (Wirral West) (Lab):** A recent report by the Resolution Foundation using new data based on bank transactions shows that 58%—the majority—of new claimants moving on to universal credit as a result of leaving employment in the last year were paid either fortnightly or weekly in their previous job, which is a far higher percentage than in the economy on average, where about one in four of all jobs is paid fortnightly or weekly. The Government should ensure that no claimant has to wait more than 10 days, so will they end the six-week wait and ensure that universal credit mirrors the world of work for those who claim it?

**Mr Gauke:** Universal credit is replacing tax credits, and under tax credits 57% of claimants are paid monthly and 12% four-weekly—nearly 70%—so if we are to have a system that works for everybody, it has to be a monthly system.

### Contracted-out Health Assessments

3. **Danielle Rowley (Midlothian) (Lab):** What recent assessment he has made of the (a) accuracy and (b) efficiency of contracted-out health assessments for employment and support allowance and personal independence payments. [901834]

**The Secretary of State for Work and Pensions (Mr David Gauke):** We are committed to ensuring that claimants receive high-quality, fair and accurate assessments. The DWP monitors assessment quality closely through independent audit. Assessment reports deemed unacceptable are returned for reworking. A range of measures, including provider improvement plans, address performance falling below expected standards. The DWP continually looks to improve the assessment process.

**Danielle Rowley:** My constituency office is inundated with people dissatisfied and distressed after their personal independence payment assessment. In the light of statistics showing an almost ninefold increase in complaints to the Department, what analysis has been made of the assessment process?

**Mr Gauke:** We are of course constantly striving to improve the assessment process. It is worth pointing out that the total number of complaints is about 1% of the total number of PIP assessments, but we continue to work closely with the assessors to ensure that this can be delivered as effectively as possible.

**Justin Tomlinson (North Swindon) (Con):** The vast majority of successful appeals are successful because of late additional evidence. What further consideration has been given to sharing data between the two different assessments and to providing for automatic access to health records—where the claimant is willing—in advance of an assessment?

**Mr Gauke:** My hon. Friend raises an important point and is absolutely right about the reason for the majority of overturned decisions. We continually look at how to increase co-ordination between the PIP and employment and support allowance assessment processes, and that is certainly something we are considering.

**Paula Sherriff (Dewsbury) (Lab):** My constituent has a life-limiting illness, and her medical consultant has confirmed that it affects even the most basic daily activities. Without a transplant, she has approximately two to three years left to live. She has just been turned down for a personal independence payment. Will the Secretary of State please undertake to look into the position as a matter of urgency? Will he also confirm that compassionate Conservatism is officially dead?

**Mr Gauke:** My answer to the hon. Lady's first question is that I will, of course, happily look into that case if she will provide me with the details.

**Helen Whately (Faversham and Mid Kent) (Con):** For our constituents a health assessment is an incredibly important moment, and it can be very distressing. I have been calling for routine recording of assessments, to provide evidence if they go wrong and also because recording in itself should sometimes change behaviour for the better. Will my right hon. Friend give me an update on the recording pilots?

**Mr Gauke:** We are indeed looking into that. My hon. Friend has made an important point about the need for independent auditing of assessments to ensure that the advice provided by the decision-makers is of suitable quality, fully explained and justified, and recording is one of various options that we are considering to bring about those improvements.

**Marsha De Cordova (Battersea) (Lab):** Let me start by welcoming the Minister for Disabled People, Health and Work, the hon. Member for Truro and Falmouth (Sarah Newton), to her place.

There has been a 900% increase in the number of complaints about personal independence payment assessments. Statistics from HM Courts & Tribunals

Service show that both the number of appeals lodged and the proportion of DWP decisions overturned have increased. There was a 67% increase in the number of appeals in the first quarter of 2017 in comparison with the same period last year. Just last week, Britain's most senior tribunal judge said that most of the benefit cases that reach the courts are based on bad decisions when the DWP has no case at all. The quality of evidence—

**Mr Speaker:** Order. We need a question mark very soon. Forgive me, but the hon. Lady's text does seem extensive. I know that she is new to the Front Bench, and I am listening to her with interest and respect, but we must proceed speedily, because otherwise Back Benchers lose out. I know that she is coming to a question in her next sentence.

**Marsha De Cordova:** I certainly am, Mr Speaker. What action is the Secretary of State taking to improve the PIP assessment framework, the accuracy of decision-making and the standards of mandatory reconsiderations, and will he stop wasting taxpayers' money on unnecessary and lengthy tribunal appeals?

**Mr Gauke:** Let me put the position in context. Since personal independence payments were introduced in 2013, the DWP has carried out more than 2.6 million assessments. As I said earlier, the total number of complaints received equates to fewer than 1% of all assessments. Our latest research shows that 76% of PIP claimants are satisfied with their overall experience. Of those 2.6 million decisions, 8% have been appealed against, 4% successfully. Of course, we constantly strive to improve the PIP system, but, as I have said, it should be seen in context.

**Luke Graham (Ochil and South Perthshire) (Con):** Last week I was able to spend a day at the Alloa jobcentre in my constituency and observe what is going well and what is going not so well with some of our welfare reforms, including universal credit and PIP. One issue that arose was the length of time that people are waiting for health and work capability assessments. What penalties are being levied against some of the third-party companies that are involved in the assessments, and what could be done to close the gap for our constituents?

**Mr Gauke:** The timing of both ESA or PIP assessments has improved in recent months: the waiting time has been reduced. I welcome that, but we continue to work closely with the providers of the assessments to ensure that their performance is adequate.

### Pension Provision

4. **Carolyn Harris (Swansea East) (Lab):** What assessment the Government have made of the equity of pension provision between men and women. [901835]

6. **Yvonne Fovargue (Makerfield) (Lab):** What assessment the Government have made of the equity of pension provision between men and women. [901837]

**The Parliamentary Under-Secretary of State for Work and Pensions (Guy Opperman):** In 2012, overall participation of female eligible employees in a workplace pension

was 58%, but since the introduction of automatic enrolment this had increased to 80% in 2016. For males, this has increased from 52% to 76% in the same period.

**Carolyn Harris:** Two former Pensions Ministers have criticised the Government for the policy, all Opposition parties recognise that the Government are wrong, the continuously growing number of cross-party MPs who have joined the all-party parliamentary group say it is wrong, and hundreds of thousands of disadvantaged 1950s-born women know it is wrong. When will the Pensions Minister and the Government admit their mistake and take action to rectify this grave injustice?

**Guy Opperman:** The Government will not be revisiting the state pension age arrangements for women born in the 1950s who are affected by the Pensions Acts of 1995, 2007 and 2011. This would require people of working age, and more specifically younger people, to bear an even greater share of the cost of the pension system.

**Yvonne Fovargue:** The Government's former Pensions Minister, Baroness Altmann, has said that she regrets the Government's failure to properly communicate state pension age equalisation, an approach she described as "a massive failure in public policy."

Does the Minister appreciate how much this failure has affected the ability of the 1950s-born women to plan for a happy and secure retirement, and their sense of outrage about this issue?

**Guy Opperman:** Since 1995 successive Governments, including Labour Governments, have gone to significant lengths to communicate the changes, including through targeted communications, hundreds of press reports, parliamentary debates, advertising and millions of letters, and in the past 17 years the Department has also provided over 18 million personalised state pension estimates.

**Simon Hoare** (North Dorset) (Con): Can my hon. Friend confirm that if changes are made to the women's pension arrangements, it will create discrimination against men, and that would be unfair?

**Guy Opperman:** I am grateful to my hon. Friend for his question. The proposal whereby women would receive early pensions would create a new inequality between men and women, the legality of which is highly questionable.

**Alex Cunningham** (Stockton North) (Lab): The Government seem to be under the misapprehension that the campaign by the wronged '50s-born women will eventually go away if they just keep ignoring it. They even told the Table Office that they would not answer a question on the subject from my hon. Friend the Member for Stockton South (Dr Williams). It will not go away, however, so why does the Minister not engage with the campaigners to find a solution, and in the meantime support our proposals to extend pension credit to the most financially vulnerable and give them all the opportunity to retire up to two years earlier?

**Guy Opperman:** The hon. Gentleman will be aware that the Government have already introduced transitional arrangements costing £1.1 billion in 2011, which mean that no woman will see her pension age change by more than 18 months relative to the 1995 Act timetable.

## Universal Credit: Food Poverty

**5. Ms Karen Lee** (Lincoln) (Lab): If he will make an assessment of the effect of the length of waiting time to receive universal credit on levels of food poverty. [901836]

**The Secretary of State for Work and Pensions (Mr David Gauke):** The availability of advances at the start of a universal credit claim ensures that those who need money immediately can access it. Our data shows that around half of claimants are receiving advances, and we have recently undertaken an exercise to improve awareness and access to this support.

**Ms Lee:** The manager of a food bank in Lincoln has said that there is evidence of a clear correlation locally between the introduction of universal credit—in Lincoln, we have only had it partially so far; we are getting full roll-out in March—and an increase in the use of food banks. I ask for your comments on that, and do Government Members, including yourself, think it is acceptable that people in Lincoln and across this country are starving but for food banks because of waiting for universal credit payments.

**Mr Speaker:** I would not presume to say what is acceptable for the people of Lincoln—that is way above my pay grade—but the Secretary of State might wish to proffer an opinion on the matter, and we look forward to it with interest and anticipation.

**Mr Gauke:** This is why I repeatedly make the point that nobody needs to wait a long period of time for cash support under the universal credit system, and to suggest otherwise is causing unnecessary anxiety for those who are not on universal credit—and I think we should all discuss this in a slightly more responsible manner.

**Robert Jenrick** (Newark) (Con): When I visited Newark's jobcentre a week or so ago, I found that 80% of the jobs on offer were paid either four-weekly or monthly. Does the Secretary of State agree that we have to be careful not to patronise working people and not to prevent them from entering the workplace with as much ease as possible? The vast majority of jobs in my constituency are paid monthly.

**Mr Gauke:** My hon. Friend is absolutely right. Part of the purpose of universal credit is to close the gap between being out of work and being in work. Most jobs are paid monthly, and getting people used to that monthly system is a sensible approach. I also very much welcome the fact that my hon. Friend has visited a jobcentre, and I recommend that other hon. Members do so, to hear how universal credit is operating on the ground. I know that many hon. Members have found the experience to be extremely positive.

**Frank Field** (Birkenhead) (Lab): I will not ask Government Front Benchers for a fifth time whether I should believe the Secretary of State's statement that the roll-out of universal credit in Birkenhead will be hunky-dory, or the opinion of the food bank, which says that it will need an extra 10 tonnes of food to prevent people from going hungry—if he cannot abide the word "starving".

We will have a debate on this on Thursday, which Members across the House have signed up to. This will be the first time that Conservative Members will have an opportunity to vote on whether they want to reform universal credit. Will the Secretary of State open that debate, hear it and take the message directly back to Cabinet, please?

**Mr Gauke:** The position that we have made clear for a long time is that we want to ensure that universal credit works. This is a test-and-learn system, and we are always looking at ways in which we can improve it, particularly for that first period. I would say to the right hon. Gentleman and to the House as a whole that universal credit is helping us to address the best way to deal with poverty, which is to ensure that people can get into work. That is the argument that I and my right hon. and hon. Friends will continue to make.

**Bill Grant (Ayr, Carrick and Cumnock) (Con):** I, too, have visited jobcentres, and I know that work coaches are an integral part of the universal credit system. Will my right hon. Friend tell me how the new work coaches will assist jobseekers in my constituency in their eager quest to find employment?

**Mr Gauke:** My hon. Friend is absolutely right. This is why we are recruiting work coaches up and down the United Kingdom to provide the personalised support that people need to help them get into work. I come back to my experience of meeting work coaches in jobcentres up and down the country. They believe that they have a system in place that is helping them to do more to transform lives, and that is hugely important.

**Debbie Abrahams (Oldham East and Saddleworth) (Lab):** One of the original objectives of universal credit was to reduce child poverty. In 2010, the Government said that UC would reduce child poverty by 350,000. That figure was revised to 150,000 in 2013, but last year, Ministers failed to produce a figure in answer to a question from my hon. Friend the Member for West Ham (Lyn Brown). What is the Government's current estimate of how many children will be lifted out of poverty as a result of universal credit?

**Mr Gauke:** Universal credit gives people a better opportunity to work, and it gives parents, including single parents, greater support with childcare. I come back to the example I gave the House a moment ago. Someone who had previously been on income support and unable to get help with childcare can now get that help and get on to the employment ladder, thanks to universal credit. That is what universal credit is delivering.

**Debbie Abrahams:** That was a really disappointing answer. As we have already heard, the Child Poverty Action Group published data last week predicting that 1 million more children will be pushed into poverty as a result of universal credit cuts, 300,000 of whom will be under the age of five. Another objective of universal credit was always to make work pay. Given that four out of 10 people on UC are in work and will be on average £2,600 a year worse off, when will the Government admit that UC is not fit for purpose or fit to meet the challenges of a new labour market and stop its roll-out?

**Mr Gauke:** May I just point out that child poverty is down since 2010? I think the hon. Lady has rather given the game away: she does not want to pause and fix universal credit; she wants to scrap it. She wants to rewind to a system under which claimants faced marginal deduction rates of over 90% and had to cope with a multitude of benefits. We had a benefits system that was not an aid but an impediment to working people and that trapped people in poverty and dependency. That is what universal credit will bring an end to.

#### **Employment and Support Allowance: Claimant Poverty**

7. **Deidre Brock (Edinburgh North and Leith) (SNP):** What assessment he has made of the effect of changes to employment and support allowance work-related activity group payments on claimant poverty. [901838]

12. **Peter Grant (Glenrothes) (SNP):** What assessment he has made of the effect of changes to employment and support allowance work-related activity group payments on claimant poverty. [901847]

**The Minister for Disabled People, Health and Work (Sarah Newton):** There are no cash losers among those in receipt of employment and support allowance and the universal credit equivalent prior to April 2017, including those who temporarily leave ESA to try out work and then return. Since April, new claimants who are capable of preparing for work receive a rate of benefits on a par with jobseeker's allowance.

**Deidre Brock:** I welcome the Minister to her place. Changes to benefits are actually resulting in huge cuts to the money that people with disabilities have to live on. The ESA cut was touted by the Government as a way to remove perverse incentives and encourage people into work. However, does the Minister agree that starvation does not encourage anyone into work and that cutting off funding to people in need does not help to end that need? Will she commit to reversing these invidious cuts?

**Sarah Newton:** There are no cuts for people on those benefits. Let me be absolutely clear about that. Since April 2017, people who are able to work receive a personal support package. We have already recruited 300 new disability employment advisers, and we have allocated £15 million to the flexible support fund. We are doing absolutely everything that we can to ensure that people who are able to make the journey back to work have the support that they need.

**Peter Grant:** I might have a bit more faith in the Minister's comments if one of her colleagues had not recently stood in exactly the same place and said, "There is no austerity." Is the Minister aware that the Scottish Government estimate that between 7,000 and 10,000 people in my constituency and elsewhere in Scotland stand to lose the work-related activity component of the allowances? That is a cut in income that people cannot afford. Will she undertake to speak to the Chancellor ahead of his Budget as a matter of urgency and ask him to reverse the cuts and stop punishing the poor and the disabled for this Government's economic failures?

**Sarah Newton:** Let me be absolutely clear about what we are trying to achieve here. Many people in Scotland and across our country who are recovering from health conditions or who have disabilities really want to work.

We are doing everything that we can to provide them with tailored support, so that they can work and that they can play the full part in society that they want to play and that we want to enable them to do.

**Alex Burghart** (Brentwood and Ongar) (Con): Despite record employment, only one in every 100 people in the ESA work-related activity group leaves the benefit system each month. Will the Minister tell us what more she and the Department are doing to help those people into work?

**Sarah Newton:** My hon. Friend is quite right to point out the unfair discrimination against people with disabilities in this country who really want to make a contribution to society and who really do want to work. We are doing everything we can, including working with employers through the Disability Confident campaign and providing people seeking employment with the tailor-made support that they need to play their full part in society.

### UN Committee on the Rights of Persons with Disabilities

8. **Geraint Davies** (Swansea West) (Lab/Co-op): What steps his Department is taking to respond to and implement the recommendations in the concluding observations of the UN Committee on the Rights of Persons with Disabilities, published on 3 October 2017. [901840]

**The Minister for Disabled People, Health and Work (Sarah Newton):** The UK continues to be a global leader in disability rights, and we are committed to further improving and progressively implementing the convention. We are considering the committee's recommendations and will provide an update on the progress that we are making in the next year, as requested by the UN.

**Geraint Davies:** The UN found that UK cuts disproportionately hit people with disabilities and fundamentally, systematically and gravely undermine their human rights, so will the Minister ensure today that personal independence payment, employment and support allowance and universal credit are all brought into line with the UN conventions on fundamental human rights, so that people are treated fairly and with dignity, instead of with discrimination and cruelty?

**Sarah Newton:** This country has a proud record of treating people fairly, and we will continue to uphold those proud principles. Of course we are considering the report, and as I have said, we will publish our findings. To put this in context, of the G7 only Germany spends more money supporting people with disabilities and long-term conditions. We spend 2.5% of GDP, which is 6% of all Government spending. That is £50 billion a year.

**Andrew Bridgen** (North West Leicestershire) (Con): Will the Minister confirm that anyone in receipt of disability benefits, such as PIP or disability living allowance, is exempt from the benefits cap?

**Sarah Newton:** I can give my hon. Friend a very simple answer: yes.

### Parkinson's Disease: Personal Independence Payment

9. **John Grogan** (Keighley) (Lab): What proportion of people with Parkinson's disease who were receiving disability living allowance were not granted a personal independence payment. [901843]

**The Minister for Disabled People, Health and Work (Sarah Newton):** Up to October 2016, 7% had been disallowed personal independence payment, but 45% of claimants with Parkinson's disease actually receive a higher award under PIP than they did previously.

**John Grogan:** Would it not save a lot of time, money and distress if all those on the higher rate of disability living allowance with degenerative diseases such as Parkinson's were transferred automatically on to personal independence payment? How many people with Parkinson's are currently in the "no review" category?

**Sarah Newton:** It is absolutely right that we get PIP right for everybody with a disability, including those with degenerative diseases such as Parkinson's. It is absolutely right to notice, as my right hon. Friend the Secretary of State did earlier, that considering that more than 2.6 million PIP assessments have been made, less than 1% have resulted in a complaint. Most of the time, this benefit is got right the first time. Of course, we work tirelessly, including with our stakeholders and voluntary sector organisations, to make improvements.

### Universal Credit

10. **Victoria Prentis** (Banbury) (Con): What steps his Department has taken to ensure that people do not face financial difficulties while waiting for their first universal credit payment. [901844]

**The Secretary of State for Work and Pensions (Mr David Gauke):** Advances are available at the start of a universal credit claim to ensure that those who need it have money to tide them over until their first payment. Our data shows that around half of claimants are receiving advances, and we have recently undertaken an exercise to improve awareness and access to this support.

**Victoria Prentis:** I thank the Secretary of State for his very reassuring answer. In Banbury, we are fortunate to have very low unemployment rates. Can he tell me what will be the likely impact on jobs of universal credit roll-out in my constituency?

**Mr Gauke:** In total, it is estimated that universal credit will help around 250,000 more people into employment. On average, that works out at around 400 extra people in work in each parliamentary constituency, but universal credit will, of course, have larger impacts in areas with a higher proportion of benefit claimants or a higher prevalence of single-parent and out-of-work families.

**Liz McInnes** (Heywood and Middleton) (Lab): The Trussell Trust says that food bank use has increased in areas where universal credit has been rolled out. Universal credit has not been rolled out yet in my constituency, but this weekend the Heywood food bank ran out of food. What safeguards will the Secretary of State put in

place to ensure that universal credit claimants do not have to rely on the charity of their neighbours, a system that sometimes fails?

**Mr Gauke:** We are improving the advances system, and we are improving awareness of it. Importantly, support is available, and that is a message that we can all take to our constituents. Nobody needs to wait six weeks because advances are available within jobcentres, and they are being taken up. The majority of new claimants are taking up those advances.

**Nigel Huddleston** (Mid Worcestershire) (Con): Last week, I heard from one of my constituents who was having difficulty getting an advance payment and who had to resort to a food bank. When the error was corrected and he got his advance payment, he took the food back to the food bank. First, does that not show that, when mistakes are made, every effort is made to correct them? Secondly, does it not show the basic human decency of those claiming universal credit?

**Mr Gauke:** I entirely agree with the point my hon. Friend makes. It is worth pointing out that, in the normal course of events, someone's advance takes about three days to go through the banking system and for the money to be paid, but that, if need be, people can get support on the same day.

#### AEA Technology Pension Scheme

11. **Layla Moran** (Oxford West and Abingdon) (LD): What steps he is taking to assist people affected by the collapse of the AEA Technology pension scheme and its predecessor. [901846]

**The Parliamentary Under-Secretary of State for Work and Pensions (Guy Opperman):** The Government's position has been out in a parliamentary debate in October 2016, as it was previously in March 2015 by the hon. Lady's Liberal Democrat colleague Sir Steve Webb. I have great sympathy for those affected, but they are now covered by Pension Protection Fund compensation scheme.

**Layla Moran:** In 1996, the Government Actuary's Department, in a note sent to AEA Technology staff, failed to clearly outline the risks of transferring their pensions to the new private sector scheme. We regulate financial advice in this country, yet when it is the Government giving the advice not even the parliamentary ombudsman can review it. Surely this is grossly unjust? Why does the Minister not pursue this mis-selling scandal, as the Financial Conduct Authority did with the payment protection insurance one? Is it because the Government would be to blame this time?

**Guy Opperman:** The hon. Lady suggests one thing. I can only refer her to the two parliamentary debates that dealt specifically with this matter; this was set out by her own Lib Dem colleague Sir Steve Webb in March 2015, when he was part of the coalition.

**Paul Masterton** (East Renfrewshire) (Con): The PPF is a vital lifeboat for individuals whose employers become insolvent. Will the Minister update us on when his White Paper looking at the affordability of defined benefit pension schemes will be available?

**Guy Opperman:** I thank my hon. Friend for his question. As he knows, the Green Paper was published in February 2017, and extensive consultation and much consideration of the matters put forward has taken place thereafter. We are in the process of analysing those responses and intend to publish a White Paper in the new year.

#### Job Creation

13. **Mary Robinson** (Cheadle) (Con): What estimate he has made of the number of jobs created since 2010. [901848]

**The Secretary of State for Work and Pensions (Mr David Gauke):** Since 2010, more than 3 million more people have found employment. The employment rate is close to the record high, while the unemployment rate is the lowest it has been since 1975.

**Mary Robinson:** In addition to those almost record employment levels, 11% of people in Cheadle are self-employed. My constituent Alexandra Singer is a self-employed wheelchair user who finds that valuable opportunities to attend networking events are lost because they are not always accessible for disabled people. Does the Minister agree that to unlock the talent and energy of disabled entrepreneurs, organisers must make provision for successful businessmen and women, such as Alexandra Singer, to attend their events?

**Mr Gauke:** I agree with my hon. Friend on that. It is right that service providers have a duty to anticipate these things and provide adjustments, where reasonable, for disabled people. In the case of her constituent, this may include arranging events at an accessible venue. It is also worth pointing out that one in five of those taking up the new enterprise allowance, which is designed to help people set up businesses, are disabled people.

**Tony Lloyd** (Rochdale) (Lab): Every new job is welcome, but we have a country where 55% of people new into work are in receipt of benefits and living in poverty and where the better-off are now disgustingly well-paid. What are the Government really going to do about this?

**Mr Gauke:** Of course the highest earning 1% pay a bigger proportion of income tax than they ever have done before. I am also pleased to say that our Government have substantially increased the personal allowance; we have introduced the national living wage; and the support that universal credit is going to provide will help more and more people progress in work.

#### Universal Credit: Advance Payments

14. **David Morris** (Morecambe and Lunesdale) (Con): What estimate he has made of the number of claimants applying for universal credit advance payments. [901849]

**The Minister for Employment (Damian Hinds):** The answer is about half. We are working to further improve awareness and access to this support.

**David Morris:** I am keen to ensure that advance payments are made to my constituents in need, which is why I see the jobcentre and the citizens advice bureau,

one after the other, every month. Does the Minister agree that the Labour party should start acting responsibly and join me in encouraging constituents to apply for this additional help, and tone down the political rhetoric, which could deter vulnerable people from applying in the first place?

**Damian Hinds:** I do. My hon. Friend knows, and the Labour party should acknowledge, that no one need go without money while they wait for their first regular payment. Labour should not try to put people off accessing the support that is there for them.

**Ruth George (High Peak) (Lab):** Today is exactly six weeks until Christmas day. Anyone who applies for universal credit today will have to make do on just two weeks of universal credit payments until after Christmas. What assessment has the Minister made of the impact on such families and their ability to let their children enjoy Christmas?

**Damian Hinds:** Our record on the timeliness of universal credit payments has improved markedly and, as the hon. Lady knows, advances are also available. I should also say that in the run-up to Christmas, when many temporary work opportunities are available, universal credit works much better for people, because they are able to access those opportunities, particularly on the verge of the festive season.

15. [901850] **Sir Desmond Swayne (New Forest West) (Con):** How much longer can a claimant spend looking for a job on universal credit?

**Mr Speaker:** Very well: we have heard the right hon. Gentleman on Question 14, although he did not seek agreement to that proposition. He simply blurted it out, but we will accept that on this occasion.

**Damian Hinds:** We know that people on universal credit spend a great deal more time looking for work than others, and that they apply for a wider range of jobs and consider jobs that they may not have considered before. All that is part of why it involves significantly better labour market outcomes, and why people are more likely to be in work after six months than they were on the old benefits.

#### **Benefits System: Working Hours**

16. **Theresa Villiers (Chipping Barnet) (Con):** What steps he is taking to ensure that the benefits system does not penalise people who wish to increase the number of hours they work. [901851]

**The Secretary of State for Work and Pensions (Mr David Gauke):** Universal credit is transforming and modernising the welfare state, ending complicated rules around employment hours and the cliff edges of the old system. Universal credit has a clear system of allowances and tapers to ensure that claimants know that they are always better off in work.

**Theresa Villiers:** Does the Secretary of State agree that one of the fundamental flaws of the system that we inherited from Labour is that people who wanted to work more than 16 hours a week could lose 90p of every pound that they earned?

**Mr Gauke:** My right hon. Friend is absolutely right, and it was about not only the high marginal deduction rates, which obviously we do not see with universal credit, but the fact that people who moved in and out of work, or whose hours fluctuated, could find themselves moving from one benefit system to another. That created additional hassle and uncertainty for claimants, and discouraged people from taking on additional hours.

#### **Universal Credit: Rent Arrears**

17. **Tracy Brabin (Batley and Spennings) (Lab/Co-op):** If he will make an assessment of the effect of the length of waiting time to receive universal credit on levels of rent arrears. [901852]

19. **Ian Mearns (Gateshead) (Lab):** What assessment he has made of the effect of the length of waiting time to receive universal credit on levels of rent arrears. [901856]

**The Parliamentary Under-Secretary of State for Work and Pensions (Caroline Dinenage):** The Department for Work and Pensions is currently undertaking work to investigate the reality of rent arrears in universal credit. It aims to understand the true level of rent arrears for tenants, what is causing them, and any impacts universal credit may be having.

**Tracy Brabin:** New findings say that 49% of landlords are less likely to rent to those in receipt of universal credit. In Kirklees, only 121 social homes are available for the 9,700 people on the waiting list. What steps will the Minister take to prevent those on universal credit from being discriminated against?

**Caroline Dinenage:** The hon. Lady is right to ask the question, but alternative payment arrangements are available. We have listened carefully to housing providers and we are seeing improvements all the time.

**Ian Mearns:** I listened carefully to the Minister's answer, and I wonder whether it would be of any surprise to her that the chief executive of a large housing authority in the north-west of England recently told me that the authority had arrears of more than £2 million from universal credit alone. Claimants in one authority in Yorkshire and Humber have average arrears of more than £1,100 each. Why is that happening and what is she going to do about it?

**Caroline Dinenage:** We have to be careful not to scaremonger on this issue. A National Federation of Arm's Length Management Organisations report says that three quarters of tenants who started to claim universal credit were already in arrears, and research shows that after four months the number of claimants in arrears has fallen by a third.

**Richard Graham (Gloucester) (Con):** The single biggest problem for some welfare recipients who move into universal credit is their high level of debt. Can my hon. Friend the Minister for Employment tell me what he can do to take forward his idea of an interest-free period to resolve outstanding debt, and to promote the use of credit unions in advising strongly against the use of loan sharks, particularly in the run-up to Christmas?

**Caroline Dinage:** On behalf of the Minister for Employment, may I say that my hon. Friend makes a very important point? We do want people to address their levels of debt, and that is why we have this effective system of advance payments, which enables people to budget properly and to meet their debts.

#### Universal Credit: Lost Applications

18. **Stephen Timms** (East Ham) (Lab): Whether he has investigated reports of online applications for universal credit being lost; and if he will make a statement. [901853]

**The Minister for Employment (Damian Hinds):** We are rolling out universal credit full service in a very measured way. I am not aware of any recent cases of claims being lost, but if the right hon. Gentleman knows of such incidents, I of course very much welcome him bringing these to my attention.

**Stephen Timms:** There are serious concerns about glitches with universal credit apparently arising because the IT does not yet work properly in some areas. The Child Poverty Action Group has reported instances of claims being made and then vanishing into the ether without trace. Will the Minister assure the House that glitches of that kind will be addressed and resolved, not simply denied?

**Damian Hinds:** The CPAG report to which the right hon. Gentleman refers says in its summary that many claims seem to have disappeared, but the text refers to a small number, and then goes on to mention just one case. That is not to say that I ignore this matter or belittle it in any way—of course, I take what he says very seriously. He has my absolute assurance that I will pay attention to any glitches.

#### Topical Questions

T1. [901732] **Eleanor Smith** (Wolverhampton South West) (Lab): If he will make a statement on his departmental responsibilities.

**The Secretary of State for Work and Pensions (Mr David Gauke):** This Department's mission is to support people through all stages of their lives. Universal credit is being introduced slowly, and it is steadily and positively transforming people's prospects by bringing about the satisfaction and financial security of entering work and increasing earnings. We are also helping citizens to prepare for later life with our work on pensions, and we are committed to helping people from all walks of life at all stages of their lives. We will continue to build on that body of work to achieve our aims.

**Eleanor Smith:** How does the Department plan to respond to its own research, which shows that universal credit is a driver of rent arrears among families who rely on it for support?

**Mr Gauke:** As my ministerial colleagues have already said, we must recognise that a number of the statistics that have been quoted show that rent arrears have arisen before people have entered into universal credit, and that after time the numbers in rent arrears starts

to fall. We continue to improve the system to ensure that payment timeliness is improved, for example, and that people are able to access advances when they need to.

T6. [901737] **Mr Laurence Robertson** (Tewkesbury) (Con): The Minister will know that motor neurone disease is a degenerative disease, so may I ask what plans the Government have to ensure that people who suffer from that terrible disease do not have to be re-assessed for personal independence payments?

**The Minister for Disabled People, Health and Work (Sarah Newton):** I thank my hon. Friend for that very important question. The length of an award is based on an individual's circumstances: it can vary from an award of nine months to an ongoing award involving a light-touch review at the 10-year point. It is very unlikely that somebody he describes would have another face-to-face assessment with a healthcare professional.

**Alex Cunningham** (Stockton North) (Lab): We all know that the Government are bogged down in all manner of ways and that they have been slow to develop secondary legislation for several new Acts, but will Ministers tell the House when they will bring forward regulations to enact defined contribution and give pension savers the opportunity of the vastly increased benefits of those schemes that was predicted this week by the Pensions Policy Institute and Schroders?

**The Parliamentary Under-Secretary of State for Work and Pensions (Guy Opperman):** Those matters are being considered and will be addressed in the new year.

T7. [901738] **Nigel Mills** (Amber Valley) (Con): Can the Minister update the House on progress with the pensions dashboard and confirm that all pension schemes will be required to release the comprehensive data required to make that system useful?

**Guy Opperman:** I am firmly committed to delivering the pensions dashboard. Its introduction will clearly transform how people think about retirement. I will make a statement in the spring that will tackle some of the delivery challenges, including the point that my hon. Friend raises. There is an ongoing feasibility study and there will be a stakeholders' meeting on 11 December, which I urge him, as well as many interested stakeholders, to attend.

T2. [901733] **Patrick Grady** (Glasgow North) (SNP): How does the increased conditionality associated with universal credit, such as the requirement to attend at jobcentres more frequently, square with the DWP's estates review and the decision to close jobcentres, starting with Maryhill in my constituency—which, incidentally, I have visited?

**The Minister for Employment (Damian Hinds):** We have a comprehensive network of jobcentres across the United Kingdom. There are more in Scotland than in England, and more in Glasgow than in other cities. Universal credit is a system that works to help and support people to get into work—it is the right system.

T8. [901739] **Alex Chalk** (Cheltenham) (Con): Does my right hon. Friend share my concern that the inaccurate use of universal credit statistics can cause huge distress and concern to vulnerable claimants? Does he agree that everyone has a duty to check their facts before using them in this House?

**Mr Gauke:** I agree. May I give one example? Speaking from the Dispatch Box opposite recently, the Leader of the Opposition said:

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

If that were true, it would amount to 650 tenants being evicted due to universal credit. Gloucester City Homes has described this as “not factually accurate”. In fact, a total of eight—not one in eight—tenants on universal credit have been evicted, all of whom had considerable rent arrears well before moving on to universal credit. I understand that one tenant had not been resident in their property for 18 months.

T3. [901734] **Carol Monaghan** (Glasgow North West) (SNP): Many veterans with psychological injuries carry out physical activity as part of their rehabilitation process, but some report that they are being sanctioned because of this. Will the Secretary of State give his guarantee that the Government will no longer sanction recovering veterans?

**Mr Gauke:** I will look at the facts of the case, but I cannot make a blanket commitment, because one obviously has to look at the particular circumstances. Of course, we recognise and support our veterans at every opportunity.

**Henry Smith** (Crawley) (Con): A constituent who recently contacted me is concerned about how long they are having to wait for a tribunal hearing. Will my right hon. Friend make representations to the Ministry of Justice about the efficiency of Her Majesty’s Courts and Tribunals Service?

**Mr Gauke:** I am happy to convey my hon. Friend’s concerns.

**Mr Speaker:** I call James Frith. Not here—where is the feller? I call Gavin Newlands.

T5. [901736] **Gavin Newlands** (Paisley and Renfrewshire North) (SNP): I will take the hon. Gentleman’s place, Mr Speaker.

My local authority in Renfrewshire is having to set aside nearly £1 million to mitigate the devastating impact on families of the roll-out of universal credit. It is hiring extra staff to deal with rent arrears, which it expects to increase by 5%. With all levels of government in Scotland forced to pick up this Government’s slack, what further evidence does the Secretary of State need to see the huge systemic problems in UC and to understand that he must pause the roll-out now?

**Mr Gauke:** Universal credit will help to transform lives positively. It is already doing so by giving people the opportunity to work and to progress in work. The Scottish

National party can join the Labour party in being on the wrong side of the argument, but history will not forgive it for that.

**Colin Clark** (Gordon) (Con): Since 2010, this Government have overseen remarkable levels of job creation. My predecessor, who used to sit on the SNP Benches, has just secured a very well-paid media position with *Russia Today*. Does the Minister agree that people must be flexible about their career choices to get on?

**Mr Gauke:** We sometimes hear enough fake news in this Chamber, but it is disappointing to see the former leader of the SNP employed by a purveyor of fake news, even if we welcome employment opportunities in the round.

T9. [901740] **Stephen Lloyd** (Eastbourne) (LD): Universal credit is proving to be a real challenge for self-employed people as it fails to account for fluctuations in income from one month to another, meaning that many are losing out on hundreds of pounds of benefits. This is totally counter to the aspirational vision of universal credit that the Government preach, so will the Minister commit to immediately reviewing the benefit’s suitability for the self-employed and fixing this anomaly?

**Damian Hinds:** On the contrary, universal credit specifically responds each month to what a person’s earnings have been in that month. That is at the heart of its design. We want to help people in self-employment to grow their earnings and to ensure that they have sustainable remunerative work, so we have introduced a programme within the new enterprise allowance to help people to do just that.

**Sir Hugo Swire** (East Devon) (Con): Great unhappiness continues to surround the issue of pensions and the WASPI women, many of whom have come to see us in our constituencies. I believe that there will be a debate next April on a private Member’s Bill on the matter. Given the continuing accusations and counter-accusations about whether people were told about the changes, does my right hon. Friend agree that such a debate will be worthwhile?

**Mr Gauke:** I am grateful to my right hon. Friend for his question, and I have no doubt there will continue to be debates on this matter. However, as the Under-Secretary of State for Work and Pensions, my hon. Friend the Member for Hexham (Guy Opperman), has declared, we are not going deviate from the policy we have set out.

T10. [901741] **Helen Hayes** (Dulwich and West Norwood) (Lab): In Southwark, 12% of council tenants on the universal credit pilot accumulated £5.3 million of rent arrears. Given the Secretary of State’s astonishing refusal in the face of such evidence to pause the universal credit roll-out, will he say precisely what he is doing to stop more of my constituents being made homeless as a consequence of this decision?

**Mr Gauke:** Again, I come back to this throwing around of accusations. We had the Leader of the Opposition claiming that 650 people had been evicted because of

universal credit. We are not seeing evictions in the social rented sector and there are clear reasons why that does not happen. What we are getting for potential universal credit claimants from the Labour party is scaremongering, which is creating unnecessary anxiety.

**Anna Soubry** (Broxtowe) (Con): Will my right hon. Friend join me in congratulating Broxtowe citizens advice bureau, which I met on Thursday? Universal credit is being rolled out for us next year, and the CAB is already putting together all the relevant agencies to make sure that we are ready. Will my right hon. Friend also have a look at whether, for a very small amount, my CAB could have one person to deal with all the cases so that we can make this system work as we all know it should?

**Mr Gauke:** I will take that as a spending bid from my right hon. Friend. She is right to highlight the role of citizens advice bureaux. I met citizens advice bureaux in St Albans and Bedford last week, and where a CAB works closely with jobcentres, it helps to deliver the support that people need, which I very much welcome.

**David Linden** (Glasgow East) (SNP): My Tollcross constituent Margaret Laird was moved on to universal credit in January 2016. She has been given a 132-day sanction. She is being treated by psychiatric services and helped by the local food bank. Will the Secretary of State undertake to look into her case, because it is very sensitive?

**Mr Gauke:** I am happy to receive representations from the hon. Gentleman on that case. Obviously I cannot talk about the individual case, but I am happy to look at it.

**Stephen Kerr** (Stirling) (Con): What are Ministers doing to close loopholes used to avoid child maintenance payments?

**Caroline Dinanage:** When a non-resident parent fails to pay on time or in full, we endeavour to immediately establish compliance before enforcement action is needed. There is a range of strong powers that we can take, including the forced sale of property, disqualification from driving or, indeed, commitment to prison, but we are exploring options to expand those, and they will form part of our new compliance and arrears strategy, which will be published shortly.

**Nic Dakin** (Scunthorpe) (Lab): Members of the British Steel pension scheme need to decide whether to go into British Steel pension scheme 2 or the Pension Protection Fund by 11 December, but there is still a lack of clarity around the position of high/low pensioners in the PPF and whether that might change after the point of decision making. Will the Secretary of State look at this so that the information is available to people before they make that decision?

**Guy Opperman:** I acknowledge the issue that the hon. Gentleman sets out. If he writes to me, I will sit down with him and go through it in more detail. Clearly it is a matter for the trustees on an ongoing basis as to what particular decisions are taken.

## Nazanin Zaghari-Ratcliffe

3.33 pm

**Emily Thornberry** (Islington South and Finsbury) (Lab) (*Urgent Question*): To ask the Secretary of State for Foreign and Commonwealth Affairs to make a statement on the case of British-Iranian national Ms Nazanin Zaghari-Ratcliffe.

**The Secretary of State for Foreign and Commonwealth Affairs (Boris Johnson)**: I should like to make a statement on the case of Nazanin Zaghari-Ratcliffe, in response to the right hon. Lady.

The whole House will join me in expressing our deep concern about the ordeal of this young mother, who has spent the last 19 months in jail in Iran. Every hon. Member will join the Government in urging the Iranian authorities to release her on humanitarian grounds.

I spoke by phone to her husband, Richard Ratcliffe, yesterday, and we agreed to meet later this week. I told Mr Ratcliffe that the whole country is behind him and we all want to see his wife home safely.

In view of the understandable concern, I propose to describe the background to Mrs Zaghari-Ratcliffe's case and the efforts the Government are making to secure her release. In April last year, she was visiting her relations in Iran, along with her daughter, Gabriella, who was then only 22 months old, when she was arrested at Imam Khomeini airport in Tehran while trying to board her flight back to the UK. The British Government have no doubt that Mrs Zaghari-Ratcliffe was in Iran on holiday and that that was the sole purpose of her visit. As I said in the House last week, my remarks on the subject before the Foreign Affairs Committee could and should have been clearer. I acknowledge that words I used were open to being misinterpreted, and I apologise to Mrs Zaghari-Ratcliffe and her family if I have inadvertently caused them any further anguish.

The House should bear in mind that Iran's regime, and no one else, has chosen to separate this mother from her infant daughter for reasons that even it finds difficult to explain or describe. On 9 September 2016, Mrs Zaghari-Ratcliffe was brought to a secret trial and sentenced to five years in prison, supposedly for plotting to overthrow the Islamic Republic. The House will note that so far as we can tell, no further charges have been brought against her and no further sentence has been imposed since that occasion over a year ago.

Eleven days after Mrs Zaghari-Ratcliffe was sentenced, my right hon. Friend the Prime Minister raised her case with President Hassan Rouhani of Iran in New York on 20 September 2016. Two days later, I raised her case with my Iranian counterpart, Mr Zarif. For the sake of completeness, the House should know that the previous Prime Minister, David Cameron, raised Mrs Zaghari-Ratcliffe's imprisonment with President Rouhani on 9 August 2016, and my predecessor as Foreign Secretary, my right hon. Friend the Member for Runnymede and Weybridge (Mr Hammond), wrote to the Iranian Foreign Minister about her plight, and other consular cases, on 29 August 2016.<sup>1</sup>

At every meeting with our Iranian counterparts, my colleagues and I have taken every opportunity to raise the cases of Mrs Zaghari-Ratcliffe and other nationals held in Iranian jails. We have expressed our concerns at every level—official, ministerial, and prime ministerial—on

every possible occasion during the 19 months that she has been in jail. In addition, Mr Ratcliffe has held regular meetings with my right hon. Friend the Member for Bournemouth East (Mr Ellwood), formerly the Minister for the Middle East, and with the current Minister for the Middle East, my right hon. Friend the Member for North East Bedfordshire (Alistair Burt).

A situation where a British mother is held in these circumstances is bound to cast a shadow over Britain's relations with Iran at a moment when, in the aftermath of the agreement of the nuclear deal in July 2015 and the easing of sanctions, we had all hoped to witness a genuine improvement. So I shall travel to Iran myself later this year to review the full state of our bilateral relations and to drive home the strength of feeling in this House, and in the country at large, about the plight of Mrs Zaghari-Ratcliffe, and other consular cases. In order to maximise the chances of achieving progress, I would venture to say that hon. Members should place the focus of responsibility on those who are keeping Mrs Zaghari-Ratcliffe behind bars and who have the power to release her whenever they so choose. We should be united in our demand that the humanitarian reasons for releasing her are so overwhelming that if Iran cares about its reputation in this country, then its leaders will do now what is manifestly right. I commend this statement to the House.

**Mr Speaker**: Just for the avoidance of doubt, the Foreign Secretary has responded to an urgent question in the course of which he has very properly made remarks, but it is important, as others in the House can testify from past experience, to distinguish between a response to an urgent question, on the one hand, and the proffering by Government of a statement, on the other.

**Emily Thornberry**: Thank you very much, Mr Speaker, for granting this urgent question. How unfortunate it is that we need to ask an urgent question as opposed to getting a statement.

Let me say at the outset that whatever strong feelings we have about Iran's actions in this case, I am sure we are all joined in sending our thoughts to those affected by yesterday's earthquake on the Iran-Iraq border. I am grateful to the Foreign Secretary for returning from Brussels to answer this urgent question. Perhaps he reflected that the last time a Minister of State was asked to answer an urgent question on behalf of a Cabinet Minister, the Cabinet Minister lasted only 24 hours.

I hope that we can make more progress today than we were able to make on the same issue last week. Let us start by clarifying the points on which there is absolutely no difference between us. First and foremost, we all want Nazanin to be brought home as soon as possible. No one who has listened over recent days to the heartbreaking testimony of Richard Ratcliffe can be in any doubt about how urgent it is, for Nazanin's mental and physical health, that she is returned to her family immediately.

Secondly, if that can be done, as has been suggested, by conferring diplomatic status on Nazanin, that would obviously be welcome, although I would be grateful if the Foreign Secretary clarified how that could be achieved—how we can free this innocent British mother without opening up a Grace Mugabe precedent, which might make it possible to use the same tactic in Britain

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

to help a guilty foreign national to escape justice? Thirdly, we can all agree that the responsibility for Nazanin's incarceration and mistreatment lies entirely with the Iranian authorities, and we all unite in urging for her freedom to be restored.

On those points, we are in full agreement, but let me turn to two key issues on which we have so far differed and, frankly, we continue to differ. First, the Foreign Secretary argued last week that his comments to the Select Committee did not have "any connection whatever" with the latest threats by the Iranian authorities to extend Nazanin's sentence, and that it was simply untrue to suggest otherwise. That is entirely contradicted by what was said by the Iranian courts last weekend, and by what was said on the Iranian judiciary's website and on Iranian state TV. All of them said explicitly that the Foreign Secretary's remarks were the basis of their renewed action against Nazanin. We know from the evidence of Richard Ratcliffe that when Nazanin was told of the remarks and saw how the Iranian authorities would exploit them, she became hugely distressed and upset. So will the Foreign Secretary today accept the impact that his words have had and the distress that has been caused to Nazanin, and apologise properly for that—apologise not for upsetting people, but for getting it wrong?

Secondly, last week the Foreign Secretary was asked several times to do one very simple thing, and that was simply to admit that he had made a mistake—not that his remarks had been taken out of context or misconstrued, but that they were simply wrong. He has, so far, refused to make that clear, and that refusal was compounded yesterday by his good friend the Environment Secretary. Even after all the debate on this issue, the Environment Secretary still, incredibly, claimed that we "don't know" why Nazanin is in Iran. We do.

It is not good enough. If it is a matter of pride that the Foreign Secretary is refusing to admit that he made a mistake, I feel bound to say to him that his pride matters not one ounce compared to Nazanin's freedom. After a week of obfuscation and bluster, will he finally take the opportunity today to state simply and unequivocally, for the removal of any doubt either here or in Tehran, that he simply got it wrong?

**Boris Johnson:** I am more than happy to say again what I said to the right hon. Lady last week: yes, of course, I apologise for the distress and the suffering that have been caused by the impression that I gave that the Government believed—that I believed—that Mrs Zaghari-Ratcliffe was in Iran in a professional capacity. She was there on holiday, and that is the view of—[HON. MEMBERS: "Say sorry!"] I do apologise, and of course I retract any suggestion that she was there in a professional capacity. Opposition Members must have heard that from me about a dozen times.

The right hon. Lady asked an important question about diplomatic protection and how that would work. She is absolutely right that that is a question that Richard Ratcliffe himself has raised with me. All I can say is that I will be answering Mr Ratcliffe. I cannot give her an answer today; I would rather answer Mr Ratcliffe in person. I am delighted to say that I am seeing him tomorrow, and I will be explaining the position on diplomatic protection. As I said last week, he has requested to come to Tehran. I do not know whether that will be possible, but we will see what we can do.

**Sir Hugo Swire** (East Devon) (Con): Regrettably, more than a faint whiff of opportunism hangs over this urgent question, and others will question the wisdom of having this discussion at all. Does my right hon. Friend not agree that it is incumbent on each and every one of us in this House to pay very close attention to what we may or may not be about to say, because the Iranians will be watching these deliberations and we do not want to exacerbate an already extremely difficult situation?

**Boris Johnson:** My right hon. Friend is, I am afraid, absolutely right. That is one of the reasons why it is so important that we remain very careful in what we say about the entire case.

**Hannah Bardell** (Livingston) (SNP): I hope the right hon. Gentleman is reflecting very seriously on his position—the position that he holds not just in this Government, but in society—because, for Nazanin, it would have been reasonable to assume that when the Foreign Secretary got involved in her case, things might have been better. Unfortunately, it has made this situation very much worse. Why was another Cabinet Minister not briefed properly, and why did he say live on television that he did not know why she was there? What is going on at the heart of this Government?

As a direct result of these reckless comments, Nazanin is now in an increasingly perilous situation, which has given the Iranian authorities added cause to keep her locked up on false and arbitrary grounds. The Foreign Secretary's apology is welcome, but he must reflect, as must the Government, on how they do their business and how they protect our citizens. What guarantee will he give that Nazanin will be granted diplomatic protection and be brought home? The Foreign Secretary and his colleagues must make it very clear that they are able to do their jobs and to protect our citizens.

**Boris Johnson:** Our priority is to secure the safe return of Nazanin Zaghari-Ratcliffe, and all other political considerations are entirely secondary. The only other thing we have to bear in mind is the safety and wellbeing of the other consular cases in Iran, and that is very important.

I said to the right hon. Member for Islington South and Finsbury (Emily Thornberry) that I am seeing Mr Ratcliffe tomorrow. I am in fact seeing him on Wednesday.

**Dr Julian Lewis** (New Forest East) (Con): As an ardent Churchillian, does my right hon. Friend accept that this has not been his finest hour? Before the Opposition make too much of that, however, may I urge them to avoid headlines such as that in *The Independent* online, which says, "Boris Johnson should resign if British mother stays in Iranian jail" for "even one more day"? The Iranian regime plays politics with hostages. Does my right hon. Friend agree that if they believe that they can get rid of a British Foreign Secretary by jailing a hostage for longer, they will jail that hostage for longer? That link needs to be broken, not reinforced, by the Opposition today.

**Boris Johnson:** I think the whole House would agree that there is nothing more important than the safe return of Nazanin Zaghari-Ratcliffe and, as I say, the protection of all other consular cases in Iran, and that trumps all political considerations in this country.

**Tulip Siddiq** (Hampstead and Kilburn) (Lab): My constituent Richard Ratcliffe wrote about his wife's case in the *Evening Standard*:

"My complaint is not that her imprisonment has become a diplomatic incident this past week. It is that it wasn't for the 19 months that came before."

That shows the sheer dignity with which my constituent has been campaigning for his wife's release for 19 months.

Richard has told me that their family's lawyer, working together with the non-governmental organisation Redress, wrote to the Foreign and Commonwealth Office two months ago with a legal opinion about Nazanin's right to diplomatic protection. I know that the Foreign Secretary has already said to my right hon. Friend the Member for Islington South and Finsbury (Emily Thornberry) that he will consider diplomatic protection, but will he urge that a meeting takes place between the FCO and the lawyers, and will he give some indication of whether diplomatic protection will be given, as this could save my constituent's life?

**Boris Johnson:** As I said in answer to the right hon. Member for Islington South and Finsbury, I will be talking directly to Richard Ratcliffe about that issue on Wednesday.

Briefly, on consular protection, every day in some part of the world, a UK national or a dual national is detained, and I pay tribute to the consular work that the Foreign Office does across the world. A huge amount of work has been done on behalf of the constituent of the hon. Member for Hampstead and Kilburn (Tulip Siddiq) by my right hon. Friends on the Front Bench, who have met members of her family repeatedly and will continue to do so until we solve the problem.

**Tom Tugendhat** (Tonbridge and Malling) (Con): I am very glad that the Foreign Secretary has made his statement today. However, does he agree that this poor woman, who is separated from her child, is being used a political football, not only—sadly—here, but in Iran, where the Iranian revolutionary guard is effectively fighting with the Khomeinite authoritarian regime in its own way? Would he consider calling upon people in our system who may be able to talk to the mullahs, perhaps asking the Archbishop of Canterbury, or indeed the Holy Father, to speak on behalf of this woman and seek to broker her release?

**Boris Johnson:** My hon. Friend speaks with great insight about the situation in Iran, and I assure him that no stone will be left unturned in our efforts.

**Chris Bryant** (Rhondda) (Lab): From my experience of trying to get two British nationals out of jail in Laos in 2009, what is needed when dealing with a very difficult country is absolute commitment and persistence—to go to bed every night worrying about what is happening to that British national in another country; to be very disciplined; and to make sure that every single member of the Government is speaking with the same voice. The Foreign Secretary could not possibly argue that that has happened in this case. What I really do not understand, though, is that when he made a complete mess of appearing before the Foreign Affairs Committee, his office rang to correct other, completely incidental parts of the record, but still refuses to correct this part. Will he do so now? Otherwise, frankly, he will have learnt nothing from this.

**Boris Johnson:** I believe that I have corrected the record several times already and explained the position.

**James Duddridge** (Rochford and Southend East) (Con): The Foreign Secretary has referred several times to the other cases in Iran. Is there not a real problem with dual nationals, specifically in Iran and countries that do not recognise dual national status? Is it not time for a broader review of the issue, alongside the urgency of dealing with this specific case?

**Boris Johnson:** It is one of the features of British consular protection that we give it to dual nationals, irrespective of whether their British nationality is recognised by the country in which they run into trouble. That is a mark of the dedication of our consular staff to their job. We will continue to work for Nazanin Zaghari-Ratcliffe and the other difficult consular cases in Iran for as long as those cases are outstanding.

**Yvette Cooper** (Normanton, Pontefract and Castleford) (Lab): The Foreign Secretary has rightly said that the priority for everyone should be the return of a wrongfully and inhumanely imprisoned mother, who has been separated from her child. That is welcome, but he also knows that words matter. Every time he says things such as, "My words were simply open to misinterpretation", he provides a lack of clarity and sounds as if he is wriggling in a way that other people can exploit. For the sake of Ms Zaghari-Ratcliffe, will he say unequivocally for the record, "I got it wrong"?

**Boris Johnson:** I hope that the House will understand with crystal clarity that Mrs Zaghari-Ratcliffe was there on holiday. She was not there in any professional capacity. In so far as people got a different impression from what I was saying at the FAC, that was my mistake. I should have been clearer—[*Interruption.*] With great respect, Members should listen to what I am saying. I should have been clearer. It was my mistake; I should have been clearer. I apologise for the distress and anguish that has been caused to Mrs Zaghari-Ratcliffe and her family. Our priority now is to do everything we can to get her out of Iran on humanitarian grounds.

**Crispin Blunt** (Reigate) (Con): My right hon. Friend should know that he has the support of everyone on the Government Benches in his efforts to secure the release of Mrs Zaghari-Ratcliffe, understanding how difficult this case is. It has already been raised twice at Head of Government level, so it is very difficult to see how the Government could have done more. Does he agree that the prospects for her release are not being assisted by the rather unedifying spectacle of the pursuit of his scalp?

**Boris Johnson:** I think the paramount concern of everybody in this House is not narrow party political concerns, is it? It is not. It is the safe, secure return of Nazanin Zaghari-Ratcliffe and that is what we are working for.

**Mr Ben Bradshaw** (Exeter) (Lab): While the right hon. Gentleman is in the business of correcting the record, will he correct his statement from last week that he had never met Joseph Mifsud, the UK-based so-called academic at the centre of the Trump-Putin collusion allegations, given the publication in the newspapers yesterday of a photograph of just such a meeting?

**Mr Speaker:** Order. There is all sorts of flailing and waving about. It is not statesmanlike and the source from which it emanates is a source from which I usually expect the most statesmanlike conduct. The right hon. Gentleman's question suffers from the disadvantage that it is not even adjacent to—does not even hover over, does not buzz around—the urgent question that has been posed, so he will have to pursue other opportunities to favour the House with his thoughts, or to seek to extricate from the mind of the Foreign Secretary his own. On that point, we will leave it there for now.

Now, I am sure we can expect a wholly orderly question from the hon. Member for North East Somerset (Mr Rees-Mogg), very likely delivered in a sentence with no split infinitive. It might even be a series of sentences amounting to a lucid paragraph.

**Mr Jacob Rees-Mogg** (North East Somerset) (Con): Thank you, Mr Speaker, for that generous introduction.

Will my right hon. Friend carry on his Palmerston-like approach to defending British subjects overseas, which is one of the first duties of Her Majesty's Government? Does it concern him, as it concerns me, that the treatment of Mrs Zaghari-Ratcliffe in Iran, barbarous as it is, is being given succour by the socialists on the Opposition Benches?

**Boris Johnson:** I am afraid I think my hon. Friend underestimates the motives of the Labour party. I prefer to think that Labour Members are actuated solely by a concern for all our consular cases in Iran, in particular for the safe return of Nazanin Zaghari-Ratcliffe.

**Jo Swinson** (East Dunbartonshire) (LD): Every Member of this House recognises that the Iranian regime is responsible for Nazanin's detention and that the priority is to bring her home. However, our purpose here is to hold this Government to account for their actions. Can the Foreign Secretary tell me if he is confident in the quality and comprehensiveness of Foreign Office briefings, and that they are properly made available to other Government Ministers in advance of media appearances? If not, will he sort it out? If so, does he accept there is simply no excuse for Ministers to continue to get it wrong?

**Boris Johnson:** FCO briefings are excellent. As the hon. Lady has heard repeatedly from me today, the Government are absolutely clear in their understanding of what Nazanin Zaghari-Ratcliffe was doing in Iran and why it is absolutely unjustifiable that she be detained by that regime.

**Mrs Pauline Latham** (Mid Derbyshire) (Con): Any mother forcibly separated from her daughter will suffer from mental health problems, but it appears that Nazanin Zaghari-Ratcliffe is now also suffering from a physical illness. She is a dual national, which means she is British, so it is possible for my right hon. Friend to appeal to the Government on humanitarian grounds for her release?

**Boris Johnson:** That is, of course, exactly what I did the week before last in the FAC. It is probably not right to go into too much detail about what we know of Mrs Zaghari-Ratcliffe's medical condition. I will only

say this: it is pretty obvious to anybody studying the case that she should be released on humanitarian grounds alone.

**Mike Gapes** (Ilford South) (Lab/Co-op): Following the question from my hon. Friend the Member for Rhondda (Chris Bryant), who also sits on the FAC, will the Foreign Secretary now write to the Committee and all its members correcting the record? While he is doing that, will he also clarify and correct the wrong report in *The Sunday Times* that he was badly briefed before his remarks to our Committee?

**Boris Johnson:** Two points: I have written to the Committee and I really cannot be responsible for any inaccuracies that there might be in *The Sunday Times*.

**Mrs Anne Main** (St Albans) (Con): I am delighted to hear the hon. Member for East Dunbartonshire (Jo Swinson) say that this is the fault of the Iranians, because it leaves us in no doubt about the politics being played here today. This is the worst possible situation. The fact that the right hon. Member for Exeter (Mr Bradshaw) tried to button in on the back of this shows how this sensitive situation is being held in contempt. I wish my right hon. Friend the very best in seeking to bring this honourable lady home, because she needs to be with her husband and family.

**Boris Johnson:** I am sure that my hon. Friend speaks for everybody in her constituency and the country, and I know that she speaks for Members on the other side of the House as well.

**Catherine West** (Hornsey and Wood Green) (Lab): Over one year ago, the United Nations working group on arbitrary detention ruled that Nazanin's detention was arbitrary and referred her case to the special rapporteur, and the UN called for her immediate release, yet it appears that our own Foreign and Commonwealth Office might not have done so. Will the Foreign Secretary please explain?

**Boris Johnson:** That is a very good question. The answer is that we do not normally call for the release of consular cases, because very often that exacerbates their position. In this case, as the House knows, a couple of weeks ago I did call for her release on humanitarian grounds.

**Bob Stewart** (Beckenham) (Con): How many other British subjects are jailed in Iran, and does my right hon. Friend have any idea what the Iranians want in return for this lady's release?

**Boris Johnson:** We have dozens, if not hundreds, of cases around the world. I probably ought not to go into the exact number in Iran, but I can tell the House that we are working on behalf of all of them.

**Jim Shannon** (Strangford) (DUP): When the House passed the Iran nuclear deal, I, along with others across the Chamber, expressed concern and requested that human rights and equality issues be part of the deal. What influence do the Government have in respect of

[Jim Shannon]

the human rights and equalities of Nazanin Zaghari-Ratcliffe and the thousands of others held in jail there for the same reason?

**Boris Johnson:** The joint comprehensive plan of action does not cover the issues the hon. Gentleman raises, but common decency and humanitarian concern dictate that she should be released.

**Dr Matthew Offord** (Hendon) (Con): I remain a critic of the Iranian nuclear deal for many reasons, including the fact that human rights were not coupled with it. It was greatly disappointing that the Leader of the Opposition, who was paid to appear on Iranian Press TV, did not take the opportunity to criticise human rights in Iran, but instead agreed with and contributed to anti-Israel and anti-western bias. Does the Foreign Secretary agree with me, and indeed Richard Ratcliffe, that his battling for his job will not help Nazanin come home?

**Boris Johnson:** I will resist the temptation to agree with my hon. Friend about any points that might have been made by the Labour party for or against Iran, because our priority now is simple: it is not to score party political points but to get Nazanin home.

**Louise Haigh** (Sheffield, Heeley) (Lab): The right hon. Member for New Forest East (Dr Lewis) several times called Nazanin a hostage. Does the Secretary of State consider her to be a hostage?

**Boris Johnson:** The case of Nazanin Zaghari-Ratcliffe is a very difficult consular case, and that is how we are treating it.

**Peter Heaton-Jones** (North Devon) (Con): A number of my constituents have contacted me expressing concerns about the case. Can my right hon. Friend assure them that he and the Government are doing absolutely everything possible to exert influence to secure the release of Nazanin Zaghari-Ratcliffe, and does he agree that that should be our one and only priority and our one and only focus, in the Government and in the House?

**Boris Johnson:** I can certainly give my hon. Friend that assurance, and I can also tell him that our ambassador—our excellent ambassador—in Tehran is working on the case daily.

**Brendan O'Hara** (Argyll and Bute) (SNP): The Foreign Secretary has said that he finally accepts that Mrs Zaghari-Ratcliffe was on holiday, and that the whole country is now behind her. Does he include the right hon. Member for Surrey Heath (Michael Gove), who just yesterday said that he did not know why she was in Iran, and has he told the right hon. Gentleman that his loose-lipped comments were unacceptable and damaging in equal measure?

**Boris Johnson:** My right hon. Friend the Member for Surrey Heath actually made it very clear that he believed she was there on holiday—[*Interruption.*] He did say that: I watched the clip. He was very happy to accept that that was the case.

**Richard Drax** (South Dorset) (Con): What action can my right hon. Friend or the British Government take if Mrs Zaghari-Ratcliffe is not released? I am assuming that if we are in a hostage situation and if we do not win this case, there is a danger that others will be taken on a similar basis.

**Boris Johnson:** My hon. Friend is right to ask that question. The answer is, I am afraid, that we must simply work diligently and flat out for her release.

**Paul Flynn** (Newport West) (Lab): Will the right hon. Gentleman reflect on this and the rest of his conduct as Foreign Secretary in order to realise that his brand of clownish incompetence is a joke that is no longer funny, and consider being replaced by a competent politician who will attract the respect of the world and not the ridicule that he attracts?

**Boris Johnson:** As I have said, I think that the best course for us all is to try to minimise the political point-scoring and concentrate on getting Nazanin home.

**Robert Jenrick** (Newark) (Con): Like all other Members, I want to see this poor lady, Mrs Zaghari-Ratcliffe, back home as soon as possible. However, while reflecting on the proposal that she be given diplomatic protection, will my right hon. Friend reassure us that no steps will be taken that would jeopardise the safety of British diplomats around the world today, and indeed the diplomats of any other western country, who must be our main priority in this case?

**Boris Johnson:** I pay tribute to the work of the British diplomats who put themselves in harm's way and in danger across the world all the time. We will, of course, bear that consideration in mind.

**Alan Brown** (Kilmarnock and Loudoun) (SNP): If the Government have been on top of this since day one, and if the briefings of the Foreign Secretary's Department are so comprehensive, can he explain why the Secretary of State for Environment, Food and Rural Affairs, his fellow letter-writer, said on "The Andrew Marr Show" that he would "take...her husband's assurance" that the British-Iranian citizen was on holiday? That was hardly a ringing endorsement, and it was hardly a comment from someone who was up to speed with the facts. What is the Foreign Secretary going to do to ensure that his Cabinet colleagues are fully briefed?

**Boris Johnson:** With great respect to the hon. Gentleman, I believe I answered that question a few moments ago.

**Tom Pursglove** (Corby) (Con): Can my right hon. Friend assure the House that all the appropriate help and support is being given to Mr Ratcliffe and his family, given what a difficult period this is for them?

**Boris Johnson:** I pay tribute to Richard Ratcliffe and the indefatigable way in which he has campaigned for his wife's release. I can tell my hon. Friend that the door of the Foreign Office has been continually open to him, and that he has had several meetings—many, I believe—with my fellow Ministers. He will continue to have full access until such time as we sort out the appalling case of his wife.

**Kevin Brennan** (Cardiff West) (Lab): The furthest that the Foreign Secretary seemed prepared to go in his response was to say that his words last week were “open to being misinterpreted”. I do not think that they were misinterpreted. Earlier, he asked from a sedentary position, “What else could I say?” He could simply say, “I got it wrong.” That would be helpful, because it would give a clear signal that the Government were serious about saying that Mrs Zaghari-Ratcliffe was not there for the purposes that he suggested last week. Will he just say, “I got it wrong”?

**Boris Johnson:** As I have said many times both today and last week, it was wrong of me to say that she was there in a professional capacity; she was there on holiday, and I apologise again for the distress and anxiety that those words have caused. The most important thing we can do now is, I think, make sure that that point is clearly understood not just in this place but around the world, and work hard together—united, rather than divided, as a country—to get her home. That is what is in the best interests of Nazanin Zaghari-Ratcliffe.

**Richard Graham** (Gloucester) (Con): In my experience as a diplomat, I believe there is no harder call than whether public or private diplomacy is more effective at helping Britons in jail abroad, and I say to the Opposition spokeswoman that there is a real danger today of conflating domestic political ambitions with a very sensitive situation of a British national in jail. Will my right hon. Friend therefore confirm that, as soon as today’s statement is over, he and our Foreign Office will work very closely with our friends in Iran to see how best this issue can be resolved to the satisfaction of everyone, in the quietest way possible?

**Boris Johnson:** My hon. Friend brings great experience and understanding of these issues and of difficult consular cases, and he is absolutely right that sometimes a quiet approach and quiet diplomacy can yield great results.

**Angela Smith** (Penistone and Stocksbridge) (Lab): I agree with the Government that the only thing that matters is that Mrs Zaghari-Ratcliffe is taken out of prison because she is wrongly incarcerated, but that does depend on the Foreign Secretary raising his game, as Amnesty International suggested earlier this year, so will he commit after having met Richard Ratcliffe to come back to this place and make a statement making it absolutely clear that he will now do everything in his power to get Mrs Zaghari-Ratcliffe home?

**Boris Johnson:** I am not certain that it would be right—or even if you would grant me permission, Mr Speaker—to make another statement after meeting Mr Ratcliffe, but I can tell the House that I believe it certainly would be appropriate to make a statement following any trip to Iran it might be possible to organise.

**Andrew Bridgen** (North West Leicestershire) (Con): Does my right hon. Friend agree that Members of this House accepting huge amounts of money for appearing on the Iranian state broadcaster raises the danger of giving legitimacy to a regime that is holding UK citizens without grounds to do so?

**Boris Johnson:** I am grateful to my hon. Friend, but again, if I may say so, that is for those on the Opposition Benches to answer, not me.

**Layla Moran** (Oxford West and Abingdon) (LD): I spoke last week of the rollercoaster of emotions that the whole family are going through. From speaking to my constituents who are members of the family today, it is fair to say that over the weekend that has got worse, especially following reports of the deterioration in Nazanin’s health. Seeing her husband as soon as possible must be a high priority, too. I understand that in his phone call with the Foreign Secretary Richard Ratcliffe asked to accompany him on his forthcoming visit and also that he has full protection when he does. What progress has been made on that point?

**Boris Johnson:** I will be seeing Mr Ratcliffe in the next couple of days and we will explore all those issues in full.

**Clive Efford** (Eltham) (Lab): Richard Ratcliffe’s representatives wrote to the Foreign Office requesting diplomatic protection for Mrs Ratcliffe over two months ago. What consideration was given to that request, and has the Foreign Secretary’s position on it changed since his appearance before the Select Committee on Foreign Affairs?

**Boris Johnson:** As I said in answer initially to the right hon. Member for Islington South and Finsbury (Emily Thornberry), on the question of diplomatic protection I will be talking to Mr Ratcliffe in person, and will then inform the House of how we intend to proceed.

**Patrick Grady** (Glasgow North) (SNP): Constituents of mine, including the Glasgow west end Amnesty group, have consistently called for Nazanin’s release. The Foreign Secretary commented on this earlier, but will he make it clear how often, in all the times her issue has been raised with Iranian authorities, her release has specifically been called for? Has that been just over the past couple of weeks, or longer?

**Boris Johnson:** We have consistently asked for her release on humanitarian grounds, and I know that the whole House will want to echo that call today.

**Helen Jones** (Warrington North) (Lab): Contrary to what he keeps saying, the Foreign Secretary’s words to the Foreign Affairs Committee were not capable of misinterpretation. They were clear but wrong, and whether deliberately or through carelessness, he put a British citizen at risk from an arbitrary and authoritarian regime. May I now give him a further chance to apologise, not for anything else but for the words that he got wrong in that Committee? His high office demands that he take responsibility.

**Boris Johnson:** In fairness, I think the House will acknowledge that I have apologised repeatedly, not just for the mistake but for the way in which it was taken, and for any extra suffering or anguish that my words caused. But the most important thing, as I say, is that I think there is unanimity in the House today about our objective, and may I respectfully say that I think that that is where we should focus? That would be by far the most effective way of communicating the will of the

[*Boris Johnson*]

British people to the people of Iran. We feel very strongly that, on humanitarian grounds, Nazanin should come home.

**Michael Fabricant** (Lichfield) (Con): While it is of course right and proper for the House to discuss this important matter, is it not also the case that it would be detrimental for us to do so by megaphone diplomacy? Does my right hon. Friend not agree that it would be a sad irony if the Iranian Government were to get comfort and succour from some of the things that have been said in the House today?

**Boris Johnson:** That is an extremely good point. It is indeed the case that most of our consular successes, including in Iran, are done by quiet behind-the-scenes diplomacy.

**Nic Dakin** (Scunthorpe) (Lab): Should a British Foreign Secretary be careful, accurate and diplomatic in the words they choose at all times?

**Boris Johnson:** The answer to that is: of course.

**Gavin Newlands** (Paisley and Renfrewshire North) (SNP): A constituent who is a family friend of Nazanin attended my surgery at the weekend to convey her fears over Nazanin's mental wellbeing, as she has now been separated from her daughter for more than 500 days. The Foreign Secretary said that he would visit Iran sometime later this year. Can he guarantee that no stone will be left unturned to ensure that Gabriella will see her mum by the end of this year?

**Boris Johnson:** I can certainly say that no stone will be left unturned on behalf of Nazanin Zaghari-Ratcliffe, and indeed on behalf of all the other consular cases in Iran. What I cannot, alas, guarantee is that we will have the result that the hon. Gentleman wants, but it will not be for want of trying.

**Christian Matheson** (City of Chester) (Lab): If I were in jail in Iran for a crime that I had not committed, I could not hope to have a better Member of Parliament than my hon. Friend the Member for Hampstead and Kilburn (Tulip Siddiq), and I hope that the Foreign Secretary will pay tribute to her. Mr Ratcliffe has close family in my constituency, including a well-respected former Lord Mayor of Chester. When the Foreign Secretary goes to Iran, will he undertake to take with him a delegation of Members of this House who have a constituency interest in this case? That delegation would surely include my hon. Friend the Member for Hampstead and Kilburn.

**Boris Johnson:** I do not want to disappoint the hon. Gentleman, who is a close follower of these issues—I join him in paying tribute to the work of the hon. Member for Hampstead and Kilburn, by the way; she has been assiduous, and I was glad to have a meeting with her the other day—and I cannot guarantee at this stage that we will have such a delegation. One thing at a time, if I may say that.

## EU Exit Negotiations

4.18 pm

**The Secretary of State for Exiting the European Union (Mr David Davis):** With permission, Mr Speaker, I will update the House on negotiations between the UK and the European Union in November, reflecting our actions since the October European Council.

Both the UK and EU recognised the new dynamic instilled in the talks by the Prime Minister's Florence speech. At the October Council, the 27 member states responded by agreeing to start their preparations for moving the negotiations on to trade and the future relationship that we want to see. The Council conclusions also called for work to continue, with a view to being able to move to the second phase of the negotiations as soon as possible. It is of course inevitable that discussions are now narrowing to the few outstanding, albeit important, issues that remain. Last week, our focus was concentrated on finding solutions to those few remaining issues. As we move forward towards the December Council, we have been clear with the EU that we are willing to engage in discussions in a flexible and constructive way in order to achieve the progress needed. To that end, our teams are in continuous contact—even between the formal rounds.

I will now turn to the three key ongoing areas of discussions and outline progress made last week on each of them. We have made solid progress in our ongoing discussions on Northern Ireland and Ireland. Key areas of achievement include continued progress in technical discussions on preserving north-south co-operation, agreed joint principles on the continuation of the common travel area and associated rights, and drafting further joint principles on how best we preserve north-south co-operation under the Belfast agreement to help guide the specific solutions to the unique circumstances in Northern Ireland. Both sides also remain firmly committed to avoiding a hard border, a point on which we have remained clear throughout. We also remain resolutely committed to upholding the Belfast or Good Friday agreement in all its parts and to finding a solution that works for the people of Northern Ireland and Ireland.

We have continued to hold frank discussions with our European Commission counterparts about all those issues, but we have also had to be clear with our counterparts that while we respect their desire to protect the legal order of the single market and customs union, that cannot come at the cost of the constitutional or economic integrity of the United Kingdom. As I have said, we cannot create a new border within the United Kingdom. This is an area where we believe we will only be able to conclude talks finally in the context of a future relationship. Until such time as we do so, we need to approach the issues that arise with a high degree of political sensitivity, with pragmatism and with creativity. Discussions on those areas will continue in the run-up to the December Council.

We have continued to make good progress on citizen's rights, and both sides are working hard towards resolution of outstanding issues. Last week, to respond to the EU's request for reassurances, we published a detailed description of our proposed administrative procedures for EU citizens seeking settled status in the UK. As our paper demonstrates, the new procedures will be as

streamlined, straightforward and low-cost as possible. They will be based on simple, transparent criteria, which will be laid out in the withdrawal agreement. While there remain differences on the issues of family reunion and the export of benefits, we have been clear that we are willing to consider what further reassurance we can provide to existing families of EU residents here—even if they are not currently living together in the UK. I believe that that paves the way to resolving the remaining issues in this area, and that was acknowledged by the Commission on Friday.

There remain some areas where we are still seeking further movement from the EU, such as voting rights, mutual recognition of qualifications and onward movement for British citizens currently living in the EU27. In all three areas, the UK's offer goes beyond that of the EU. Finally, the Commission has not yet matched the UK's offer in relation to the right to stand and vote in local elections, which is a core citizen's right that is nominally enshrined in the EU treaties. I have been disappointed that the EU has been unwilling to include voting rights in the withdrawal agreement so far. As a result, we will pursue the issue bilaterally with member states.

This week, we have also sought to give further clarity on our commitment to incorporate the agreement we reach on citizens' rights into UK law. This will ensure that EU citizens in the UK can directly enforce their rights in UK courts, providing certainty and clarity for the long term. We have made it clear that, over time, our courts can take account of rulings of the European Court of Justice in this area to help to ensure consistent interpretation. However, as we leave the EU we remain clear that it is a key priority for the UK to preserve the sovereignty of our courts and, as such, in leaving the EU we will bring an end to direct jurisdiction of the ECJ.

It is not my intention to pre-empt the Committee stage of the European Union (Withdrawal) Bill, but what I say next has some relevance to it. It is clear that we need to take further steps to provide clarity and certainty—both in the negotiations and at home—regarding the implementation of any agreement into UK law. I can now confirm that, once we have reached an agreement, we will bring forward a specific piece of primary legislation to implement that agreement. It will be known as the withdrawal agreement and implementation Bill. This confirms that the major policies set out in the withdrawal agreement will be directly implemented into UK law by primary legislation, and not by secondary legislation under the withdrawal Bill. It also means that Parliament will be given time to debate, scrutinise and vote on the final agreement we strike with the European Union. The agreement will hold only if Parliament approves it.

We expect the proposed Bill to cover the contents of the withdrawal agreement, which will include issues such as an agreement on citizens' rights, any financial settlement and the details of an implementation period agreed between both sides. Of course, we do not yet know the exact details of the Bill and are unlikely to do so until the negotiations are near completion. I should also tell the House that this will be over and above the undertaking we have already made to table a motion on the final deal as soon as possible after the deal is agreed, and that we still intend and expect such a vote on the final deal to happen before the European Parliament votes on it. There cannot be any doubt that Parliament will be intimately involved at every stage.

Finally, on the financial settlement—[*Laughter.*] I see laughter on the Opposition Benches, but actually this has been called for by Members on both sides of the House, so I hope that we get Labour party support for once.

Finally, on the financial settlement, the Prime Minister's commitment in her Florence speech stands—our European partners 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. The UK will honour the commitments we have made during the period of our membership, and this week we made substantial technical progress on the issues that underpin those commitments.

This has been a low-key but important technical set of negotiations, falling as it has between two European Councils. It is now about pinpointing the further technical discussions that need to take place and moving forward into the political discussions and political decisions. We must now also look ahead to moving our discussions on to our future relationship. For that to happen, both parties need to build confidence in both the process and, indeed, the shared outcome.

The United Kingdom will continue to engage and negotiate constructively, as we have since the start, but we need to see flexibility, imagination and willingness to make progress on both sides if these negotiations are to succeed and if we are to realise our new partnership.

I commend this statement to the House.

4.26 pm

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

This is clearly a statement of two halves. First, the usual "Groundhog Day" report back on the negotiations in Brussels: a round of negotiations; a press conference at the end that leaves us wondering whether the parties were in the same negotiations; then both sides briefing the press in the days immediately afterwards; and then a statement from the Dispatch Box that assures no one, underlining the profound lack of progress.

We want the next statement to be different. We want the Secretary of State to return and inform the House that real progress has been made—a breakthrough, even. Last time we were promised acceleration. What now? And what is the plan if the December deadline is missed?

I recognise some of the difficulties. As the Secretary of State knows, I have some sympathy with the position he has set out on Northern Ireland. As we see from the Northern Ireland Budget Bill, which is before the House today, the political situation in Northern Ireland is fragile. The peace process is too precious to be put at risk by rushing a Brexit deal that does not have the support of all communities. There must be no return to a hard border, and Northern Ireland should not be used by either side in the negotiations for political point scoring—that is an important point.

The second half of the statement is not a report back at all. It is a recognition by the Government that they are about to lose a series of votes on the withdrawal Bill. Labour has repeatedly argued since the Bill was published in July that the article 50 deal requires primary legislation, including a vote of this House—a point that was made forcefully on Second Reading.

[Keir Starmer]

Now, on the eve of crucial amendments being debated, we have this statement under the cloak of a report back from Brussels—I do not think it fools anyone. The devil will no doubt be in the detail, but can the Secretary of State now confirm that the Government accept Labour's argument that clause 9 should be struck from the withdrawal Bill altogether?

Then there is the question of transitional arrangements. It is blindingly obvious to anybody following these negotiations that a final deal with the EU, including a trade agreement, will not be completed by March 2019 and that transitional agreements on the same terms as now are in the public interest. That is what businesses want, it is what communities want and it is what Labour has been calling for, for many, many months. So can the Secretary of State confirm, on the back of the statement he has just made, that the Government will not stand in the way of sensible transitional arrangements on the same basic terms as we have now with the EU? Can he also confirm that the Government will not now be pushing amendments inconsistent with transitional arrangements? And can he confirm to this House that it will get a vote in the event that there is no deal? These questions have been pressing for months. This last-minute attempt to climb down brings them into very sharp focus, and we are entitled to clear answers.

**Mr Davis:** Yet more carping from the right hon. and learned Gentleman. He complains that the negotiations are not making as much progress as he would like, yet he allowed his Labour MEPs to vote against progress this time around. The question he needs to ask himself is, what would he be prepared to sacrifice in order to buy the good will of the European Commission? We are standing up for UK citizens being able to move around Europe, to use their professional qualifications, to vote in municipal elections. Is he seriously proposing that we let them down in the interests of suddenly rushing ahead? We are standing up for British taxpayers and not wasting their money, with a clear position that we will meet our financial commitments but only once we know more about our future relationship. Would he sell them out? We are using Brexit to restore the sovereignty of the British courts—would he let that go, too? Yes, he would, because he would give the European Court of Justice the right to dictate our laws in perpetuity.

Let me come back to the right hon. and learned Gentleman's description; he says the second half of the statement does not arise from the negotiations. Well, yes it does, because one of the reasons for the Bill I have announced today is to provide European citizens with primary legislation that will put into British law the withdrawal agreement in toto. So this is as near as we can come to direct effect; it comes directly out of the negotiation. I hope that the next time I come to report to this House, we will get a little more support from the Labour party.

**Mr Kenneth Clarke (Rushcliffe) (Con):** We will be debating tomorrow, I believe, a rather unhelpful new clause, first announced in *The Daily Telegraph*, which bears on the timing of all these processes. May I get my right hon. Friend to set out the Government's intentions on these final processes and the role of Parliament? Can he give me a reassurance that Parliament will have a

legally binding, meaningful vote, in which it will approve or disapprove of any final agreement, or lack of agreement, before we leave the European Union? Will he assure me that there will be time, in whatever circumstances, for the necessary legislation to be introduced, debated and passed, to implement in law, smoothly and properly, whatever it is Parliament has approved once the Government have made their proposals?

**Mr Davis:** I thank my right hon. and learned Friend for that question. First, yes, we will have a meaningful vote, as has been said from this Dispatch Box any number of times. What I have been saying today is that we are going to add to that, over and above the meaningful vote on the outcome—on the deal—legislation which puts it into effect. In other words, the House will be able to go through it line by line and agree it line by line.

**Peter Grant (Glenrothes) (SNP):** I am grateful to the Secretary of State for advance sight of his statement. First, does he not appreciate that it is becoming increasingly clear that the only sensible solution in Northern Ireland is for Northern Ireland to remain in the customs union, and if that means the rest of us remain in the customs union as well, that must be what we do? He has already said that there cannot be a border between the two parts of Ireland, between Northern Ireland and the mainland UK, and between the Republic of Ireland and the European Union, so there cannot be a customs border anywhere between the UK and the European mainland without breaching important international treaties.

On citizens' rights, I welcome the Secretary of State's update on progress, but does he not accept that we are now well past the time when our constituents are entitled to absolute legal guarantees and that progress reports are not enough? People are still leaving our businesses, our health service and our social care services because they do not have confidence that there will be a deal in time for them to make their future here.

On the update on the financial settlement, would it be cynical to suggest that things will become a lot simpler when the Chancellor has got his Budget out of the way? Will the Secretary of State tell us what discussions he has had with the Chancellor about what measures might need to be in next week's Budget to pave the way for a financial settlement in the weeks to come? Or is it the case that there will be no financial settlement in the Budget because the Government know that they could not get a Budget past their own Back Benchers if there was an admission that it included any contribution to the European Union?

Finally, on the announcement of new legislation, the withdrawal agreement Bill, I give credit where it is due: the Secretary of State has done the right thing by announcing this to the House. Some of his Cabinet colleagues could well learn from his example. Will he give us more clarity as to what the Bill will be about? I know that he cannot give us the detail, but when can we expect it to be published? Will it still simply be a question of take it or leave it—their deal or no deal? Will the House be given the opportunity to amend the Bill, as it must have the opportunity to amend any Bill, and thereby have the opportunity to attempt to amend the agreement?

Given that the Prime Minister is now only eight disgruntled Conservative MPs away from facing a vote of no confidence, why should anyone else have confidence

in this Government to extricate us from the mess they have created when they are rapidly losing the confidence of their own Back Benchers?

**Mr Davis:** On the question about Northern Ireland, what I have said in terms, which is what I have said here in the House, is that there will be no internal border within the United Kingdom. That is an absolute fundamental because, apart from anything else, the Good Friday agreement—the Belfast agreement—requires the Government of Northern Ireland to operate on behalf of all communities, and at least one community in Northern Ireland would not accept a border in the Irish sea.

As for the border between Northern Ireland and Ireland, everybody has accepted that there must be no return to a hard border. Some of that is dealt with by the continuation of the common travel area, which has been around since 1923—in that respect, it is not new. In terms of the customs border, there is of course already a difference between levy and tax rates and excise rates north and south of the border, and we manage without a hard border. That is what we will continue to do.

With respect to the Budget, the hon. Gentleman is optimistic if thinks the Chancellor gives any of us more than a week of advance warning of his Budget. Of course, I have discussed with him the financial aspects of our relationship with the European Union at many meetings.

As for the new legislation, I do not think it is in the gift of the Government to put before the House primary legislation that is incapable of amendment. The nature of primary legislation is that it is always capable of amendment. Of course, we will have the practical limitations of having signed a deal and there may be implications because of that, but the whole thing will be put in front of the House.

**Mr Iain Duncan Smith** (Chingford and Woodford Green) (Con): I congratulate my right hon. Friend in being clear in his statement that, come 29 March 2019, as we leave the European Union, the European Court of Justice will no longer have direct authority here in the United Kingdom, thus dispelling the games being played out by the Opposition, as we heard this morning.

May I take my right hon. Friend back to what he said in his statement about the Bill and the motion? As I understand it, if we had a motion that was voted on but not passed, that would negate the idea of a Bill that could be amended. If there was a Bill and it was amended—as we were always told throughout the Maastricht negotiations and beyond—an amendment could not be accepted at the end of the day because the agreement would already have been made and thus an amendment would alter the agreement. Does not that potentially lead us into a situation in which we have a Bill that changes the agreement, but the other side does not wish to make those changes?

**Mr Davis:** With respect to the first half of my right hon. Friend's question, if the original motion is put but not passed, the deal falls—full stop; in toto. He is quite right about the second part, but he will remember the Maastricht Bill and, as I remember it, there were quite a lot of amendments and quite a lot of votes on it. The House was able to express its view, but it did so in the light of the consequences.

**Hilary Benn** (Leeds Central) (Lab): I welcome the Secretary of State's announcement that there will be primary legislation to implement the EU withdrawal agreement. That is another recognition by the Government that they need to listen to the House of Commons. The question that I want to ask is about Northern Ireland. It is becoming increasingly clear that there is a contradiction between the Government's clearly stated desire that there should be no return to a hard border—no customs border—and their determination to leave the customs union and the single market. As their proposals to try to square that circle have so far failed to persuade the Government of the Republic of Ireland about that hard border, what do the Government now propose to do about what is, after all, one of their central negotiating objectives?

**Mr Davis:** May I start by thanking the right hon. Gentleman for his opening comments? At the time we published the White Paper on what was then the great repeal Bill and now the European Union (Withdrawal) Bill, I said that we would listen to the House of Commons. Indeed, I said to the shadow Front-Bench team that if any rights were removed, we would endeavour to replace them, and any other changes similarly. On Northern Ireland, the circumstance that we face at the moment is that there is a range of permutations or possibilities depending on what the outcome is with respect to a free trade and customs agreement. If the Government achieve their primary policy of having a tariff-free, barrier-free free trade agreement, then a customs agreement following on from that would be very light touch, in which case it would be relatively straightforward to maintain a relatively invisible border. If that is not the case, I suspect that the alternatives would be expensive but not impossible.

**Mr Owen Paterson** (North Shropshire) (Con): If the House of Commons votes down the new withdrawal Bill, will the consequence be that we will still leave on 29 March 2019, but without an agreement?

**Mr Davis:** Yes.

**Mr Chris Leslie** (Nottingham East) (Lab/Co-op): What was that?

**Mr Speaker:** The Secretary of State said yes.

**Kate Hoey** (Vauxhall) (Lab): I welcome the Secretary of State's firm rebuttal of the ridiculous idea that Northern Ireland would be taken out of the rest of the United Kingdom and made to stay in a customs union. Does he also recognise that the Northern Ireland Affairs Committee recently met the head of customs in Switzerland, which is not in the EU, and the one thing that he said over and over again was that there was nothing that could stop this from working if there was full co-operation on all sides? Is that not what this is really all about—if the Republic of Ireland do not want to have a hard border, that can happen?

**Mr Davis:** The hon. Lady is exactly right. That is true across the board. We were told that a free trade agreement was impossible to achieve, but the former EU Trade Commissioner, Karel De Gucht, said that, no, it was not impossible if the political will was there. The same is true in this case. If the political will is there, this can be done. I am quite sure that the political will is there both north and south of the border.

**Sir William Cash** (Stone) (Con): Will the Secretary of State confirm that any such withdrawal Bill will take place after the European Union (Withdrawal) Bill has been enacted—in other words after 29 March 2019?

**Mr Davis:** No, I cannot quite confirm that. It will depend on when the withdrawal treaty is negotiated. It is the intention of the Union to try to negotiate that by October next year. Ideally, it will be before the conclusion.

**Yvette Cooper** (Normanton, Pontefract and Castleford) (Lab): I welcome the Government coming forward with a separate Bill for the withdrawal agreement. That is something on which I and the right hon. and learned Member for Beaconsfield (Mr Grieve) have tabled amendments. Can the Secretary of State clarify the timing? He just said that it was only in an ideal world that this withdrawal agreement Bill would come before Brexit day. There is a real problem if the Government think that they can simply use clause 9 provisionally to implement a withdrawal agreement through secondary legislation, while not having the withdrawal agreement Bill until after Brexit day. Will he confirm that the Government will bring the withdrawal agreement Bill to the House before Brexit day, not after?

**Mr Davis:** The right hon. Lady quite rightly corrects me for misspeaking slightly. “Ideal” was perhaps the wrong word. The right words are that it is our principal policy aim—that is what we are trying to do—but there is something that I cannot guarantee: if the Union does not come to a conclusion in negotiations, we cannot actually bring the withdrawal Bill before the House before we have a withdrawal agreement. That is the sequence that I am pointing to.

**Anna Soubry** (Broxtowe) (Con): Well, it is all very interesting. As we know, the Government have now decided to table an amendment to put the Brexit leaving date into law, even though that has not been to the Cabinet and has not been subject to the usual write-around. Will the Secretary of State help us with this? He has told us about this new piece of legislation that will come forward and that we will all be able to vote on and amend, and so on and so forth, in the normal way, but only if there is an agreement. Will he confirm that in the event of no agreement—no deal—this place will have no say and we will leave on the date that is in the Bill, without any say from this supposedly sovereign Parliament that voted to take back control?

**Mr Davis:** What I can say to my right hon. Friend is that if we do not have a withdrawal agreement, we cannot have a withdrawal agreement Bill—full stop.

**Mr Leslie:** Has not the Secretary of State just given the game away on what a sham this offer is? It is totally worthless to Parliament and essentially tries to buy people off by saying, “Look, we’re going to give you an Act to shape things.” In fact, it is a post hoc, after-the-horse-has-bolted piece of legislation. We might have left the European Union—the treaty and the deal would have been done—and Parliament could do nothing at all to shape the nature of the withdrawal agreement. The Secretary of State has to do much better than this. Parliament must have a say on the withdrawal agreement before we are thrown over the cliff edge.

**Mr Davis:** Let me repeat the probable sequence of events. If Mr Barnier hits his target and I hit mine, we will conclude the withdrawal agreement and associated agreements in the latter part of next year. He is aiming for October next year; that is his stated aim. If we do that, the withdrawal and treaty vote—the simple, in-principle vote—will first come to the House. As soon as possible thereafter, the withdrawal agreement Bill will come before the House. That is the sequence. It will be in plenty of time and we will be able to amend it at the time.

**Sir Edward Leigh** (Gainsborough) (Con): Imagine the outrage there would be in Europe if the European Union decided to try to detach Catalonia from Spain. But what is the EU doing today? It is saying that it will have to detach Northern Ireland from the single market and customs union of the United Kingdom. Will my right hon. Friend say that the Conservative party is nothing if it is not the Unionist party and that there will be no amendment, no truck, no surrender and no appeasement regarding keeping Northern Ireland in the single market of the United Kingdom?

**Mr Davis:** I say to my hon. Friend and constituency neighbour that I have made it plain that we will have no new borders within the United Kingdom.

**Mr Ben Bradshaw** (Exeter) (Lab): This is not quite clear: is the Secretary of State accepting the amendment in the name of the right hon. and learned Member for Beaconsfield (Mr Grieve) or is he asking the House to take it on assurance from the Dispatch Box?

**Mr Davis:** I am stating Government policy from the Dispatch Box.

**Mr Dominic Grieve** (Beaconsfield) (Con): I greatly welcome my right hon. Friend’s statement in respect of there being a statute for us to implement the final deal, but if that is the case—unless my amendment were to be now accepted—it must be right that clause 9 becomes redundant. I do not see how it is acceptable that we should implement Brexit by means of clause 9 to have a statute after the date of our departure. My anxieties are greatly heightened by the extraordinary amendment tabled by the Government on Friday. If we run out of time, surely the answer is none of the suggestions that have been put forward; in fact, the answer is that the time has to be extended under article 50, so that all parties are able to deal with it. That is the mechanism provided, and surely that is the mechanism that the House and the Government should be following.

**Mr Davis:** I thank my right hon. and learned Friend for his welcome of the Bill, but the extension of article 50 can be done only by unanimity, and that is its weakness.

**Alison McGovern** (Wirral South) (Lab): This does not make any sense. The Secretary of State has said on any number of occasions that a deal could be done right at the last moment. For the reasons just explained, will he be clear? He cannot hold that position—that a deal could be done right at the last moment—and support this amendment from the Government to nail down the specific date.

**Mr Davis:** If I may say so, “any number of occasions” was one occasion—in front of the Select Committee, when I was asked the explicit question what could

happen to the negotiation in extremis. Since I was pointing to previous examples, it is hardly a statement of either intent or expectation—it certainly is not. As for the rest of the hon. Lady's question, this is pretty straightforward. We are aiming to hit October. Mr Barnier is aiming to hit October. I hope that we both do. I certainly hope that we hit the target of being well before the departure date. The reason for the amendment to the Bill is that it reflects what European law tells us.

**Dr Julian Lewis** (New Forest East) (Con): Is there any prospect of the excellent Sir James Dyson being invited to join our splendid team of negotiators?

**Mr Davis:** I have spoken to Sir James Dyson. I do not necessarily agree with his tactical advice, but he is a brilliant exponent of what a great success this country can be when its engineers get stuck into the job.

**Wera Hobhouse** (Bath) (LD): Will the Secretary of State clarify the Government thinking around an adjudication court, as mentioned this morning on Radio 4 by the right hon. Member for Chingford and Woodford Green (Mr Duncan Smith)?

**Mr Davis:** I am afraid I did not hear—

**Mr Duncan Smith:** It was very good—very good.

**Mr Davis:** I am sure it was a brilliant exposition, but I did not hear it.

**Mr Speaker:** No, but the Secretary of State has the confirmation from the right hon. Member for Chingford and Woodford Green (Mr Duncan Smith), wittering from a sedentary position, that it was very good. He said it not once, but twice—that should satisfy the Secretary of State, I feel sure.

**Mr Bernard Jenkin** (Harwich and North Essex) (Con): May I invite my right hon. Friend to remind the House that 498 right hon. and hon. Members voted for the withdrawal Bill, in the full knowledge that, two years after notification had been served, we would be leaving the European Union? Is it not a little disappointing that they seem to be backtracking on their commitment to honour their promises to the British people?

**Mr Davis:** My hon. Friend makes his point clearly. The simple fact is that everybody has known March 2019 is departure date ever since the article 50 Bill was passed.

**Mr Pat McFadden** (Wolverhampton South East) (Lab): I welcome the Secretary of State's retreat today in the face of impending votes on the withdrawal Bill, but why is he intent on holding a gun to this House's head by presenting us with a choice only between the deal he negotiates and no deal at all? Surely, a meaningful vote and meaningful legislation would give this House the possibility of asking the Government to go back and amend the deal, including, as the right hon. and learned Member for Beaconsfield (Mr Grieve) said, by extending the timetable, if that is what is required?

**Mr Davis:** Nobody is holding a gun to the House's head. What I will say to the right hon. Gentleman is that the decision being put before the House was put there by 17.5 million voters.

**Sir Oliver Letwin** (West Dorset) (Con): Will my right hon. Friend reassure those of us who increasingly believe that our strongest chance of ever achieving a deal is to be able to demonstrate to our EU counterparts that we are capable of managing exit without a deal that he will shortly publish a comprehensive and convincing account of how this country will manage affairs in the absence of any deal whatever?

**Mr Davis:** What I have said to the House many times over is that what my right hon. Friend alludes to is not the primary policy of this Government—the policy of this Government is to obtain a free trade deal—but he is quite right: in the event that such a thing did not happen, we would be able to make a good future for Britain. It is not the best future, though; it is not the best choice in front of us.

**Joanna Cherry** (Edinburgh South West) (SNP): In Brussels last week, senior EU officials were very clear with members of the Select Committee that a transitional deal under article 50 means remaining in the single market, remaining in the customs union and remaining subject to the jurisdiction of the Court of Justice. Is it not about time that the Secretary of State explained that to his Back Benchers, so that Members such as the right hon. Member for Chingford and Woodford Green (Mr Duncan Smith) can avoid embarrassing themselves on legal matters on the radio? Will he also clarify that parts of the Bill, such as clause 6, will have to go if there is to be a transitional deal?

**Mr Davis:** The hon. and learned Lady makes the mistake that, I am afraid, many metropolitan media commentators make, which is to assume that everything they are told in Brussels is the whole truth and nothing but the truth.

**Sir Desmond Swayne** (New Forest West) (Con): If the Secretary of State were trying to sell me a car and I assured him that I was determined not to leave the showroom without buying one, does he imagine that that would strengthen my negotiating hand?

**Mr Davis:** My right hon. Friend is quite right. It is a foolish proposition that is only deployed by the Opposition.

**Stephen Kinnock** (Aberavon) (Lab): I am sure that the Secretary of State will wish to join me in congratulating his friends the Foreign Secretary and the Secretary of State for Environment, Food and Rural Affairs on the rekindling of their bromance. I wonder, though, whether they understand that the European Parliament has stated clearly that a transition deal

“can only happen on the basis of the existing European Union regulatory, budgetary, supervisory, judiciary and enforcement instruments and structures”.

Does the Secretary of State believe that Conservative Members understand that that will be the basis of the transitional arrangements?

**Mr Davis:** First, let me say to the hon. Gentleman a milder version of what I said to our Scottish nationalist colleague, the hon. and learned Member for Edinburgh South West (Joanna Cherry): he should not take just what the European Parliament says as the end of the exercise. However, he is of course right in one respect: a transitional arrangement will look very like what we

[Mr David Davis]

have now, but it will not be membership, and it will allow us freedoms that we do not have now. It is critical to remember that as well.

**Philip Davies** (Shipley) (Con): We have always known that the EU is desperate for the UK's money, but it has now become so strapped for cash, it seems, that over the past few days it has resorted to the diplomacy version of aggressive begging. Will my right hon. Friend assure the House that the Government will not be intimidated by the threats and blackmail of the European negotiating team, because the Government will not be forgiven in a time of austerity if they pay more than is legally due for leaving the EU? Does he agree on that basis that we do not need to pay £10 billion a year net for a £90 billion trade deficit, because we can have one of those for nothing?

**Mr Davis:** I made my hon. Friend's last point to one of the member states only last week.

**Tom Brake** (Carshalton and Wallington) (LD): When I recently met residents in Forkhill in south Armagh who were very badly affected during the troubles, they had no solution to the question of the Ireland-Northern Ireland border, and nor has anyone else who I have met since. Can the Secretary of State set out how it is possible for us to leave the customs union and for there still to be a frictionless, no-touch, no-control border between Ireland and Northern Ireland?

**Mr Davis:** We have published a whole paper on the subject. There is a whole range of options available for the country, including using trusted trader schemes, using electronic pre-notification and using exemptions for small businesses. There is a whole series of them that we have talked about at length—the right hon. Gentleman just has to read them.

**Jeremy Lefroy** (Stafford) (Con): I congratulate the Secretary of State on the progress made in the past couple of weeks, but may I emphasise how important it is that we move on to the next stage in December? Businesses are really concerned that we have that moving on within the next two or three weeks. Can he reassure us on that?

**Mr Davis:** Yes, of course that is what we are aiming to do. One point that has become very clear in the negotiations is that matters such as the border between Ireland and Northern Ireland are soluble once we get on to the next stage, but really cannot be advanced as we stand. For many reasons, both economic and political, we want to make that advance as soon as possible.

**Stephen Timms** (East Ham) (Lab): May I ask the Secretary of State about arrangements during the implementation period of two years or so after March 2019? The Prime Minister has already told us that the writ of the European Court of Justice will continue to run. The Secretary of State told the Select Committee that he hoped that, subject to a positive Council conclusion in December, the arrangements for the implementation period would be agreed by March 2018. Michel Barnier said the same to the Select Committee last week. Does that not put huge pressure on everybody involved to achieve a successful outcome to the December Council?

**Mr Davis:** I hope so. The right hon. Gentleman refers to “everybody involved”, and one of the major successes of the October Council was the fact that the Commission team—the so-called taskforce 50—was told to prepare for that. A moderately complex policy has to be put in place. It has a number of mildly contentious areas, so the team needs to be ready for it. The process is under way, and if we get the decision in December, we will deliver, I hope, on what I said to the Select Committee.

**Crispin Blunt** (Reigate) (Con): Did my right hon. Friend understand, as I did, that the Opposition spokesman expressed sympathy for the Government's position on the question of the Irish border, and identified that the Irish Republic's success in getting the 27 members of the European Union to line up with its position on the customs union has placed the talks in an impossible position that, if this is not resolved over the next two weeks, may very well mean that they do not go forward? As my right hon. Friend the Member for West Dorset (Sir Oliver Letwin) made clear, we therefore need to prepare.

**Mr Davis:** To be fair to the Labour spokesman, I think he was agreeing with the position laid out by the Government and that the issue is incredibly sensitive. I think he is being very responsible in that regard. My hon. Friend is right in one respect: if this process does not start early, and does not deliver a free trade area and a customs agreement, it will be much more difficult to resolve the border issue. We will still do so, but it will be much more expensive, much more difficult and politically more problematic. The best way to proceed is with fast progress in the next few weeks.

**Chris Bryant** (Rhondda) (Lab): Tens of thousands of businesses in this country, including supermarkets, and importers and exporters who work across the whole European Union, rely on their ability, under EU law, to have one certificate of insurance for their lorries that will enable a lorry to go from Aberystwyth to Krakow or anywhere else in the European Union. Those businesses will soon be securing new insurance certificates, which will last for a further year. In other words, by the end of March, they need to know what the situation will be so that they can take out certificates of insurance for after Brexit, as the Secretary of State suggests. When will they have that certainty?

**Mr Davis:** The hon. Gentleman sets out very clearly why we are trying to get the implementation period agreed by March.

**Kevin Foster** (Torbay) (Con): I welcome the Secretary of State's statement and, in particular, the fact that there will be a Bill in this House. Will he confirm that that will be based on a treaty that we have signed with 27 other countries, and that although we could amend it here, the reality is that we cannot force 27 other countries to offer something that they are not prepared to offer?

**Mr Davis:** Of course it would be quite difficult to do that. As with any treaty, when this treaty is carried into British law, the House will be able to amend it, but it will have to take account of the consequences of so doing.

**Angus Brendan MacNeil** (Na h-Eileanan an Iar) (SNP): The Secretary of State said here today that Brexit “cannot come at the cost of the constitutional or economic integrity of the United Kingdom.” We know already that Brexit is indeed costing the economic integrity of the United Kingdom, but it now seems that the de facto policy of the United Kingdom Government is to partition Ireland, as they cannot leave the single market, and especially the customs union, without doing so. Does he have any idea when the EU27 might agree to the two-year extension period begged for by the Prime Minister in Florence to delay that position from arising? Perversely, framing the argument like that might strengthen the pleading for two more years.

**Mr Davis:** First, it is very strange to talk about harm to the integrity of the United Kingdom when we have the highest employment we have ever had in our history and the lowest unemployment in my adult lifetime. As for the transition period, it is not for negotiation, but to allow countries, Governments—our Government and EU Governments—and, most importantly, companies to accommodate changes in knowledge of what the deal is.

**Stephen Crabb** (Preseli Pembrokeshire) (Con): How much detail does my right hon. Friend expect the deal to include on our future trading relationships with the EU? Does he share the view communicated to the Select Committee several times last week in Brussels that this deal is actually separate from the free trade agreement that will come later, and which will take longer and be more difficult to agree than the interim deal we are talking about this afternoon?

**Mr Davis:** I am afraid that I do not agree with Michel Barnier, if it was he who said that to the Committee. How can I put this? The ambitions of the Commission on this are lower than they should be. The simple truth is that nothing is agreed until everything is agreed, and we need to have something that is pretty binding before we are going to sign off the withdrawal agreement.

**Angela Smith** (Penistone and Stocksbridge) (Lab): On that note, the Secretary of State made it clear in his statement that the implementation period and its details would be part of the legislation. Will the Secretary of State confirm that it is therefore absolutely clear that if the trade deal is not finalised by next October, there will be no guarantee whatsoever that such a Bill will come before Parliament until after March 2019 and until the trade deal is finalised with the EU?

**Mr Davis:** The Bill cannot be brought before Parliament before the withdrawal deal is struck, but I remind the hon. Lady that the Government have undertaken to provide a vote on the whole deal before we even come to that.

**Mr Peter Bone** (Wellingborough) (Con): In June 2016, the people of this country voted to come out of the EU, to end free movement, to stop paying the EU billions of pounds, to make our own laws in our own country and to be judged by our own judges. Are the Government going to deliver that by March 2019?

**Mr Davis:** Yes.

**Jim Shannon** (Strangford) (DUP): I welcome the Secretary of State’s statement and the fact that he says he will not accede to the demands in the leaked EU paper

that Northern Ireland should stay in the customs union and the single market, given the constitutional and economic implications of such a proposal. Does he agree that it would be in the interests of the Irish Government not to allow their future relationship with the United Kingdom of Great Britain and Northern Ireland to be dictated by EU negotiators, who have less interest in the needs of a small country such as the Republic of Ireland than they do in the European project?

**Mr Davis:** It is not for me to tell the Irish Government what they should do, but I would say that they share with us a determination to maintain no hard border. They obviously have an economic interest in the outcome because we are their biggest trading partner. They must have a very strong interest in a similar outcome to the one that we are seeking, and I hope they will reflect that in their conversations with the Commission.

**Mr David Jones** (Clwyd West) (Con): I commend my right hon. Friend for his announcement that the implementation of the withdrawal agreement will be the subject of specific primary legislation. Does this not negate the accusation that the Government are intent on bypassing Parliament, and does it not underline the fact that the Government are intent on restoring our parliamentary sovereignty, which is, after all, the whole purpose of Brexit?

**Mr Davis:** My right hon. Friend is exactly right. By my count, if we include Bills already passed and Bills in prospect, we are looking at 10 pieces of primary legislation that Parliament can vote on, amend and, of course, comment on as a result of Brexit and in delivering Brexit.

**Mike Gapes** (Ilford South) (Lab/Co-op): The Secretary of State says that any agreement will hold only if Parliament approves it, but he has also said that we will have no opportunity to vote if we have no agreement. That means, does it not, that all this talk about taking back control and giving our Parliament more powers is absolutely untrue? What we are faced with is a choice of putting a gun to our own head and blowing it off.

**Mr Davis:** Clearly the hon. Gentleman was not listening to my answer to the previous question. To deliver Brexit, this House will deal with at least 10 pieces of primary legislation. That is hardly denying Parliament a say in events.

**Antoinette Sandbach** (Eddisbury) (Con): Will the Secretary of State clarify how, if the agreement happens only on the very last day in March and the Bill, which is intended to ensure we have a meaningful vote, comes forward after that date, the vote on it will be in any sense meaningful?

**Mr Davis:** When we had an urgent question on that about two weeks ago, I reiterated to the House the statement of my right hon. Friend the Member for Clwyd West (Mr Jones), the former Minister of State for Exiting the European Union, in which he said that a meaningful vote is one that allows people to say whether they want or do not want the deal.

**Jonathan Edwards** (Carmarthen East and Dinefwr) (PC): Transport and logistics experts are warning of the disastrous consequences of a hard border between Wales and the Republic of Ireland for the ports of Holyhead,

[Jonathan Edwards]

Fishguard and Pembroke Dock. How is the Secretary of State ensuring that his decisions as part of the negotiations do not damage the competitiveness of Welsh ports, which employ thousands of people directly and indirectly?

**Mr Davis:** That is precisely why Government policy is to deliver a frictionless trade arrangement between us and the EU27, most importantly the Republic of Ireland.

**Henry Smith (Crawley) (Con):** My right hon. Friend rightly says that he is negotiating with pragmatism. Has he detected any growing pragmatism in the unelected EU Commission as it—hopefully—realises that the trade surplus that the EU27 have with us could be under threat?

**Mr Davis:** I made an undertaking to the House about a year and a half ago that I would be more polite than hon. Members have ever seen me in my comments about the Commission, and I will stick to that.

**Catherine West (Hornsey and Wood Green) (Lab):** The Secretary of State often uses the words “creative”, “be creative” and “creativity”. Will he and his team come up with a more creative approach to settled status? It is upsetting many of my constituents, who have been resident for many decades and contributed an enormous amount. They feel that settled status suddenly puts them in a different arrangement. They entered with free movement and they feel they had a different treaty relationship, but now the rug is being pulled from under them. Please could he be creative?

**Mr Davis:** We have been quite creative so far. Many of those who have been here a long time are already permanent residents. One of the things the Italian Government persuaded me was worth doing is ensuring that people’s transition to the new permanent residence is completely frictionless, requiring no more than a photograph and a criminality check. We have given those who will still be making the application a two-year grace period beyond our departure, and we published a report last week to show that the process will be simple, straightforward and very cheap. Those things are designed to make people feel more secure, as I hope they do, because I reiterate that we value the contribution of the 3 million Europeans who are in this country today.

**Mr William Wragg (Hazel Grove) (Con):** Does my right hon. Friend agree that although the UK should negotiate on every issue, if we are to secure this country’s future, nothing should be agreed until everything is agreed, to coin a phrase?

**Mr Davis:** I never thought that I would accuse my hon. Friend of sounding like the European Commission, but that is its favourite phrase, and I stick by that, too.

**Several hon. Members rose—**

**Mr Speaker:** I call Clive Efford.

**Clive Efford (Eltham) (Lab):** I am grateful, Mr Speaker, for your contribution to my fitness regime.

If the House amends primary legislation in the form of the Bill to implement the withdrawal agreement, will the Secretary of State explain how he will convey that to the European Union, if we have retained sovereignty?

**Mr Davis:** I will not comment on the hon. Gentleman’s fitness regime—he is too far away from me to tell. If the House did as he describes, I guess that the Government would take that as an instruction to go back and speak to the European Union. Whether that would deliver any outcome, I do not know.

**Michael Tomlinson (Mid Dorset and North Poole) (Con):** I warmly welcome the Secretary of State’s statement, especially his confirmation from the Dispatch Box that there will be a separate agreement and implementation Bill. Does he agree with me on two points: first, that any amendment to that effect in the Committee stage of the European Union (Withdrawal) Bill, which starts tomorrow, will be unnecessary; and, secondly, that this will ensure we have a meaningful vote, but one that does not undermine our negotiation?

**Mr Davis:** On the latter point, my hon. Friend is right. On the former point, there might well be some minor consequential changes, but I do not think there will be any major changes.

**Mr Simon Clarke (Middlesbrough South and East Cleveland) (Con):** Regarding the financial settlement that will eventually need to be worked out, does my right hon. Friend agree that although the British public will look favourably upon a settlement in the context of a comprehensive and ambitious free trade deal, there will be a genuine reluctance to make such a payment in the event that we are left with nothing by the EU?

**Mr Davis:** I am tempted to employ my hon. Friend as a negotiator because that is exactly what I have been saying to the Europeans for some time.

**Suella Fernandes (Fareham) (Con):** I welcome my right hon. Friend’s announcement that there will be a Bill on the withdrawal agreement and its implementation, which will enable vital parliamentary scrutiny. Does he agree that although parliamentary involvement is essential, it is not, and should never be construed as, an opportunity to reverse Brexit, to return the UK to the EU, or to go against the wishes of the British people that were expressed in last year’s referendum?

**Mr Davis:** My hon. Friend is entirely right. It is a meaningful vote, but not meaningful in the sense that some believe—that the decision can be reversed. That is not available to us.

**Craig Mackinlay (South Thanet) (Con):** I too met Monsieur Barnier in Brussels last week. I am sorry if I left him for the Secretary of State in anything like a bad mood. I perceive my right hon. Friend’s approach to be fair and reasonable, giving ground where necessary, but this is feeling a little like a one-way street. Does my right hon. Friend share my view that this unreasonable intransigence is becoming as wearing on him as it is on the British electorate?

**Mr Davis:** I am paid to put up with being worn down occasionally. No, I would not say that; my relationship with Mr Barnier has been nothing other than cordial. Of course this is a tough negotiation and it may well get tougher yet.

**Robert Jenrick** (Newark) (Con): The primary value of a transitional period is to give British businesses the time to adapt to new arrangements. It is not to extend the talks, because that would merely increase uncertainty and is an appalling negotiating tactic. Will the Secretary of State reassure us that he intends to agree a deal of such specificity that our businesses will know the nature of future arrangements prior to the point of departure?

**Mr Davis:** My hon. Friend goes right to the point. There are three reasons for the transition: one is for the British Government to be able to accommodate and another is so that foreign Governments can accommodate; but, as he says, the most important is to allow British businesses to accommodate in the knowledge of what they are accommodating to.

**Richard Graham** (Gloucester) (Con): Every individual and organisation that the Select Committee saw in Brussels and Paris last week stressed that their absolute priority is people and citizens' rights. Does my right hon. Friend therefore agree that when an agreement on citizens' rights is reached, it should be announced and committed to in perpetuity by both sides to help 4.5 million citizens to get on with their lives? Does he agree that not to do so would raise the question of who is really putting people first?

**Mr Davis:** My hon. Friend makes a very good point. Sadly, the phrase used earlier by my hon. Friend the Member for Hazel Grove (Mr Wragg)—nothing is agreed until everything is agreed—is the primary maxim of the European Commission.

**Richard Drax** (South Dorset) (Con): Does my right hon. Friend agree that uncertainty is the weapon of the EU Commission and the remainer? I urge him to stiffen his resolve to ensure the will of the British people is kept.

**Mr Davis:** My hon. Friend is exactly right. We see—how can I put this?—time pressure being played against us all the time, and we have to resist that properly.

**Wendy Morton** (Aldridge-Brownhills) (Con): I am grateful to the Secretary of State for his statement, and particularly for the way he continues to update the House as we move towards delivering the will of the British people expressed on 23 June. On trade, which is really important, does he agree that both sides have a huge amount to gain from free trade with the absolute minimum of friction?

**Mr Davis:** Yes, my hon. Friend is exactly right. Properly seen, this is a positive-sum negotiation. Only if one side is unwise and does not take the point on free trade will it become a negative-sum one.

**Andrew Bridgen** (North West Leicestershire) (Con): We have heard a lot of complaint from Opposition Members about the Government's generous offer of a meaningful vote on whatever deal the Secretary of State can achieve. Will my right hon. Friend confirm that that is exactly the basis on which the European Parliament will vote, and will he tell the House whether UK Members of the European Parliament will vote on the deal?

**Mr Davis:** The ones in receipt of the Conservative Whip will.

**Mr Speaker:** I am grateful to the Secretary of State and all colleagues.

## Tax Avoidance and Evasion

*Application for emergency debate (Standing Order No. 24)*

**Mr Speaker:** I shall now call Dame Margaret Hodge to make an application for leave to propose a debate on a specific and important matter that should have urgent consideration, under the terms of Standing Order No. 24. The right hon. Lady has up to three minutes in which to make her application.

5.20 pm

**Dame Margaret Hodge (Barking) (Lab):** I seek leave to propose that the House should debate a specific and important matter that should have urgent consideration, namely the systemic issues that facilitated the tax avoidance and evasion uncovered by the Paradise papers. I am supported in this request by many Members on both sides of the House.

The Paradise papers are the most important and shocking data we have seen so far to lift the lid on behaviour that hard-working people in Britain who pay their taxes find deplorable, but which we now know is scarily normal and acceptable among the very wealthy and powerful global corporations. The leaked documents comprise 31.4 million files. These have been analysed over a year by 381 journalists from 67 countries. In the UK, we have *The Guardian* and “Panorama” to thank for their brilliant investigative work and for placing the data relevant to us under public scrutiny.

The papers come from one of the so-called magic circle of international lawyers: Appleby. More than half of Appleby’s offices are based in UK tax havens. Tax havens are central to most of the tax avoidance schemes uncovered and are where people hide their money. Conservative estimates put the wealth held in tax havens at \$7.6 trillion. The UK tax havens are at the heart of this abuse. By stubbornly upholding secrecy, our Crown dependencies and overseas territories enable widespread tax avoidance to take place. The UK Government are not just complicit in but central to their success, and it is our financial institutions—lawyers, bankers and accountancy firms—that are mostly responsible for finding the devices employed to avoid tax.

At the very moment when Simon Stevens was pleading for money for the NHS, we were learning about the enormous range of artificial structures used by the rich, famous and powerful to avoid making their proper contribution, through taxation, to our NHS. The Paradise papers raise hugely significant issues for the House and the Government. We urgently need the opportunity to debate the systemic implications of the revelations. This is not a minor but a mega issue of public concern. A debate now would enable Members to express their views before the Chancellor puts his finishing touches to the Budget.

**Mr Speaker:** I have listened carefully to the right hon. Lady’s application and I am satisfied that the matter raised is proper—[*Interruption.*] Order. Could Members extend the courtesy of listening to the business of the House? If they want to conduct a private conversation, they can do so outside the Chamber. I will return to this very important matter, which might preoccupy a lot of people outside the House.

I have listened carefully to the application from the right hon. Lady, and I am satisfied that the matter raised is proper to be discussed under Standing Order No. 24. Does she have the leave of the House?

*Application agreed to.*

**Mr Speaker:** The right hon. Lady has secured the leave of the House. The debate will be held tomorrow, Tuesday 14 November, as the first item of public business. The debate will last for up to two hours and will arise, I advise colleagues, on a motion that the House has considered the specified matter set out in the right hon. Lady’s application. I hope that that helps her and, more particularly, the House as a whole.

## BILL PRESENTED

### NORTHERN IRELAND BUDGET

*Presentation and First Reading (Standing Order No. 57)*

Secretary James Brokenshire, supported by the Prime Minister, the Chancellor of the Exchequer, Secretary Damian Green, Secretary David Mundell, Secretary Alun Cairns, the Attorney General, Elizabeth Truss and Chloe Smith, presented a Bill to authorise the issue out of the Consolidated Fund of Northern Ireland of certain sums for the service of the year ending 31 March 2018; to appropriate those sums for specified purposes; to authorise the Department of Finance in Northern Ireland to borrow on the credit of the appropriated sums; to authorise the use for the public service of certain resources (including accruing resources) for the year ending 31 March 2018; and to repeal certain spent provisions.

*Bill read the First time; to be read a Second time today, and to be printed (Bill 123) with explanatory notes (Bill 123-EN).*

## BUSINESS OF THE HOUSE (NORTHERN IRELAND BUDGET BILL)

*Ordered,*

That the following provisions shall apply to the proceedings on the Northern Ireland Budget Bill:

### *Timetable*

(1) (a) Proceedings on Second Reading and in Committee of the whole House, any proceedings on Consideration and proceedings up to and including Third Reading shall be taken at today’s sitting in accordance with this Order.

(b) Notices of Amendments, new Clauses or new Schedules to be moved in Committee of the whole House may be accepted by the Clerks at the Table before the Bill has been read a second time.

(c) Proceedings on Second Reading shall be brought to a conclusion (so far as not previously concluded) four hours after the commencement of proceedings on the Motion for this Order.

(d) Proceedings in Committee of the whole House, any proceedings on Consideration and proceedings up to and including Third Reading shall be brought to a conclusion (so far as not previously concluded) six hours after the commencement of proceedings on the Motion for this Order.

### *Timing of proceedings and Questions to be put*

(2) When the Bill has been read a second time:

(a) it shall, despite Standing Order No. 63 (Committal of bills not subject to a programme order), stand committed to a Committee of the whole House without any Question being put;

(b) the Speaker shall leave the Chair whether or not notice of an Instruction has been given.

(3) (a) On the conclusion of proceedings in Committee of the whole House, the Chairman shall report the Bill to the House without putting any Question.

(b) If the Bill is reported with amendments, the House shall proceed to consider the Bill as amended without any Question being put.

(4) If, following proceedings in Committee of the whole House and any proceedings on Consideration of the Bill, a legislative grand committee withholds consent to the Bill or any Clause or Schedule of the Bill or any amendment made to the Bill, the House shall proceed to Reconsideration of the Bill without any Question being put.

(5) If, following Reconsideration of the Bill—

(a) a legislative grand committee withholds consent to any Clause or Schedule of the Bill or any amendment made to the Bill (but does not withhold consent to the whole Bill), and

(b) a Minister of the Crown indicates his or her intention to move a minor or technical amendment to the Bill, the House shall proceed to consequential Consideration of the Bill without any Question being put.

(6) For the purpose of bringing any proceedings to a conclusion in accordance with paragraph (1), the Chairman or Speaker shall forthwith put the following Questions in the same order as they would fall to be put if this Order did not apply—

(a) any Question already proposed from the Chair;

(b) any Question necessary to bring to a decision a Question so proposed;

(c) the Question on any amendment moved or Motion made by a Minister of the Crown;

(d) any other Question necessary for the disposal of the business to be concluded; and shall not put any other questions, other than the question on any motion described in paragraph (17)(a) of this Order.

(7) On a Motion so made for a new Clause or a new Schedule, the Chairman or Speaker shall put only the Question that the Clause or Schedule be added to the Bill.

(8) If two or more Questions would fall to be put under paragraph (6)(c) on successive amendments moved or Motions made by a Minister of the Crown, the Chairman or Speaker shall instead put a single Question in relation to those amendments or Motions.

(9) If two or more Questions would fall to be put under paragraph (6)(d) in relation to successive provisions of the Bill, the Chairman shall instead put a single Question in relation to those provisions, except that the Question shall be put separately on any Clause of or Schedule to the Bill which a Minister of the Crown has signified an intention to leave out.

#### *Consideration of Lords Amendments*

(10) (a) Any Lords Amendments to the Bill may be considered forthwith without any Question being put; and any proceedings interrupted for that purpose shall be suspended accordingly.

(b) Proceedings on consideration of Lords Amendments shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement; and any proceedings suspended under sub-paragraph (a) shall thereupon be resumed.

(11) Paragraphs (2) to (11) of Standing Order No. 83F (Programme orders: conclusion of proceedings on consideration of Lords amendments) apply for the purposes of bringing any proceedings to a conclusion in accordance with paragraph (10) of this Order.

#### *Subsequent stages*

(12) (a) Any further Message from the Lords on the Bill may be considered forthwith without any Question being put; and any proceedings interrupted for that purpose shall be suspended accordingly.

(b) Proceedings on any further Message from the Lords shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement; and any proceedings suspended under sub-paragraph (a) shall thereupon be resumed.

(13) Paragraphs (2) to (9) of Standing Order No. 83G (Programme orders: conclusion of proceedings on further messages from the Lords) apply for the purposes of bringing any proceedings to a conclusion in accordance with paragraph (12) of this Order.

#### *Reasons Committee*

(14) Paragraphs (2) to (6) of Standing Order No. 83H (Programme orders: reasons committee) apply in relation to any committee to be appointed to draw up reasons after proceedings have been brought to a conclusion in accordance with this Order

#### *Miscellaneous*

(15) Standing Order No. 15(1) (Exempted business) shall apply so far as necessary for the purposes of this Order.

(16) Standing Order No. 82 (Business Committee) shall not apply in relation to any proceedings to which this Order applies.

(17) (a) No Motion shall be made, except by a Minister of the Crown, to alter the order in which any proceedings on the Bill are taken, to recommit the Bill or to vary or supplement the provisions of this Order.

(b) No notice shall be required of such a Motion.

(c) Such a Motion may be considered forthwith without any Question being put; and any proceedings interrupted for that purpose shall be suspended accordingly.

(d) The Question on such a Motion shall be put forthwith; and any proceedings suspended under sub-paragraph (c) shall thereupon be resumed.

(e) Standing Order No. 15(1) (Exempted business) shall apply to proceedings on such a Motion.

(18) (a) No dilatory Motion shall be made in relation to proceedings to which this Order applies except by a Minister of the Crown.

(b) The Question on any such Motion shall be put forthwith.

(19) No debate shall be held in accordance with Standing Order No. 24 (Emergency debates) at today's sitting after this Order has been agreed.

(20) Proceedings to which this Order applies shall not be interrupted under any Standing Order relating to the sittings of the House.

(21) (a) Any private business which has been set down for consideration at a time falling after the commencement of proceedings on this Order or on the Bill on a day on which the Bill has been set down to be taken as an Order of the Day shall, instead of being considered as provided by Standing Orders or by any Order of the House, be considered at the conclusion of the proceedings on the Bill on that day.

(b) Standing Order No. 15(1) (Exempted business) shall apply to the private business so far as necessary for the purpose of securing that the business may be considered for a period of three hours.—(*James Brokenshire.*)

## Northern Ireland Budget Bill

### Second Reading

5.26 pm

**The Secretary of State for Northern Ireland (James Brokenshire):** I beg to move, That the Bill be now read a Second time.

Before I explain the details of the Bill, let me make some brief comments about events that took place yesterday. People who are intent on killing and harming others left a small but lethal bomb in Omagh before the Remembrance Sunday commemorations. Their actions stand in stark contrast to those of the brave men and women whom the community were gathering to honour—the men and women from all backgrounds who made the ultimate sacrifice to allow us all to live in a democracy.

I pay tribute to the work of the Police Service of Northern Ireland and others who dealt with that incident. I think that it underlines the continuing level of threat that we face, but, equally, what a repugnant and appalling act this was, taking place on Remembrance Sunday when people were gathering to pay their respects in the traditional way. I am sure that all Members on both sides of the House will condemn it utterly. If anyone has any information about the incident, I strongly urge them to do what they can, and bring it to the attention of the PSNI so that it can be pursued with all rigour.

**Sir Jeffrey M. Donaldson (Lagan Valley) (DUP):** My colleagues and I echo the Secretary of State's comments about the incident that took place in Omagh yesterday. In view of what happened at Enniskillen in similar circumstances, with tragic loss of life, perhaps the most effective action that can be taken at this time is the publication by the Secretary of State of the proposals to deal with the legacy of our troubled past, which would enable the victims to have a say in the process and enable us to get on with the business of seeking to bring to justice those responsible for that atrocity. I think that that is a very powerful message that the Secretary of State could send in the wake of what happened in Omagh yesterday.

**James Brokenshire:** I am grateful to the right hon. Gentleman for making that point, and for drawing attention to the incident that took place in Enniskillen 30 years ago, when 12 people lost their lives in an appalling bombing. I was in Enniskillen yesterday, as I had been on Wednesday, to remember and to mark the 30th anniversary of that appalling incident. I know full well the pain, the hurt and the suffering that many people still feel. Yes, many look for justice still to this day, and it is a matter of great regret that no one has yet been brought to justice for that appalling incident. I also note the equally strong feelings among many for reconciliation and the need for us to continue to work to bring communities together.

The right hon. Gentleman highlights the issues around the Stormont House legacy institutions. I want to progress that through to a public consultation, as it is the most effective way in which we can seek real focus on how to move forward and see those legacy institutions come into effect. I am not able today to confirm the timing of the publication of that consultation, but I want to get on with it. I know that the victim groups want that, and I take the point that the right hon. Gentleman has made very clearly and firmly.

Turning to the Bill, as I set out for the House a fortnight ago, it is now nine months since there has been a properly functioning Executive and Assembly. Despite the tireless efforts over the past 11 weeks—the most recent phase of the talks—the parties have not yet reached an agreement that would enable a sustainable Executive to be formed. In bringing the parties together for this most recent phase of the political talks, I have sought to help both the Democratic Unionist party and Sinn Féin to bridge the gap on a small number of outstanding matters, including language and culture, as well as on issues in relation to the continuing sustainability of the Executive. In doing so, I have worked closely with the Irish Government in accordance with the well-established three-stranded approach. I remain prepared to bring forth legislation that would allow for an Executive to be formed should the parties reach an agreement.

My strong preference would be for a restored Executive in Northern Ireland to take forward its own budget, so I am introducing this measure today with the utmost reluctance and only because there is no other choice available. Let me be clear: the passage of legislation to set a budget should not be a barrier to negotiations continuing. However, the ongoing lack of agreement has had tangible consequences for people and public services in Northern Ireland, for, without an Executive, there has been no budget, and without a budget, civil servants have been without political direction to take decisions on spending and public services in Northern Ireland.

I want to pay particular tribute to all those who have been engaged in the civil service seeking to manage the current events. The Northern Ireland civil service has demonstrated the utmost professionalism in protecting and preserving public services throughout these difficult times, and I wish to put on record my recognition of the work it has been doing.

**Ian Paisley (North Antrim) (DUP):** I echo the Secretary of State's comments on the civil service and the role it plays. Will he make it clear from the Dispatch Box tonight who the head of the Northern Ireland civil service will be accountable to in political terms after this decision is taken?

**James Brokenshire:** The hon. Gentleman makes an important point about the accountability gap we have at present. At this time, the Northern Ireland civil service is effectively having to act based on its assessment of the political priorities of the outgoing Executive. There is no direct accountability. I will come on to certain steps I intend to take to seek to surface some of the issues, such as how any reports from the Northern Ireland Audit Office could be brought to the attention of this House. Ultimately, what we want is an Executive in place able to provide that accountability, and we do not want a move to any other alternatives because of all the issues that will bring about. There is an issue here, therefore, as the hon. Gentleman rightly points out.

**Ian Paisley:** The Secretary of State is well known for being generous in giving way, and I thank him. He has highlighted the central issue: on taking this decision, there will be no political accountability in Northern Ireland either to a non-functioning Executive or, importantly, to him and his ministerial team in Northern Ireland. That is not sustainable for any period of time. There must be political accountability, and he must move urgently to appoint Ministers and take political control.

**James Brokenshire:** As the hon. Gentleman will know, that is not a step that I intend to take while there is an opportunity for an Executive to be formed. Discussions have been ongoing—as they were even last week—between his party and Sinn Féin to try to find a resolution to the outstanding issues between the parties that can form such an Executive. I think it is right that we continue to pursue that, but he is right to say that this situation is not sustainable into the long term. It is absolutely in the best interests of Northern Ireland and more generally that we continue to do all we can to restore an Executive and to ensure that the parties are able to resolve the outstanding issues and get devolved government back up and running at the earliest opportunity.

**David Hanson (Delyn) (Lab):** Following on from the point made by the hon. Member for North Antrim (Ian Paisley), I would like the Secretary of State to clarify something for me. If parliamentary questions were tabled in this House later this week about the details of this budget, if Adjournment debates on the subject were to take place later this week, or if early-day motions or other parliamentary accountability mechanisms were deployed on the subject, would he see it as his role to answer such questions? Or is there a mechanism whereby Members elected in Northern Ireland could also table and answer similar questions?

**James Brokenshire:** The right hon. Gentleman has made this point on a previous occasion. I understand the question of accountability, and I feel this issue very keenly at this point. At this stage, these issues remain devolved. We are seeking to set a headline, outline budget of top-line numbers for each of the different Departments of the Northern Ireland civil service, but we are not seeking to provide a higher level of specificity or detail. Of course I will continue to raise issues with David Sterling, the head of the Northern Ireland civil service, but ultimately he remains accountable under the emergency provisions in the Northern Ireland legislation. He remains subject to the duties outlined in that mechanism. That is the unsatisfactory situation that we remain in. I say to the hon. Member for North Antrim (Ian Paisley) that this might be sustainable for a time, but it cannot continue for an extended period.

**Sammy Wilson (East Antrim) (DUP):** The Secretary of State has expressed some optimism and does not wish to appoint direct rule Ministers at present, because he thinks that there is some hope, but does he accept that we are debating this budget Bill today because Sinn Féin refused to introduce a budget this time last year and refused to take any hard decisions when they had ministerial positions in the Assembly? Really, they have no interest in devolution when it requires them to make tough decisions. They would rather those decisions were made here, so that they can point the finger of blame at the Secretary of State and the Government in Westminster, than do the job they were elected to do in Northern Ireland, leaving the Secretary of State no alternative but to appoint direct rule Ministers.

**James Brokenshire:** Yes, we are in the position that we are in today because it has not been possible to form an Executive and because we do not have functioning devolved government. That is why, regrettably, I am having to introduce this Bill today: to put a legal framework in place to enable the Northern Ireland civil service to

continue to spend in the way that it has done, to ensure that public services are able to operate. I believe that a solution remains possible, and that we must use all efforts and endeavours to restore devolved government. I know that the hon. Gentleman's party and Sinn Féin have indicated firmly that they want to see an Executive restored and up and running, serving the people of Northern Ireland. That is where all our efforts and endeavours must firmly remain.

**Mr Alistair Carmichael (Orkney and Shetland) (LD):** The Secretary of State is right to say that it is necessary to pass this Bill in order for the machinery of government to continue operating, and for that reason, the Liberal Democrats will support him this evening, but surely more has to be said about how the machinery of government operates. For example, higher education in Northern Ireland is looking at a reduction in student places in excess of 2,200 by 2018-19 on the basis of this budget. Surely that illustrates better than anything else the need for this budget to be the subject of proper political accountability.

**James Brokenshire:** I agree with the right hon. Gentleman on accountability. The difficult job that the Northern Ireland civil service has had to do is effectively make its best assessment of the outgoing priorities of the outgoing Executive. It is worth noting that a lot of work was obviously done in the relation to the budget before the Executive collapsed at the start of the year—work that the parties had been engaged in closely with the Northern Ireland civil service. None the less, there are challenges and pressures in respect of how the civil service is having to operate under the emergency provisions of the Northern Ireland Act 1998, and issues about accountability and political decision making are felt keenly. There is a lack of accountability at the moment, which is why we want to see the Executive back up and running. Indeed, if an Assembly were restored quickly, the Assembly would be able to do that job. It would be able to look back at the budgeting arrangements and to carry out the normal level of scrutiny. I agree, however, that the situation is unsatisfactory, and we need to see progress and get the devolved Government back up and running at the earliest opportunity.

The powers that the Northern Ireland civil service has been exercising have their limits. Under section 59 of the 1998 Act and section 7 of the Government Resources and Accounts (Northern Ireland) Act 2001, the civil service may only issue cash and resources equal to 95% of the totals authorised in the previous financial year. The powers do not allow Departments to use accruing resources, meaning that the resources available to them are in reality significantly less than 95% of the previous year's provision. Right hon. and hon. Members will recall that I set out in written statements in April and July an indicative budget position and set of departmental allocations based on the advice of the Northern Ireland civil service. In my written statement on 19 July, I said:

“The exercise of s59 powers cannot be sustained indefinitely”—  
[*Official Report*, 19 July 2017; Vol. 627, c. 56WS.]

Although we had not then reached it, I also warned that that critical point was approaching. The resource limits in the absence of a budget are now fast approaching. Without further action, there are manifest risks that the civil service would simply begin to run out of resources

[James Brokenshire]

by the end of November. That would mean no funding available for public services, with all of the negative impacts that would accompany such a cliff edge. No Government could simply stand by and allow that to happen, which is why we need to take forward this Bill today.

**David Simpson** (Upper Bann) (DUP): The Secretary of State says that only 95% of the budget was allocated. My understanding is that that 5% equates to some £600 million that has been delayed in coming to Northern Ireland. Will he put it on the record today that the party to blame for that is Sinn Féin for not bringing the budget when it should have brought it?

**James Brokenshire:** I understand the political point that the hon. Gentleman is making, and he highlights the challenges and pressures. The indicative budget arrangement has in effect meant that the Northern Ireland civil service has largely been able to operate on the basis of a full budget, which was one of the reasons why we set out the indicative arrangements with the affirmation that, should it come to it, we would bring forward a budget Bill. We are taking steps today to follow through on that, because of the need to have finances in place. We obviously have not had an Executive, which is why we are in this situation.

Efforts have been undertaken to find an agreement, and I commend the DUP for its work and the ongoing discussions with Sinn Féin to find that agreement. We want to see an enduring power-sharing Executive who are able to get on with the job and to make the high-level budget decisions that we are being forced to take in this Bill. I recognise, however, the frustrations that are felt right across Northern Ireland about not having an Executive in place that are able to make such decisions.

**Emma Little Pengelly** (Belfast South) (DUP) *rose*—

**Sir Jeffrey M. Donaldson** *rose*—

**James Brokenshire:** I will give way to the hon. Lady, because I have already given way to the right hon. Gentleman.

**Emma Little Pengelly:** The Secretary of State references the fact that there is no budget because there is no Executive in place. This time last year I was chairperson of the Finance Committee of the Northern Ireland Assembly, and this time last year the Finance Minister, Máirtín Ó Muilleoir, was due to bring forward a draft budget. He refused to do so, and he refused to come to the Committee to explain why—this was months before Sinn Féin pulled down the institutions. He did not produce the draft budget in October, November or December. We got into January, and I was writing to him week after week to ask for the budget to be brought forward. The reason why there is no budget in Northern Ireland today is that Máirtín Ó Muilleoir, the Sinn Féin Finance Minister, failed in his primary duty to bring forward that budget.

**James Brokenshire:** I welcome the insight and experience that the hon. Lady brings to this House from her time in the Assembly and from her contribution to politics in Northern Ireland. She and I had discussions on a range of issues during that time.

The point is that we do not have a budget in place, which is why we are having to take these steps today to ensure that the necessary financial stability is provided to the Northern Ireland civil service in the absence of an Executive, an Assembly and functioning devolved government. I am sure that various different political points can be made, but my focus is on seeing that we get the Executive back in place, and I encourage all parties, with renewed focus, to see that discussions continue and that we actually get the resolution that I believe Northern Ireland would like to see.

**Sir Jeffrey M. Donaldson:** The Secretary of State speaks of frustrations. The difficulty is that this is not just a matter of budgets for Government Departments. Earlier today he met some victims and survivors of historical institutional abuse in Northern Ireland. They are waiting still for the implementation of the inquiry's report, which makes a number of recommendations, including on the payment of compensation to support those victims. The problem is that we have no one to give political direction on the Hart report. Will he commit to intervening to deal with the issue? The victims deserve that intervention.

**James Brokenshire:** I am grateful to the right hon. Gentleman for highlighting the real life impacts of historical institutional abuse. It is not some sterile debate on numbers. A whole range of decisions have not been taken. Impacts are being felt across Northern Ireland by public services, by the voluntary and community sector and by victims and survivors of incidents of the past.

I acknowledge the strength of feeling on the issue of historical institutional abuse—the inquiry reported earlier this year—and not just the frustration but the pain and hurt felt by those who want a response to the Hart inquiry's recommendations. The lack of an Executive has meant that there has been no formal response. Obviously, it was the Executive who commissioned the report, and it was intended that the inquiry would report back to the Executive for their response.

I have met SAVIA, which advocates for survivors and victims, and I met it again in July 2017. I firmly recognise the points it raises. However, this remains a matter for devolved government in Northern Ireland. I understand the huge frustration, which is another significant reason why we need to see devolved government restored. This issue remains a firm priority.

**Conor McGinn** (St Helens North) (Lab): I echo the words of the right hon. Member for Lagan Valley (Sir Jeffrey M. Donaldson), because my understanding is that there is cross-party agreement in Northern Ireland on this issue. I understand the Secretary of State's reluctance to commit to legislating or to taking the competencies to deal with it, but surely he could look at making some sort of interim payment by using a specific provision in this budget. So many survivors of institutional abuse have died since the report's recommendations were made.

**James Brokenshire:** The hon. Gentleman makes a powerful and important point about the impact on victims, but nothing in this Bill gives that authorisation to me; nothing changes in the day-to-day operations of decision making in Northern Ireland. This Bill is firmly not direct rule; we are seeking to give the headline

approvals for Departments to operate within their usual flexibilities. The Northern Ireland civil service has published separate estimates, and we have published separate estimates on its behalf, but this is in that space that exists. I have met the victims and survivors groups on two occasions, and there has not been a response to the recommendations as yet. It is right that an Executive, having asked for that report, should be the one that responds to it. I know that this is something of great hurt and great pain, which is why I hope earnestly that we are able to see a resolution of it quickly. I believe the families want that sense of progress against the recommendations.

**Owen Smith (Pontypridd) (Lab):** I hesitate to intervene, as I am about to make a speech, but I seek further clarity on this point. We have all met the SAVIA people today. Notwithstanding the Secretary of State's support for devolution and his desire not to start direct rule, is there anything stopping him legislating, as he is going to in respect of the extra moneys provided as a result of the Democratic Unionist party deal, for an interim payment in order to heal, to some extent, the wounds suffered by people who have been subject to historical abuse?

**James Brokenshire:** The hon. Gentleman makes an important point, but it presupposes that there is broad agreement on the recommendations from the Hart report—

**Owen Smith:** There is.

**James Brokenshire:** I am talking about all the recommendations contained in it. My understanding is that we do not have that formal response back, because we have not had the Executive in place. Therefore, this Bill is not about specifying how the Northern Ireland civil service should operate and take certain actions—that takes us down the pathway on day-to-day decision making and what the Northern Ireland civil service should do. That is why I say firmly and clearly that what needs to happen is that we have that Executive back in place to receive that report. I know, from what the head of the Northern Ireland civil service David Sterling has said to me, that it had been preparing advice and a response that an incoming Executive can take up very quickly. That is the right way to respond, but of course I recognise keenly the frustrations that victims and survivors have felt. I know that from the direct exchanges I have had with them.

**Owen Smith:** It is clear that there is cross-party support for the Hart report recommendations—certainly for the compensation and for the notion of an interim payment. I believe all the party leaders sent a letter to that effect in the summer, and we have heard again here today support from representatives of the DUP. Only today I have seen an email from David Sterling to SAVIA saying that he wants to act quickly, so may I ask the Secretary of State to do all he can, including potentially legislating, so that he does indeed act quickly?

**James Brokenshire:** I am sure David Sterling will hear keenly what is being said across the House today on the points that SAVIA has been making to all of us in its meetings and on the desire to see the Hart recommendations advanced, responded to and, where they have been accepted, taken forward. I am sure this House has given that message to David Sterling in relation to what has

been said. As I say, and as the hon. Gentleman will know, David Sterling has equally been receiving representations from political parties in Northern Ireland and from SAVIA directly. We have heard about the response he has given and the situation we are currently in—not having an Executive or other means by which to provide direct political instruction. None the less, I know that the Northern Ireland civil service takes its responsibilities and its duties within the law—within the framework in which it is operating—keenly to heart. I am sure it will act appropriately, recognising the points that parties in Northern Ireland have made on this issue, and will do what it can to advance this issue in the difficult and frustrating circumstances we find ourselves in.

**Several hon. Members** *rose*—

**James Brokenshire:** I am going to make some progress if I may. I have been generous in taking interventions, as I hope Members will recognise.

To be clear, this Bill is a measure we have deferred for as long as was possible. We wanted to see the parties reach an agreement and take a budget through themselves. In the absence of agreement, this Bill is necessary to keep public services running in Northern Ireland. Although it is a Government Bill, it is not a UK Government Budget; it does not reflect the priorities or spending decisions of me or any other Minister. Rather, it sets out the departmental allocations and ambits that have been recommended by the Northern Ireland civil service. In turn, it has sought as far as is possible to reflect the priorities of the previous Executive—albeit updated to reflect the changed circumstances as far as has been required. In short, this is the budget that a returning Executive—had one been formed—would have been presented with. Taken as a whole, the Bill represents a necessary measure, taken at the latest possible point, to secure public finances in Northern Ireland.

We should be absolutely clear: passing this budget in Westminster does not mean a move to direct rule, any more than did this Parliament legislating to set a regional rate in April. Once the budget is passed, the detailed decisions on how it is spent will be made by the Northern Ireland civil service. If, as I hope will be the case, the parties come together to form an Executive in the weeks ahead, those decisions would fall to them, so nothing we are doing today precludes talks from continuing and an agreement being reached.

I propose to turn briefly to the contents of this rather technical Bill. In short, it authorises Northern Ireland Departments and certain other bodies to incur expenditure and use resources for the financial year ending on 31 March 2018. Clause 1 authorises the issue of £16.17 billion out of the Consolidated Fund of Northern Ireland. The allocation levels for each Northern Ireland Department and the other bodies in receipt of these funds are set out in schedule 1, which also states the purposes for which these funds are to be used. Clause 2 permits some temporary borrowing powers for cash management purposes. Clause 3 authorises the use of resources amounting to £18 billion in the year ending 31 March 2018 by the Northern Ireland Departments and other bodies listed in clause 3(2). These figures and those in clause 1 supersede the allocations of cash and resources made by the permanent secretary of the Department of Finance up to the end of this month, under the powers I have already mentioned.

[James Brokenshire]

Similarly to clause 1, the breakdown between these Departments and bodies, and the purposes for the authorised use of resources under clause 3, is set out in the Bill—in the first two columns of schedule 2. Clause 4 sets limits on the accruing resources, including both operating and non-operating accruing resources in the current financial year. These sums relate to those which have already been voted by Parliament via the main estimates, together with revenue generated locally within Northern Ireland. There is no new money contained within this Bill: there is simply the explicit authority to spend in full the moneys that have already been allocated.

**Vernon Coaker (Gedling) (Lab):** I just seek to understand the figures that the Secretary of State has given out, and this relates to the question raised by the hon. Member for Upper Bann (David Simpson). Our understanding is that we can be talking only about 95%. Does that amount to a £600 million reduction in spending ability for the Departments in Northern Ireland? Who will decide which Departments face the reductions to make that £600 million reduction?

**James Brokenshire:** I say to the hon. Gentleman that what we are actually dealing with here is the full utilisation of the resources set out by this House through the block grant. Although there are emergency powers operating that can only cover 95% of the previous year's budget, by passing this Bill we are authorising the full amount—in effect, allowing a spend to 100%. In practice, the Northern Ireland civil service has effectively been operating to that level by virtue of the assurance that we provided by saying that if a budget was not set, we would set a budget. We are therefore now following through on the commitment that we gave to the Northern Ireland civil service.

I refer the hon. Gentleman back to the statements I made earlier in the year in respect of the indicative budget figures, and therefore the resources that were available to the Northern Ireland civil service and, effectively, the main estimates position. In essence, the difference between the 2016-17 budget position and the main estimates position for this year, once certain figures that relate to a voluntary exit scheme are stripped out to make it more comparable, is a 3.2% increase in the non-ring-fenced resource departmental expenditure limits. That is effectively what we are doing through the measures we are taking through the House today.

I appreciate that there is a sense of, “Well, what is the 95%? What is the 100%?”. The 95% is effectively the restriction that has been placed on the Northern Ireland civil service in its operations to date. We have received advice from the Northern Ireland civil service, and it has been confirmed by the Treasury as well, that that threshold—those limitations—would risk being exceeded at the end of this month, because that 95% does not deal with certain accruals and certain other numbers, which means that the 95% number is actually less than one would imagine it to be. I appreciate that there is a lot of technicality and that a lot of accounting issues are obviously engaged here, but that is what we are seeking to do. In other words, there is no new money beyond what Parliament has already authorised through the main estimates and through votes in this House. I hope that, as best as I can do, I have made that point clear for right hon. and hon. Members.

**Vernon Coaker rose—**

**James Brokenshire:** I am happy to try again with the hon. Gentleman.

**Vernon Coaker:** I think there is probably only one person in the House who properly understood all of that, and I will not say who it was. I thank the Secretary of State for his answer. What the people of Northern Ireland and Members of this House want to know is, if we strip out all the technicalities the Secretary of State has outlined, what is he actually saying? Is there a cash freeze? Is there a real-terms reduction? We read in the press that health spending is to rise and education spending is flat. We heard the hon. Member for Upper Bann (David Simpson) mention the £600 million figure, which has been raised on several occasions. If we strip away all the technicalities, what is the Secretary of State actually saying about the spending power for each Department up until 31 March next year?

**James Brokenshire:** As I indicated to the hon. Gentleman, we are effectively talking about a sum of £10.6 billion for the departmental expenditure limits. For that figure, he will be able to refer back to previous statements I have made. The Northern Ireland civil service has made a further adjustment of £54 million, within that envelope, and it has allocated that money primarily to health and education: an additional £40 million to health and an additional £10 million to education. As I indicated to him earlier, if we look at the distinction between the 2016-17 and 2017-18 resource departmental expenditure limits, we see that it shows a movement from around £10.2 billion to £10.6 billion, which is where the 3.2% figure I quoted to him comes from—that year-on-year comparison. That means that, for example, on the budget lines of health there is a 5.4% increase, and for education there is a 1.5% increase. The Northern Ireland civil service and the Department of Finance have published full numbers in relation to the estimates and a further budget briefing. That briefing has been provided to all the political parties in Northern Ireland, in recognition that this is ultimately about a devolved budget, not a budget that is being set here in Westminster.

**Dr Andrew Murrison (South West Wiltshire) (Con):** May I take this opportunity to chide my right hon. Friend ever so gently? Had right hon. and hon. Members received a copy of the Bill in a more timely manner, they might have been able to refer to schedules 1 and 2, in which the departmental allocations are clearly laid out.

**James Brokenshire:** I understand the point that the Chair of the Northern Ireland Affairs Committee makes. Equally, though, we brought the Bill before the House in such a way as to allow as much flexibility as possible for potential alternative legislation to be debated in the House today. Nevertheless, we are taking this budget Bill through the House, so the detailed information that the Northern Ireland civil service has provided—and, obviously, the allocations—is provided in the Bill.

**Sammy Wilson:** Does the Secretary of State accept that, even taking into account the information in those schedules, the answer to the question that has been asked is not available in the information that has been presented to the House today, because it gives the figure

for this year but does not contain information on the figures for last year, and nor indeed is there briefing material on that? It really is impossible to compare departmental allocation with departmental allocation, or the overall allocation available to Northern Ireland.

**James Brokenshire:** The details were published in the main estimates document that has been published as a Command Paper. We have sought to provide information on the detailed breakdown to right hon. and hon. Members, but I can nevertheless assure the hon. Gentleman about the nature of the work that has been undertaken. We have relied on the advice from and input of the Northern Ireland civil service in respect of these matters. As I have already indicated, the numbers and figures effectively point back to the indicative statements that I published for the House earlier in the year, with the addition of the adjustments in relation to the £54 million that I have sought to explain to the House today.

The Bill would ordinarily have been taken through the Assembly. I recognise that there are imperfections and that we are having to do this in this House in a way that does not reflect how the Assembly itself would have considered the legislation and taken it through. That is why, for example, there are in clause 5 a series of adaptations that ensure that, once approved by both Houses in Westminster, the Bill will effectively be treated as if it had been taken through the Assembly, thereby enabling Northern Ireland's public finances to continue to function, notwithstanding the absence of an Executive. Clause 6 repeals previous Assembly budget Acts relating to the financial years 2013-14 and 2014-15, which are no longer operative. Such repeals are regularly included in Assembly budget Bills.

**Gavin Robinson (Belfast East) (DUP):** The Secretary of State and I had a discussion on this point earlier, but can he confirm that the clauses he has outlined contain nothing that would enable the accounting officers in Northern Ireland to advance the already agreed and already resourced national pay awards for our public sector workers? Earlier, he referred to the Police Service of Northern Ireland; nationally agreed pay awards, which should be under the control of accounting officers, cannot be advanced while we wait in limbo.

**James Brokenshire:** The hon. Gentleman and I did have a conversation outside the House before we entered the Chamber, and I understand the point he makes about pay awards—particularly with respect to the PSNI, although it is not simply limited to the PSNI—and the issues with being able to advance where there has not been a previous political policy or agreement on those awards. I recognise the point that he makes very firmly. I will have further discussions with David Sterling about whether there is any way to resolve that issue in the absence of an Executive. I know that this issue has been and continues to be a particular concern among a number of public sector employees. It is a result of the gap that we are currently in, so we need to get this resolved quickly.

**Sammy Wilson:** I accept the Secretary of State's explanation. Of course this is not the ideal way to deal with the issue. That is not his fault, but the fault of Sinn Féin, which has blocked the proper scrutiny of the Assembly. Can he explain this: one figure that hits me

when I look at these estimates is that the Executive Office, which is not functioning at the moment, has had a 32% increase in its budget? I do not know how much detail he went into with civil servants when he was looking at this, but has he had any explanation as to why a non-functioning office should have the biggest increase of all the Departments?

**James Brokenshire:** Although there is not a functioning Executive—in other words, we do not have the First Minister and Deputy First Minister in place—work is still going on. The civil service has to manage the process in the absence of that political decision-making. I will certainly take the hon. Gentleman's point to the head of the Northern Ireland civil service and commit to write to him with a more detailed response, a justification for the increases and an explanation of why, on that particular budget line, there was a need for such a decision. Certainly, the civil service has stated very clearly that it has acted on the basis of the outgoing priorities of the outgoing Executive.

As the debate this evening has demonstrated, this is clearly an unusual Bill to be taken through the House, marking as it does an approval by Parliament of spending in the devolved sphere. While being proportionate, I want to ensure that, in the absence of an Assembly, there can be appropriate scrutiny by Parliament of how the money it has voted is subsequently spent.

In addition to the provisions in the Bill for scrutiny by the Northern Ireland Audit Office of the Northern Ireland Departments, I will be writing to the Comptroller and Auditor General for Northern Ireland asking him to send me a copy of all the NIAO audits and value-for-money reports that he produces after the Bill gains Royal Assent, which will contain his view on any shortcomings and his recommendations for improvement. I will be asking the Northern Ireland civil service to make its responses to those reports available to me. Copies of those reports and correspondence will be placed in the Libraries of both Houses to allow scrutiny by all interested Members and Committees.

I have also laid before the House as a Command Paper a set of estimates for the Departments and bodies covered by the budget Bill. Those estimates, which have been prepared by the Northern Ireland Department of Finance, set out the breakdown of its resource allocation in greater detail. As hon. and right hon. Members may note, this is a different process from that which we might ordinarily see for estimates at Westminster, where the estimates document precedes the formal budget legislation, and is approved separately.

That would also be the case at the Assembly, but in these unusual circumstances, the Bill provides that the laying of the Command Paper takes the place of an estimates document laid and approved before the Assembly, again to enable public finances to flow smoothly. To aid the understanding of these main estimates and the spending impacts they will have, the Northern Ireland civil service has produced a budget briefing paper, which was published on the Department of Finance website earlier today. It is also important to note that the Northern Ireland political parties have been briefed on this budget in detail. That is everything in the Bill, dealing with moneys already voted for by Parliament or raised within Northern Ireland. Those figures do not deal with any other items.

**Lady Hermon** (North Down) (Ind): The Secretary of State will know that, for family reasons, we have had a very difficult weekend. I apologise most sincerely to the House for coming into the debate late; it is a tale of delayed flights and tubes.

Will the Secretary of State enlighten the House and the people of Northern Ireland as to why no reference is made to the reduction in MLAs' salaries? That is what the people at home want to see. We have not had a functioning Assembly for almost 11 months now, but MLAs continue to take their full salary and full staffing allowance. People at home hoped that there would be a signal today in this budget Bill of a reduction in salaries. Will there be such a reduction?

**James Brokenshire:** If the hon. Lady will bear with me, I intend to say something about that issue later in my comments.

Before I do so, I will comment on issues outside the Bill. The figures contained in the Bill do not secure the financial position for the long term, because real challenges remain: there is a health service in significant need of transformation; there are further steps to take to build the truly connected infrastructure that can boost growth and prosperity throughout Northern Ireland; and there are other steps, too. It was in recognition of those unique circumstances that the UK Government were prepared to make available additional financial support earlier this year, following the confidence and supply agreement between the Conservative party and the Democratic Unionist party. That agreement made it clear that we wanted to see that money made available to a restored Executive, which would decide on a cross-community basis how best to use the funding for the benefit of all in Northern Ireland. However, Northern Ireland's unique circumstances cannot simply be ignored in the meantime, especially given the pressures that we have seen in the continued absence of an Executive.

Therefore, in addition to the Bill, this Government will make available the £50 million for addressing immediate health and education pressures in the agreement in this financial year. Those sums are not contained in this Bill, because they have not yet been voted on by Parliament. If the Northern Ireland Administration confirm that they wish to access them, they will be subject to the full authorisation of this House, as with all sums discharged from the UK Consolidated Fund, via the estimates process in the new year. From there they will be transferred, along with other sums forming part of the Northern Ireland block grant, into the Northern Ireland Consolidated Fund.

**Nigel Dodds** (Belfast North) (DUP): I am very grateful to the Secretary of State for giving way and for announcing today the first instalment of the extra money coming to Northern Ireland as a result of the confidence and supply agreement. Some people said that it depended on the Executive, but, clearly, that was not the case. The people of Northern Ireland—Unionists and nationalists—will welcome the fact that extra money is going into the health service and into education, and indeed will eventually go into infrastructure and all the rest of it as a result of the deal that the DUP did with the Government. I warmly welcome what he has said. This is a very significant moment in the history of this Parliament and in terms of our relationship as it goes forward.

**James Brokenshire:** As the right hon. Gentleman will know, we recognise the particular case that has been made by Northern Ireland about the pressures in the health service that stem from the need for reform. The sums are still subject to a formal vote in the House, but that cannot be dealt with today. It can be dealt with only through the subsequent estimates process. In the absence of an Executive, it would be for the Northern Ireland civil service, bound by a range of equality and propriety duties, to make the decisions as to whether and how to take account of this funding for the benefit of the whole community. I say to the House that we want to see a restored Executive back in place and deciding on how the additional financial support can best be used for the benefit of the whole community. That remains the case now as much as ever. As a party, we believe in devolution. We want to see locally elected politicians taking the strategic decisions about the future direction of their local areas.

Let me come back to the point made by the hon. Member for North Down (Lady Hermon). In this context, I understand the disappointment that so many feel that, despite the election more than eight months ago, there remains no functioning Assembly in which all those elected may serve. I also know that, in turn, many in Northern Ireland are concerned that full salaries continue to be paid to Assembly Members despite the impasse. I understand that concern, but recognise, too, that many of those elected have been desperate to serve since March, and have continued to provide valuable constituency functions in the meantime. That is why I have been keen to seek independent advice on the subject in determining what actions may be appropriate. I can tell the House that Mr Trevor Reaney, a former Clerk of the Northern Ireland Assembly, has agreed to take on that task. He will provide an independent assessment of the case for action and the steps he would consider appropriate, and will report back to me by 15 December. This will not prejudice any particular course of action, not least as further steps would require primary legislation, but his advice will help to inform the best way to proceed.

**Nigel Dodds:** The Secretary of State has previously indicated—quite rightly—that this matter should be addressed, and we agree. But as far as we on these Benches are concerned, the matter of those who get paid and who do not come to Westminster to fulfil their obligations here also needs to be addressed. It is clear that, in announcing this look at Assembly Members, which is quite right, all hon. Members should focus on those who deliberately abstain, refuse to do their job in Parliament and get paid hundreds of thousands every year in back-up and parliamentary resources to spend on propaganda and political purposes. That, too, must be looked at and must end in tandem with what the Secretary of State is doing in relation to the Assembly.

**James Brokenshire:** This point has been raised on the Floor of the House before. The right hon. Gentleman makes a powerful presentation of his point. Equally, although I note his firm point, he has sought to advance this case in the past and knows that the matter is one for the House to determine.

I very much hope that the work I outlined—the recommendations or review that I will receive regarding MLA pay—will not be needed. That is because I still

believe and hope that the parties can resolve their differences and an Executive can be formed that will come together and take the strategic decisions needed on health transformation, education reform and building a world-class infrastructure to deliver a better future in Northern Ireland. That is what the people of Northern Ireland voted for and want to see. We will continue to work with the parties and support them in their efforts to reach a resolution.

**Conor McGinn:** Will the Secretary of State give way?

**James Brokenshire:** I will give way later, but I am just going to finish my comments.

Together with the Irish Government, we remain steadfast in our commitment to the 1998 Belfast agreement and its successors, and to the institutions they established. It remains firmly in the interests of Northern Ireland to see devolved government restored, with locally-elected politicians making decisions for the people of Northern Ireland on key local matters. Northern Ireland and its people need a properly functioning and inclusive devolved Government, along with effective structures for co-operation, north-south and east-west. But at the same time, the Government are ultimately responsible for good governance in Northern Ireland and will do whatever is necessary to provide that. The Bill is a reminder of that underlying obligation, which we will continue to uphold. I commend it to the House.

6.22 pm

**Owen Smith (Pontypridd) (Lab):** I join the Secretary of State in condemning the actions of the people who left a viable pipe bomb in Omagh on Remembrance Sunday—on a day and in a place designed to cause maximum harm and shock. It is truly contemptible of those people. I equally condemn the actions of the men who conducted what can only be described as a knee-capping last night in Londonderry-Derry—a city where, even as we speak, there is apparently another incident involving what the police believe to be a viable pipe bomb.

All these awful events are a timely and salutary reminder of Northern Ireland's past—a past that we all hoped that we had long since left behind, but which I fear we have not always left behind. These events are also a reminder of the propensity of violence in Northern Ireland to fill a vacuum when politics fails, and I am afraid that we are here today because politics has failed. This Bill is, unfortunately, a testament to political failure. It is a failure by the majority parties that were in government together, power sharing in Northern Ireland, and that have fallen out and been unable to come back together. I am afraid that it is also a failure of the Secretary of State's Government to bring about the restitution of trust and the reconstitution of the Assembly and its institutions.

The Secretary of State has been at pains to say that this is not direct rule. I understand why he wants to emphasise that point—technically, of course, he is right—but that is not what nationalists in Northern Ireland will see in today's events. That is not how they will characterise it, and that needs to be reflected as they unfortunately now lack a voice in this place for the first time in a long time. The reality is that we are living in something of a twilight zone between devolution and

direct rule, with real problems for accountability and transparency, as so many Democratic Unionist party Members described earlier in the debate.

Today's budget is only a quick fix until the end of March, so there will be a further one. It is difficult to credit the Secretary of State saying that this is the budget that the Northern Ireland Executive would have brought forward in the event of devolution and that this is effectively a continuation of the trajectory set in the budget in December last year. Twelve months have now passed, and it is quite hard to see a direct line of accountability between that indicative budget and the sums before us now.

Let me be clear that we will support the Bill tonight. We absolutely believe that the Secretary of State has no choice but to bring forward this budget, and we accept all the arguments he has made in that regard. Northern Ireland's public services need to be supported. The roads budget is running out of the money to fill the potholes, and there are significant problems in housing, health and education, all of which need to be addressed with extra resources in Northern Ireland. However, this budget does raise questions about the transparency, accountability and sustainability of this approach. DUP colleagues who raise such questions are right to do so, and other hon. Members across the House will also raise these points.

**Lady Hermon:** The hon. Gentleman has signalled his support for the Bill. Will he also signal to the House his support for the issue raised, quite rightly, by the right hon. Member for Belfast North (Nigel Dodds)? When the matter is brought before the House, will the hon. Gentleman, his colleagues and the leader of his party firmly support the termination of representative money to Sinn Féin MPs, who do not take their seats and represent their people in this House?

**Owen Smith:** With the greatest respect to the hon. Lady, that is a slightly separate issue from those we are discussing today. We can discuss that matter on another day, and I will be happy to address it at that point.

I hope to address the profound concerns about the Government's mishandling of the wider political process, but I will first talk a bit about the budget. The Secretary of State has effectively said that this is a flat budget for the Northern Ireland Departments in aggregate, with perhaps a 3% uplift to reflect inflationary pressures over the period. But within that headline figure, there are shifts between Departments, with cuts for some and increases for others. I cannot help but bring to the attention of the House—although my thunder was stolen—the quite extraordinary 32% increase on last year's figure received by the Executive Office, compared with a 3% reduction in the budget for the Department of Agriculture, Environment and Rural Affairs and a 0.3% reduction in the budget for the Department for the Economy. Those are curious decisions that the Secretary of State was not able adequately to explain away to the House. I accept that this is complicated, but those decisions seem to be fairly fundamental.

Such decisions raise real questions about the accountability of decision making in this twilight zone. It is true that there is an increase for education in this budget versus the education recommendations made by the Secretary of State in April and the summer, but that raises a question that the House should ask: who has

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made the decision to increase education spending in Northern Ireland? There was a decision to cut it, and I am very pleased that that decision was reversed and that there has been a slight uplift in education spending. But someone made that decision. If it was not a Northern Ireland Executive Minister or the Secretary of State for Northern Ireland, it was a civil servant. That civil servant is wholly unaccountable and does not have a clear line of accountability now to elected politicians in Northern Ireland or to the Secretary of State. So while we may well support the decision, we must ask questions about it.

**Sammy Wilson:** Does the hon. Gentleman accept that it is easy to blame the Secretary of State or the civil servants? Does he also accept that if, this time last year, the then Sinn Féin Minister, who was responsible, and who should have taken responsibility, for laying out the budget for this year, had done his job, it would have been clear who was responsible for the ups and downs of spending in that Department, and that the same is true of other Departments? The fact that Sinn Féin was scared of making budget decisions, and brought the Executive down rather than take hard decisions, means that we are in this situation today. I know that the Labour party has an association with Sinn Féin, but could the hon. Gentleman find it in his heart to at least acknowledge that Sinn Féin is responsible for the problem we face today?

**Owen Smith:** I have no idea what the hon. Gentleman is referring to in terms of a connection between the Labour party and Sinn Féin—that is certainly not something I recognise, and it is certainly not a connection I speak to. I am not blaming the Secretary of State, and I am certainly not blaming hard-working civil servants, for making these decisions. I am merely pointing out, as the hon. Gentleman did, that decisions have been taken, not by Ministers and not by the Secretary of State, but by civil servants, and we have no means of questioning those civil servants or holding them accountable for those decisions.

A further decision—it is not included in the fine print, but I understand it is on the stocks in Northern Ireland—involves closing four out of the eight children's outdoor education centres there. That is an important decision for the children of Northern Ireland, and it is apparently to be made by civil servants in the suspended Northern Ireland Assembly. The question for the Secretary of State is, does he support that decision to cut outdoor education centres? If he does not, is he at least lobbying David Sterling and his colleagues in the Northern Ireland civil service to tell them that he is not in favour of it?

The Secretary of State talked earlier about SAVIA and the need quickly to bring forward changes and interim payments for the victims in the historical institutional abuse inquiry. Is he lobbying David Sterling to say he should get on with that and find the money for those people, who have joined us today in the Gallery? If the Secretary of State is absolving himself of responsibility for these decisions, or if he is accurately presenting the fact that he does not have responsibility for them at present, what is he doing to influence the decision making that is taking place?

I gently put it to the Secretary of State that people in Northern Ireland will not accept it as entirely credible that Northern Ireland Office Ministers have no influence

over these decisions, especially in this twilight zone. In the event of a major economic or security crisis in Northern Ireland, the Secretary of State would, of course, expect to be held accountable for helping to solve it—Northern Ireland Ministers would not be responsible for that. I hope that the Secretary of State would recognise that. I also hope that he would recognise that, in this curious period we are in, he will need to step up to the plate and take more responsibility.

**Ian Paisley:** The hon. Gentleman is making the point that commenced this debate: from tonight, there is effectively no political accountability for the head of the Northern Ireland civil service. No matter how good or objective he is, he is not answerable to the Northern Ireland Assembly or the Northern Ireland Executive. More importantly, from tonight, he is not answerable to this place or to the Secretary of State. That is not tenable for any more than a few days, let alone weeks or months. I urge the shadow Secretary of State to join in urging that we appoint Ministers urgently from this place and get on with administering Northern Ireland and accounting for it properly.

**Owen Smith:** I accept the point the hon. Gentleman makes—that the NICS is currently effectively unaccountable is an unarguable fact—but I do not share his view that the remedy is instantly to bring in direct rule Ministers. The answer we have to seek, in keeping with the guiding light for us all in this process—the Good Friday/ Belfast agreement—is to get devolution back up and running. That has to be the key focus of the Secretary of State and us all, because he is right that direct rule will be a massive backward step for Northern Ireland. Some parties may be more sanguine about the prospect of direct rule Ministers stepping in in Northern Ireland, but I am not. We in the Labour party are not sanguine about that, and we think it would be a hugely retrograde step. Experience tells us that as soon as we have direct rule Ministers back in Stormont, it will be the devil's own job to get them out, and we will want to get them out, because the hon. Gentleman will want Northern Ireland's local politicians to take local decisions.

**Conor McGinn:** Can we be clear about this? The alternative to a functioning Executive and Assembly is not a consultative Assembly and not direct rule; it is the onward implementation of strands 2 and 3 of the Good Friday agreement. There will not be direct rule in isolation. An intergovernmental conference will have to be convened, and Northern Ireland would be governed in partnership between the Irish Government and the UK Government, as envisaged in the provisions of the Good Friday agreement.

**Owen Smith:** I would not put it exactly like that, but my hon. Friend is right to say that we are in untried, untested waters. We will need to see that the letter and the spirit of the Good Friday agreement are preserved, however we take forward the talks process, and that means, crucially, that a way must be found for those north-south institutions, and for east-west institutions, to work. That may require a greater role for the Assembly than we have had in previous periods of direct rule. We may need to be imaginative about that, and I hope that the Secretary of State is thinking about that.

**Ian Paisley:** The shadow Secretary of State knows my personal commitment to devolution. I would love to see it working, but at some point we have to stand up

and say, “The emperor has no clothes.” That is essentially what is happening in Northern Ireland. The worst thing this Parliament can allow to happen in Ulster is for a sense of drift to take hold. Leadership has to be respected. A firm grip has to be taken of the situation, and it must be taken by Her Majesty’s Government. I urge the shadow Secretary of State to urge that that happens quickly.

**Owen Smith:** I am encouraged to hear the hon. Gentleman remind the House of his support for devolution. I remind the House that the DUP has always strongly supported devolution, even in periods when some in Unionism were less keen on the prospect of devolution. History is important in all this.

The question for us, therefore, is how we see devolution restored, and there is a question here for the Secretary of State. It is not a matter of blame but a statement of fact that we are almost 11 months on from the collapse of the Northern Ireland institutions: 11 months of dialogue, largely behind closed doors, between the two largest parties, Sinn Féin and the DUP, which has come to nought; 11 months, effectively, of banging our heads against a brick wall and failing to make substantive progress. The Secretary of State will tell us we have made progress, but people in Northern Ireland want to know where it is, because it has not been spelled out to them—or to me—at any point over the past 11 months. It is clear that what we have been doing repeatedly over those 11 months has not been working, and there is no reason for us to assume that it will be 12th time lucky.

The question for the Secretary of State, therefore, is what is he going to do differently—not what is he going to do the same as he has been doing for the past 11 months—to take this process forward? My colleagues and I would like to urge him to do some specific things and to consider some extra ways in which he can take the process forward. We do so built on the experience we have with our proud record of helping to facilitate breakthroughs in devolution, including the establishment, of course, of the Good Friday agreement and all the institutions that stem from it.

I urge the Secretary of State, first, to set out a road map for how he is going to get the institutions back up and running and how he is going to provide us with some clarity on the steps he plans to take over the next few months. Keeping us in the dark and, out of thin air, having a series of meetings behind closed doors between the two parties is not working and is not delivering a breakthrough.

Secondly, and most importantly perhaps, will the Secretary of State consider the prospect of an independent chair to come in to help to give new energy and impetus to the talks? Labour Members know that that was incredibly important as a vehicle for taking things forward. Indeed, I think that it is true to say that without Senator George Mitchell, in particular, we might not have seen the Good Friday/Belfast agreement—that is how important independent eyes have been in this process. If he is not prepared to learn from the experience of George Mitchell and others, such as my right hon. Friend Lord Murphy of Torfaen, why not? Why are we not considering that step, because it has worked in the past and should be considered in the future?

**Sir Jeffrey M. Donaldson:** As a veteran of many talks processes, I urge caution on the part of the hon. Gentleman about the idea that an independent chair would be a

panacea in resolving these issues. That has not been so in the past—I have sat under independent chairmanships—and it is unlikely to be so now. In fairness to the Secretary of State, the current impasse is not of his doing. Other parties really do need to step up to the mark and show their commitment to devolution in Northern Ireland. In that respect, the DUP will not be found wanting.

**Owen Smith:** The right hon. Gentleman is right, of course, that the Secretary of State is not exclusively—or, indeed, primarily—responsible for the impasse. That is down to the political parties in Northern Ireland that have failed to come to an agreement—that, too, I am afraid, is a statement of fact. The right hon. Gentleman is also right that independent chairs have not always taken things forward. As he will know, the Haass talks, for example, were an attempt to get someone with experience of making progress in Northern Ireland to do so again, but that failed. However, there are other instances from the past. George Mitchell, the example that I cited, was important in taking things forward, as indeed was Richard Haass in his first incarnation in Northern Ireland.

**Sir Jeffrey M. Donaldson:** I appreciate the point that the hon. Gentleman is making. However, we have indicated, in our willingness to break the current impasse, that we would form an Executive today and continue the negotiations in parallel. The problem is not that the DUP is holding back the formation of an Executive; it is that Sinn Féin refuses to form an Executive until its demands are met. There is a clear difference, and the hon. Gentleman does a disservice to the talks by failing to make that distinction.

**Owen Smith:** I am not sure that that is entirely fair. As I said, in the absence of a nationalist voice in this House, we need to make sure that we seek fairly to represent both sides of the debate. The nationalists have argued that an aspect of the current impasse is the failure to make progress on the issue of the Irish language, and in particular on a stand-alone Irish language Act.

**Sir Jeffrey M. Donaldson** *rose*—

**Owen Smith:** If the right hon. Gentleman wants to tell me that we will make progress on that and that the prospect of a stand-alone Irish language Act is on the cards, that would obviously be a breakthrough, but I am not sure that he is going to do so.

**Sir Jeffrey M. Donaldson:** What I am going to say to the hon. Gentleman is that for me and my constituents, health and education are far more important than the Irish language. They want our Assembly Members back in there taking decisions while they work through outstanding issues such as the Irish language.

**Owen Smith:** I would not disagree with that. I am sure that that is the view of constituents from all parts of the community in Northern Ireland. It is certainly a reflection of what I hear from constituents from all parts of Northern Ireland.

I say to the right hon. Gentleman, to his party and to the Secretary of State that this perhaps illustrates that we are not making a breakthrough by simply relying on

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dialogue between the two major parties. Those parties clearly have a mandate—a commanding mandate—in Northern Ireland, but they do not have a veto on the process, so one of the other options that the Secretary of State should be considering is roundtable talks. Such talks have also been difficult. They have sometimes been unwieldy and sometimes very, very problematic, but they have also been the reason for breakthrough. They have been points at which pressure and public scrutiny have been brought to bear. They have allowed the smaller parties to have their say and, perhaps more importantly, to bring in their ideas and put pressure on the other parties. I urge him to consider whether roundtable talks could have the role in the future that worked in the past.

Thirdly, such roundtable talks have worked particularly well when the authority and power of the office of the Prime Minister has been brought to bear to try to bring about a breakthrough. Whatever power and authority the current Prime Minister might have—some might think that she has a little less than some previous incumbents in the role—she should be deploying every last ounce of it to try to achieve a breakthrough. We are often told that she still persists in her difficult role at this difficult time because she has a great sense of duty and public service. I can think of no greater public service that she could do right now than serving the peace process in Northern Ireland by intervening personally—getting her hands dirty—to try to bring about the breakthrough that we all so desperately require. If she will not do so—if she persists in having only long-distance telephone calls, which, as I have said, I fear are neither use nor ornament in this process—why not? Why will she not invest more of her time and effort in trying to bring about a breakthrough? If this Government are so paralysed by the debacle that is Brexit that they cannot deploy their Prime Minister, it says something pretty damning about them.

**David Hanson:** I support my hon. Friend's comments. He will know that I was one of the last direct rule Ministers. The then Prime Minister, the right hon. Tony Blair MP, as he was at that stage, spent five whole days at St Andrews with all political parties, with junior Ministers, and with the Foreign Minister and Taoiseach of the Irish Republic to try to get devolution restored. Devolution was restored because of the intensive effort of the Prime Minister of the day to barter on some of the difficult challenges. I urge the current Prime Minister, even in these difficult circumstances, to set aside a period of time to meet the parties and hammer out some of the difficult issues that all parties face so that we ensure that devolution is restored and that people like me are not direct rule Ministers again.

**Owen Smith:** I thank my right hon. Friend for his remarks, because he speaks with real, lived experience of this. He knows exactly what happened at St Andrews, and he knows that it has been precisely the role of Prime Ministers in trying to push through change and to get people to find agreement that has led to a breakthrough.

It is entirely true that not all the instances when we have deployed Prime Ministers have been successful. It may be that Prime Ministers in the current era enjoy less

power and influence. Indeed, the Taoiseach may enjoy less power and influence over some of the players in this, too. However, this is another tool in the Secretary of State's armoury, so I cannot understand why he will not deploy it. It is utterly inexplicable that the Prime Minister has been to Northern Ireland only once—and then for a scant 20 minutes—during her entire period in office. It is beholden on her now to get involved. [Interruption.] The Secretary of State is interjecting from a sedentary position. I do not think he has said anything that would lead me to believe that the Prime Minister has engaged personally in any of the talks process. She has made a few phone calls, but she has not, in any substantive fashion, sat down face to face in Belfast with any of the leaders of the parties, and she is not involved in a roundtable. There is a duty on the Secretary of State to lead—

**Karin Smyth (Bristol South) (Lab):** Surely the importance of the Prime Minister bothering to visit Northern Ireland is that it would give hope to the people of Northern Ireland that someone beyond the failed Executive—from the highest level in this Parliament—has their best interests at heart, and is prepared do something about the abhorrent situation that we are facing.

**Owen Smith:** I think that people in Northern Ireland will not understand why their Prime Minister—the Prime Minister of Great Britain and Northern Ireland—seems so distant from this process. I cannot understand why she is not getting stuck in. I think she ought to, and I think the Secretary of State should urge her to.

If the Secretary of State fails, and if the other avenues that I propose do not work, he needs to start spelling out what he is going to do. DUP Members have stressed that they want him to spell out when he is going to introduce direct rule Ministers. If he does that, he will also need to spell out what he is going to do to try to keep the institutions alive, to allow such things as the north-south arrangements to persist and to be properly served, and to enable proper input from the Irish Government during direct rule. That needs to be considered so that the spirit as well as the letter of the Good Friday agreement is adhered to.

I point the Secretary of State to the experience of the previous Labour Government in the period before d'Hondt had been deployed and before we had Ministers and an Executive in Northern Ireland. In 1999, a budget was given to the Northern Ireland Assembly by the then Minister, of whom questions were asked beforehand. The Secretary of State could perhaps deliver the next iteration of this budget in April to a shadow Assembly so that he could be properly scrutinised, with people with a really detailed understanding of the minutiae asking him the correct questions. I think that that would be a step forward.

Let me make some suggestions about the priorities that the Secretary of State should have in the event of his failure to bring into being the new institutions. First, he should consider the victims of historical institutional abuse in Northern Ireland, some of whom are sitting in the Gallery tonight. This is a desperate state of affairs. Just two days after the Hart report came up with clear recommendations, the Assembly collapsed. The victims have sat for 10 months without any progress being made on those recommendations. I put it to the Secretary of State that there is widespread agreement across the

parties about the way forward, particularly in respect of the notion of an interim payment for the victims. I cannot understand why he will not deploy all his best efforts to bring about quick action. As I have said, David Sterling has indicated in an email to the victims today that he wants to act quickly. I urge the Secretary of State to support him in doing so.

Secondly, may I ask the Secretary of State to consider the plight of another group of victims in Northern Ireland: the victims of the troubles? He will know that there has been a very live debate about the notion of a victims' pension for the 500 or so people who are most mentally and physically scarred by the troubles. There is political disagreement about whether we can afford to allow that to capture a few people who were injured, as it were, by their own hand. That is controversial in Northern Ireland, but I think there is a moral imperative to look beyond the political difficulty. If the Secretary of State is in the position of being a direct ruler, I urge him to act on that moral imperative and provide a pension for all victims of the troubles in Northern Ireland.

**Sir Jeffrey M. Donaldson:** I understand where the hon. Gentleman is coming from, but if the Secretary of State were to act on the hon. Gentleman's advice about a pension for people who injured themselves by their own hand, it would be met with absolute dismay by the innocent victims in Northern Ireland. They would not be able to understand or countenance the use of taxpayers' money to pay a pension to people who went out to commit murder. That would simply be wrong.

**Owen Smith:** I understand the right hon. Gentleman's point—indeed, I mentioned the political disagreement. Equally, however, many victims on all sides of the troubles find it difficult to accept that the actions of a few people who injured themselves by their own hand should hold up the process for all victims—including the many hundreds who are innocent—and preclude them from getting the pensions that they need to support themselves, especially as they get older and more infirm. I understand his point, but a moral argument needs to be made. Perhaps it will take a period of direct rule to introduce that argument.

Thirdly, may I raise something else that I suspect will prompt some interventions: the so-called moral issues in Northern Ireland, particularly equal marriage and abortion rights? Those two areas are incredibly divisive, complex and politically parlous, but I urge the Secretary of State to think hard about them, not least in the light of the referendum that is being held in the Republic. He needs to think about how he might consult in Northern Ireland so that progress is made on those important issues.

One of the greatest tragedies of the recent period of impasse in Northern Ireland is that Northern Ireland does not have a voice on the thorny issue of Brexit and the border. Northern Ireland is likely to be strongly affected by Brexit economically, socially and politically, and perhaps even in terms of the peace process. It is tragic that Northern Ireland has remained voiceless throughout the process. I fear that the Government have engaged in reckless gunboat diplomacy on Brexit, and although the Northern Ireland Secretary voices platitudes about not wanting a hard border on the island of Ireland—we all support that view—he has

unfortunately not proposed any substantive ways of preventing that from happening—[*Interruption.*] He says that that is nonsense. If he wants to stand up and tell us exactly how he will prevent the introduction of a hard border on the island of Ireland, I will be pleased to take that intervention, because I have heard nothing substantive from the Government.

**James Brokenshire:** I point the hon. Gentleman firmly towards our proposals on customs and agriculture, as well as on issues such as the common transit convention. On a whole raft of issues, we have set out our determination to achieve that aim and how we believe it will be achieved. We are engaging in the first phase and into the second phase to make sure that that happens.

**Owen Smith:** None of those proposals has been taken remotely seriously by our interlocutors in Brussels. None of them answers the question of how we avoid a hard border on the island of Ireland. None of them is currently thought to be a serious runner—[*Interruption.*] Well, I wait to see the Brexit negotiations reaching the conclusion that the Secretary of State is right and we do not need to consider some sort of special arrangement for Northern Ireland. At the moment, the country can see that no progress is being made on the matter, that the Government are employing gunboat diplomacy and that, unfortunately, we are not in a position to tell the people of Northern Ireland that they can remain safe and secure in the knowledge that a hard border will not replace the current porous border.

**Nigel Dodds:** Will the hon. Gentleman spell out his party's Northern Ireland policy? In order to avoid the hard border that he talks about, does he agree with the EU and others that Northern Ireland should remain in the customs union and single market while the rest of the UK departs from them? Is that his policy?

**Owen Smith:** I agree with the EU that it is absolutely essential that we avoid a hard border on the island of Ireland—that is absolutely clear. I agree with the EU that the Government do not seem to have serious or realistic proposals for fixing the problem. I agree with the EU that one potential outcome that would solve the problem would be if Northern Ireland remained in the customs union and had some sort of special arrangement. That is a very interesting idea that we ought to consider.

**Dr Murrison:** Does the hon. Gentleman recognise, as the Northern Ireland Committee found out on its recent visit to Newry, that the bulk of Northern Ireland's trade is with Great Britain? What does he think his proposals would do to that?

**Conor McGinn** *rose*—

**Owen Smith:** I will give way to my hon. Friend and then I will respond to the hon. Member for South West Wiltshire (Dr Murrison).

**Madam Deputy Speaker (Mrs Eleanor Laing):** Order. The hon. Gentleman has to do one and then the other.

**Owen Smith:** Thank you, Madam Deputy Speaker; I stand corrected.

[Owen Smith]

In no way, shape or form should we damage trade between Great Britain and Northern Ireland or the Republic of Ireland through Northern Ireland. Nor should we damage trade across the border. Both would damage the Northern Irish economy. At present, we have no clarity from the Government about how they are going to square that circle. It is for the Government to tell the country and the people of Northern Ireland how they will fix the problem that they have created.

**Conor McGinn:** Of course there is a very simple way to meet the DUP's stated objectives—two objectives I share—of not having a hard border on the island of Ireland and not having a new border between Northern Ireland and Great Britain: for the whole United Kingdom to stay in the single market and the customs union.

**Owen Smith:** I have some sympathy with that very interesting idea, but I am not sure that it is entirely within the purview of this debate. Perhaps we will debate that in the Chamber tomorrow.

If this is not direct rule, it is getting perilously close. We are getting close to the landing strip on the Secretary of State's famous glide path. If the Secretary of State is to have one more go, as I believe he wants to and must, at getting Northern Ireland's Assembly back up and running, he has to consider the changes that we have outlined today. He must think about whether he needs an independent chair, lay out a real road map, get the Prime Minister to get her hands dirty in Northern Ireland, and make sure that we have a clear indication of what his priorities will be if he fails. We heard at the beginning of the debate about a bomb being placed in Omagh on Remembrance Sunday. We know that there is a bomb in Derry right now and that there was a kneecapping in Londonderry last night. These are echoes of Northern Ireland's terrible past, but they must not be harbingers of its future. It is for us in this generation, and for the Secretary of State and his Government, to make sure that they are not.

7 pm

**Dr Andrew Murrison** (South West Wiltshire) (Con): I very much welcome the remarks made by the hon. Member for Pontypridd (Owen Smith) and my right hon. Friend the Secretary of State about the violence in Northern Ireland at the weekend. The hon. Gentleman is absolutely right to say that it is an echo of a terrible past, and we must do everything in our power to ensure that those events are not replicated. Northern Ireland has come on so much in recent years, and it would be a terrible betrayal if we allowed these dreadful people to get any further purchase than they have.

I commend my right hon. Friend for his patience over the past several months. He has been an exemplar to us all. His patience has been matched only by that of right hon. and hon. Members waiting for the publication of the Bill we are discussing this afternoon; I received my copy at 3.56 pm. Particularly when we are dealing with a public policy area where there is a democratic deficit at the moment, it is vital that Members of the House have such materials in good time to be able to give them proper scrutiny, as I am sure he agrees.

The Bill is largely technical, and it is unobjectionable. I very much welcome the remarks of the hon. Gentleman who speaks for the Opposition, the hon. Member for Pontypridd (Owen Smith) in, broadly speaking, supporting the Bill. We may disagree on certain elements of the way in which things are conducted and I would expect him to hold the Government to account, but it is very clear that there is consensus across the House on this important measure, which will enable the pay cheques to go out at the end of the month.

On 18 October, the Secretary of State gave a very helpful update and a time line on the way ahead to the Northern Ireland Affairs Committee, which I have the privilege of chairing, and he reiterated a lot of that on 2 November, but I must press him again on contingency planning, since this process cannot simply be one of kicking the can down the road.

As we have already heard today—I will touch on this in my speech—right hon. and hon. Members have concerns about the important political decisions that must be made and the consequences of not making them in a timely manner. This matters to people's lives. We can discuss things such as an Irish language Act, but the truth of the matter is that for most people for most of the time, their imperatives are about health and education. We must ensure, as far as we possibly can, that those things can be addressed, and that ultimately means having political accountability. I very much appreciate my right hon. Friend's efforts to do what he can, within the constraints placed on him by this extraordinary situation, but we ultimately need ministerial accountability, in whatever form it may take.

May I, however, counsel caution? On the face of it, it sounds as though direct rule is a way out. I suspect that direct rule would be fairly easy to enter into, but it would be murderously difficult to unpick. I am also worried that once we have direct rule, there will not be the pressure, which currently exists, to restore the Executive. I am very concerned that we will do something with the very best of intentions that is not actually in the long-term interests of the people of Northern Ireland.

On 18 October, the Secretary of State stated that he was in fact planning on the basis of David Sterling's "best estimates". I want to press him a little on what those best estimates are, because they form the basis of the Bill before us. They are apparently based on the intentions of the ministerial intent of the pre-collapse Ministers, as stated at the tail end of last year. I am interested in what methodology has been used to determine that ministerial intent: is it simply a case of "suck it and see", or is the process a little more rigorous and objective? If there is such a process, it really needs to be exposed to the scrutiny of this House.

In schedules 1 and 2, we have a shopping list of things, by Department, that might be done. The Bill allows for a fair amount of virement, and my worry is that the Northern Ireland civil service is being expected to do far too much. Ultimately, we need to have some degree of ministerial accountability, and that is completely lacking at the moment. The right hon. Member for Orkney and Shetland (Mr Carmichael) mentioned that point in his comments about higher education, where ministerial decision making will be needed, and the right hon. Member for Delyn (David Hanson) did so, too.

**Maria Caulfield (Lewes) (Con):** The Northern Ireland Affairs Committee heard a couple of weeks ago from the Chief Constable about how difficult it is to budget from month to month. Given that we are entering the new budget-setting process for the next year, does my hon. Friend not agree that we should look at setting the budget for the next financial year as well as for this one?

**Dr Murrison:** I certainly share the concern about long-term planning. In general, we do such planning through the normal budget system, but it is not clear to me how that is going to be achieved for the financial year 2018-19. I suspect our right hon. Friend the Secretary of State will be considering how that can best be achieved in short order, since we have only a matter of weeks in which to determine the budget for Northern Ireland, as for the rest of the United Kingdom, for future years.

My hon. Friend is absolutely right to refer to our evidence session with the Chief Constable of the Police Service of Northern Ireland, when he expressed his concern not just about finance, but about general accountability. Given that the Northern Ireland Policing Board has not been properly constituted, because of the impasse at Stormont, he is very concerned, as she will recall, about the democratic deficit and what that implies for accountability.

On testing the methodology on which the estimates are based, for me the most important thing to do is to look at the biggest spending Department. The biggest spending Department and the one with the second largest cash departmental expenditure limit is of course the Department of Health. Until the end of last year, the Minister in charge of the Department was Michelle O'Neill. She said last October, in response to Professor Bengoa's health sector reform plan, that it was

"a foundation for my vision"—

we could not hope for a clearer statement of ministerial intent—and formed the basis of her 10-year vision.

It is not clear to me where and how that vision is captured in the budget presented, but we know that David Sterling has relied on what he understood to be the ministerial intent up to the point at which the Executive collapsed. It would be useful to know in greater detail how the purposes listed under the Department of Health in schedule 1 are being addressed with Bengoa's plans in mind, given that they have been endorsed by the last Minister of Health in Northern Ireland. As it happens, those purposes are remarkably broad, but it is one of the smallest paragraphs in the schedule, which is somewhat strange given the extent of the health budget in Northern Ireland.

**Emma Little Pengelly:** I declare an interest in that my husband is the permanent secretary of the Department of Health in Northern Ireland.

Does the hon. Gentleman agree that the report looked forward in terms of transformation, which requires hard decisions and many years of preparation and hard work if we are to have efficiencies and savings without any impact on frontline services? We are now in November, and this money must be spent this financial year. Does he agree that the terrible situation we have been put in, because a budget was not put forward this time last year when it should have been, means that those decisions and the outcomes in the report are now very difficult to achieve?

**Dr Murrison:** The hon. Lady is absolutely right. That is what I mean by kicking the can down the road. Those decisions have to be made by Ministers; it is unreasonable to put civil servants in that position, particularly given that we learnt today—I welcome my right hon. Friend the Secretary of State's announcement—that the Comptroller and Auditor General and the National Audit Office will be given powers to submit reports, which will be open to the scrutiny of both Houses. I would not want to be in the position, as a civil servant, of having to make such decisions and bear that accountability, with no ministerial top cover, for any length of time, notwithstanding my earlier remarks about direct rule. I fear the consequences of such a position. It is the dilemma with which the Government are struggling.

**Sir Hugo Swire (East Devon) (Con):** On the Department of Health—this could also apply to other Departments—is my hon. Friend concerned that, although the budgets will be approved for continuing its work, there will be no room for any new initiative or flexibility, given that no Minister oversees it?

**Dr Murrison:** My right hon. Friend, who served in a distinguished way in the Northern Ireland Office, knows that full well. Decisions have to be made by Ministers, and my question is about the elements of the report, which I have highlighted simply as an exemplar, that would require ministerial direction, and the extent to which supplementary estimates might be introduced. Notwithstanding the welcome announcement of funding that my right hon. Friend the Secretary of State made today, to what extent can those estimates be laid before the House to achieve the purposes I described? I ask that with a certain trepidation, because I would counsel against the constant tabling of supplementary estimates, which would have the effect of introducing direct rule in dribs and drabs. If we need to look to direct rule, notwithstanding the risks, that must be clear, and not done by stealth and gradually, which would be a recipe for confusion.

**Vernon Coaker:** The hon. Gentleman has made interesting comments about direct rule and some of its dangers. Does he see a role for the Select Committee in considering how devolution could be restored, or how initiatives might be developed, perhaps along the lines that my hon. Friend the Member for Pontypridd (Owen Smith) mentioned, as well as others, to try to support the restoration of the Assembly and the Executive? Has the Committee given any thought to that, or to scrutinising how the budget process works if the Executive are not restored?

**Dr Murrison:** I am grateful to the hon. Gentleman, who is right on two counts. First, my Committee is mindful of its responsibility at this difficult time to scrutinise. Although constitutionally our position is to scrutinise the Northern Ireland Office's work, we feel it incumbent upon us to be part of the process of scrutiny in a way that perhaps did not previously apply.

I know that investigating possible future models exercises the minds of members of my Committee, and the hon. Gentleman may think that we would like to work further on that. I do not want to pre-empt the Committee's determinations, but when we have completed our current inquiry into the land border and Brexit, we would perhaps wish to consider and contribute to the

[*Dr Murrison*]

debate on those possible models. I am grateful to the hon. Gentleman for his tacit endorsement of such a position.

**Bob Stewart** (Beckenham) (Con): I also sit on the Committee, and in support of my hon. Friend's comments, I point out that we are trying to find a way of policing the border without its being obvious. We will suggest that in our report, and our way of looking at that seems fruitful.

**Dr Murrison:** Absolutely. My hon. Friend tempts me down a path, with which you might have some issue, Madam Deputy Speaker, but he is right, and our inquiry will continue to consider how we can make that border as invisible as possible. I referred earlier to the Committee's recent visit to Newry, when we took the opportunity of eyeballing the border. It is a remarkably unexciting experience since the border is invisible—beautiful, but invisible—and we need to ensure that that continues to be the case.

Hon. Members have mentioned the Hart report into historical institutional abuse. The point is well made that there will be decisions that have some financial consequences—perhaps not primarily financial, but they need ministerial input in the weeks ahead. It is difficult to see how civil servants can make those determinations, given that the subject is so politically loaded. Little that happens in and around Northern Ireland does not have a political element, but something so clearly political requires ministerial input. I therefore gently suggest that it is unfair and unwise to put civil servants in the position of making such decisions.

**Sir Hugo Swire:** I am interested to learn of the work of my hon. Friend's Committee, which becomes more important during this tricky period. In the run-up to Brexit, Northern Ireland's economy is perhaps more important than ever. Will the Committee take a very real interest in the infrastructure, the inward investment and the development of Northern Ireland's economy, especially in the Brexit period?

**Dr Murrison:** Yes. I share the concerns of many about Northern Ireland's voice at this time. Northern Ireland is at the forefront of what will happen to this country after we leave the European Union, for better or for worse—in my opinion, for better, but I am prepared to admit that there are risks and opportunities in the process. It is vital that Northern Ireland, of all the constituent parts of the United Kingdom, has its voice heard, loud and clear. It is a dereliction of duty by the institutions and political parties in Northern Ireland that that is not happening. It seems to me a betrayal of the interests of the people of Northern Ireland.

I mentioned Michelle O'Neill in my remarks about the Bengoa report and her stewardship of the Department of Health in Northern Ireland. It is a sad state of affairs that she appears to be willing the ends in her 10-year vision for healthcare in Northern Ireland without willing the means. Hon. Members have made the point today that things like health and education really worry people in Northern Ireland—it is exactly the same for all our constituents—yet we seem prepared to put other things

before those extraordinarily important services. I do not think that that represents the needs and aspirations of people at all well. I hope that those parties that are not prepared to come to the table to discuss those matters sufficiently to restore the Executive reflect on that.

I suspect that my right hon. Friend the Secretary of State shares my fears that, the budget process having been achieved, nothing much will happen. There is an impasse at Stormont and I see no immediate prospect of the restoration of the Executive. We therefore need to start considering what we now do to ensure that the important objectives, such as for health and education, that we have discussed this afternoon, and the apportionment of funds this year, let alone next financial year, are achieved. To do that, it seems to me that we need to look at historical precedent. The Northern Ireland Act 1974 gave special powers to the Northern Ireland Grand Committee, which could scrutinise and comment on draft Orders in Council.

I suspect that the Secretary of State is giving some thought to measures that can be taken to ensure some input from people in Northern Ireland—those elected to represent views in Northern Ireland from civic society and so on. That will become urgent as we tip into the new year and start to consider the financial year 2018-19. It would be useful to hear from the Secretary of State what measures will be taken to consult Northern Ireland generally, and particularly elected representatives, to ensure that that voice is heard.

Accountability is a difficult concept with which to grapple. We are accountable to our constituents. Ministers are not accountable for much of the grey area that we have been discussing today. Sadly, that is falling between the cracks. However, we need to make as best a stab at it as we can before the Executive are restored. To do that, we need to look at institutions in Northern Ireland and try to work out how they can best give voice to public opinion and at least keep the flame of accountability alive in the Province.

**Maria Caulfield:** Does my hon. Friend not think it is particularly important that the voice of the nationalist community is heard, given that they do not have representation in this place or in the Assembly? Theirs is a voice unheard in terms of electoral representation.

**Dr Murrison:** Yes, I really do. Although it is of course Sinn Féin's choice not to take its seats here—one that, as a democrat, I regret. Nevertheless, we need to ensure that both communities are heard. The Assembly may be one way of doing that and it would at least give MLAs something to do.

The last time we discussed this matter, on 2 November, the hon. Member for Pontypridd was very keen for MLAs to continue to draw their pay and rations. I do not agree with that and the bulk of people in Northern Ireland do not agree with it either, but I welcome today's announcement that Mr Trevor Reaney will be appointed to discuss the matter further with interested parties. He will come up with recommendations on how MLAs should be paid, given that this could go on for a considerable time. We try to restore faith in politics in Northern Ireland, as we do in the rest of the United Kingdom, and it is very difficult to see how that process is enhanced or advanced in the event that we are paying

individuals largely for sitting at home. I accept that many of them will be working hard to try to represent and help their constituents as well as they possibly can; nevertheless, their primary role is to attend Stormont and represent those views there, and that is just not happening.

**Nigel Dodds:** The hon. Gentleman talks, from his esteemed position as Chair of the Northern Ireland Affairs Committee, about the primary role of MLAs being to attend the Assembly, but that goes for Members of Parliament too. Their primary role is to attend Parliament, so I take it that he will apply the logic of his argument to public representatives who do not attend this place. They are elected to attend this place and they do not do their job. We have had this scandalous situation for many, many years. I presume people would not stand for many, many years of Assembly Members being in that position, so I look forward to hearing his view on that.

**Dr Murrison:** I very much agree with the right hon. Gentleman. [*Interruption.*] It is sort of a cop out, if he would like to see it that way, in that it is primarily a matter for the House and it is for the House to determine. I made my views on Sinn Féin not taking its seats in this place very, very clear. There should be no confusion about that. In my opinion, they are letting down those who elect them to do a job of work. They are clearly not doing it and people should draw their own conclusions. At the end of the day, however, it is a matter for the House. I hope he will be satisfied with that—I suspect he will not.

**Lady Hermon:** I am very grateful to the hon. Gentleman for allowing me to intervene, particularly as he is drawing his remarks to a conclusion. May I just say to him ever so gently that a large number of people in Northern Ireland would not be crying into their hankies if direct rule were introduced in Northern Ireland tomorrow? I would like him to explain to the people of Northern Ireland, who are extremely angry and very aggrieved that the MLAs received their full salary and their full staffing allowance, what he seems to be advocating: that the Assembly should have some sort of advisory role in Northern Ireland and some sort of direct rule Ministers here. Is he advocating that MLAs will be paid for that advisory role? The people of Northern Ireland will not be amused by that.

**Dr Murrison:** I look forward to Mr Trevor Reaney's conclusions and it would be wrong to pre-empt them, but we will certainly need to have some way to consult the people of Northern Ireland if we take further direct rule powers. It seems to me that that is right and proper. It is very difficult to see, as a democrat, how one would object to such a thing. It has been tried in the past and it has had some effect. That is the sort of thing I am looking for and the MLAs are elected people. What are the alternatives? One can consult civic society—of course one can and one should—but at the end of the day MLAs are elected and I hope they might be involved in some way, shape or form prior to the restoration of the institutions. Nothing must be done to replace the imperative to get the Executive back up and running. I fear that all the stop-gap solutions may have the unintended consequence of delaying the day the institutions are restored at Stormont, and that would be a great pity. We must always beware of such unintended consequences.

I congratulate my right hon. Friend the Secretary of State on his announcement about the Comptroller and the National Audit Office for Northern Ireland. He is absolutely right, as we try to pick our way through this, that we should have measures to allow this House to scrutinise what is going on, particularly the methodology of the apportionment of funds to Departments in Northern Ireland. I look forward to seeing the documents in the Libraries of both Houses and to the restoration of the Executive in Stormont. May that happen sooner rather than later.

7.25 pm

**Nigel Dodds (Belfast North) (DUP):** It is a pleasure to follow the hon. Member for South West Wiltshire (Dr Murrison). I am sure we will hear more from him in the coming weeks in his role as Chair of the Northern Ireland Affairs Committee.

I would like to begin by adding my voice to those of other hon. Members who expressed outrage and condemnation at the events at the weekend—in particular the viable device left at the Omagh cenotaph, an appalling act which brought to mind the atrocious and despicable attack on the Enniskillen cenotaph 30 years ago almost to the day—and the other events referred to by the shadow Secretary of State. We think of the weekend and the remembrance of those who died giving their lives in the defence of freedom and liberty, and we think of the despicable act of terrorism in Omagh. At the same time, we think of the great side of Northern Ireland as displayed by the Northern Ireland football team and their supporters in Switzerland, who were great ambassadors for Northern Ireland. We saw the worst examples of activities by people in Northern Ireland and the best.

I think all of us in this House, whatever our party affiliation and whatever side of the House we sit on, commend those from Northern Ireland who went to Switzerland to follow the Northern Ireland football team. Indeed, we commend those fans from the Republic of Ireland who went out to Denmark. I was gratified to read about Northern Ireland fans flying out from Dublin airport and meeting Republic fans who were flying out to Denmark. The two sets of fans shook hands, wished each other well and applauded each other. That is an example of what is best about Northern Ireland and the Irish Republic, and we want to see more of it.

I thank the Secretary of State for his efforts. I know there has been criticism of him. There has been criticism of the Prime Minister, I have to say, from those on the DUP Benches. In my view, however, there has been very good engagement at all levels of Government. The Prime Minister has been to Northern Ireland more than once since she assumed office, and she has had a series of meetings and engagements here with us and others in this House, so I think it is wrong to portray this situation as the fault of the Government. DUP Members have spelled out how we got to this point in the process.

This is a very significant day in the history of the political process in recent years. There is no doubt about that. It is a day we did not want to see happen. We did not want the Northern Ireland budget to be passed at Westminster; we wanted it to be passed by the Northern Ireland Executive. We still do, but, as hon. Members have pointed out, this is the budget that the Sinn Féin Minister was supposed to bring forward

[Nigel Dodds]

before Christmas for consultation and to have the Assembly implement, and he point blank refused to do so. Remember, this was before the so-called crisis that emerged in the latter part of 2016, which led, ostensibly, according to Sinn Féin, to the collapse of the Executive. Clearly, there was something afoot long before that. That gives rise to some concern on our part about the true motives of Sinn Féin in collapsing the Executive in the first place and in refusing to set it up subsequently.

**Mr Gregory Campbell** (East Londonderry) (DUP): Does my right hon. Friend agree that the failure of the Sinn Féin Finance Minister in the Assembly to set the budget over a year ago—as he rightly says, before the renewable heat incentive scandal broke and before the issue of an Irish language Act and LGBT rights brought down the Government in Stormont—proves that these seem to have been a series of fronts to bring down our Government for bogus reasons?

**Nigel Dodds:** Many people in Northern Ireland, not only Unionists but commentators, particularly in the Irish Republic, and leading members of political parties in the Irish Republic, are increasingly of the view not only that this was planned but that, as a result of the Brexit decision and the hard decisions that need to be made in government, and in advance of a possible general election in the Irish Republic next year, Sinn Féin simply wanted to opt out of government and was looking for any excuse to do so.

It is our sincere hope that that is not the case. As someone pointed out—possibly the shadow Secretary of State—the DUP was a devolutionist party long before it was fashionable among the majority of Unionists. I remember that the Ulster Unionist party, when it was represented in the House and represented the vast bulk of Unionists, had a strong integrationist wing and was very lukewarm about proposals in the mid-80s for devolution. It even went so far as to boycott the then Northern Ireland Assembly. The DUP remained in the Assembly because it believed in the principle that the people of Northern Ireland, nationalist and Unionist, should reach those decisions for themselves in Northern Ireland.

We remain committed to devolution and want to see it happen, and that is why we have set no red lines or preconditions for the formation of the Executive. As my right hon. Friend the Member for Lagan Valley (Sir Jeffrey M. Donaldson) pointed out, we have said that we are prepared to form an Executive, and my understanding is that the other parties eligible to form it also stand ready to do so immediately. The one party that refuses to do so is Sinn Féin. We are prepared to form an Executive and hold the talks in tandem. Our leader went even further and spelled out that she would accept a date being set on which the Executive would fall if the talks did not lead to a successful outcome.

We were not, then, asking Sinn Féin to take us on trust, hoping to get them into the talks and then to talk forever; we were saying, “Let’s get the Executive formed, let’s make the decisions on health and education, infrastructure, investment, housing and all the rest of it, let’s have the talks, but with the guarantee that if they do not go anywhere, it will not go on forever.”

Within 20 minutes of that suggestion being proposed—a suggestion welcomed by the Irish Taoiseach and other members of minority parties in Northern Ireland—it was rejected out of hand by Sinn Féin, in our view because they do not want a way forward except on the hardest republican lines.

**Sir Hugo Swire:** If my right hon. Friend’s thesis is right and Sinn Féin has no desire to return to power sharing this side of a possible election in the Republic, is he actually saying that there is no prospect of the Executive being reformed until at least the other side of that election?

**Nigel Dodds:** I am saying that many people believe that. I am told by Sinn Féin leaders—we hear it constantly—that they do not subscribe to that view and that they want devolution up and running. I am simply pointing out that there have been opportunities in the last 10 months to move things forward in a sensible way but that they have not been taken by Sinn Féin, which makes some of us doubt the sincerity of its words. I hope that the analysis of others I have quoted is proved wrong. I remain to be convinced of the truth of the matter.

**Bob Stewart:** My personal view is that Sinn Féin does not give a damn and wants to destroy the entire concept of devolved power and that its long-term aim is the destruction of Government in Northern Ireland and unification. That is what it has always wanted, and that is its plan.

**Nigel Dodds:** I hear what the hon. Gentleman says, but I have to say that the last 10 years, during which time the DUP has been in government, along with Sinn Féin and other parties in Northern Ireland, have been a period of great progress. Good things have been done for Northern Ireland. It now has the second highest level of foreign direct investment in the UK, outside London and the south-east, and we have seen big increases in the number of tourists coming to Northern Ireland and in investment from that source. There are opportunities to move Northern Ireland forward, and I hope that we can get devolved government up and running again in partnership with Sinn Féin and other parties in Northern Ireland, but we have to take cognisance of where we are. We have to take sensible, practical measures in the meantime to ensure that Northern Ireland Departments do not run out of money, which is why I warmly welcome what the Secretary of State has done today and the way he has spelled it out. The fact is that unless we take this measure, we will not have the money to maintain our hospitals, schools and roads.

**Deidre Brock** (Edinburgh North and Leith) (SNP): One measure still available to the Secretary of State is to call another election. What would the right hon. Gentleman’s view on that be, should the impasse continue?

**Nigel Dodds:** The hon. Lady raises an interesting point. As things stand—under current legislation—the Secretary of State is under a legal obligation to call an election. He does not have to call it immediately, but the Northern Ireland Executive cannot legally be restored, as things stand, unless new primary legislation is introduced, and, in fact, there is an obligation to consider another

election. The question arises, of course, as to whether another election would change anything or improve the prospects of an agreement.

In the June general election, our party received the highest vote of any single party in Northern Ireland since 1985, so we do not fear another election. We do not fear another general election here either. We are probably the only party in the House that can confidently say, if there was a general election tomorrow, that it would have no difficulties with the result. *[Interruption.]* Labour Members, from a sedentary position, mention a possible deal. I vividly remember the conversations with the Labour party in 2010 and 2015—it is interesting to recall all that. That said, we do not want a general election, and we do not necessarily expect an Assembly election to change much in Northern Ireland. The main focus has to be on getting the Assembly and the Executive up and running as quickly as possible.

**Lady Hermon:** I wonder if the right hon. Gentleman could just clarify an interesting point: he and his colleagues, particularly his party leader, have detected within Sinn Féin some disagreement between the party president, Gerry Adams, sitting as a Teachta Dála in the Republic, and the leader in Northern Ireland, Michelle O'Neill. Are her decisions being repeatedly overridden by the party president?

**Nigel Dodds:** The hon. Lady raises an interesting question. Certainly, the Irish Prime Minister has had something to say on that in recent weeks and has accused Gerry Adams of doing exactly what she implies, although it remains a dubious proposition in my view. Given that Gerry Adams appointed the Sinn Féin leader in Northern Ireland unilaterally—there was no election, not even among the Sinn Féin elected representatives—to ensure that his voice was heard, it is questionable whether there is any independence there or any diverse view between them and within Sinn Féin about the way forward.

I know that others want to speak, and I will end my speech shortly, but let me say this. When we describe the Bill as a move towards direct rule, we should remember that we experienced a form of direct rule intervention not so long ago, in the context of welfare reform. The House of Commons has control, powers and authority over welfare policy and legislation in Northern Ireland until the end of this year, and that is a policy to which Sinn Féin agreed. When people hear Sinn Féin rail against direct rule nowadays, they should remember that, as part of the Stormont House agreement, Sinn Féin agreed that welfare policy should be transferred back to Westminster. Why was that? Because Sinn Féin did not want to make the hard decisions on welfare that Assembly membership required them to make; they preferred others to make those decisions for them. We hear people talking about the downsides of direct rule and saying that it is a terrible, backward step, but in the case of some issues they are quite happy to pass the powers to Westminster.

I concur entirely with those who have said that the current semi-direct rule cannot be sustained for a lengthy period. I think there is no real dispute about that. We must have Ministers, because Ministers prioritise and Ministers allocate, but this budget does not solve the problem of who is prioritising and who is allocating.

At some point very soon we will need Ministers, but that does not mean that we should give up on the negotiations, the talks, and the efforts to get devolution up and running. We will continue to do that, and we will play our full part in it. It would be a travesty, and a big mistake, to allow Northern Ireland to continue in a limbo in which decisions cannot be made. Reference has already been made to the historical investigations inquiry, and community groups and others come to me all the time wanting guidance and certainty about future funding. It is unfair and wrong for people not to be able to have some certainty.

In that context, this House of Parliament must be the place where decisions are made and where Ministers will be accountable. Of course there is a role for the Irish Republic's Government in respect of strand 2 and strand 3 issues. According to the fundamental principles of the political process that have existed from the outset, strand 1 issues—internal Northern Ireland affairs—are a matter for the United Kingdom Government and the parties in Northern Ireland alone. Strand 2 issues—north-south issues—are matters for discussion between representatives in Northern Ireland and those in the Republic, and strand 3 issues are matters for discussion between the Irish and British Governments. The principles of that three-strand approach must and will be maintained. There will be no role for the Irish Republic in the internal affairs of Northern Ireland in the future. That is enshrined in the Belfast agreement, under the principle of consent.

We look forward to this budget allowing the Departments in Northern Ireland to spend the money that it is necessary for them to spend over the coming weeks and months. We also look forward to working with the Government and continuing to engage with the other parties, particularly Sinn Féin, to try to get devolution up and running as quickly as we possibly can.

7.43 pm

**Mr Owen Paterson** (North Shropshire) (Con): It is a pleasure to follow the right hon. Member for Belfast North (Nigel Dodds). I endorse his comments, as well as those of the shadow Secretary of State, the hon. Member for Pontypridd (Owen Smith), and the Secretary of State, about the shocking events that occurred at the weekend. There is absolutely no place in Northern Ireland for pipe bombs. Following all the work and all the struggles of all the political parties in recent years to establish these arrangements, there is every possible means to express political opinion and no place for such behaviour, and I am delighted to note that the House condemns it wholeheartedly.

I became Secretary of State after the long process that preceded the Belfast agreement. Policing and justice had just been devolved, and incredibly difficult decisions had been made by John Major, followed by those of Tony Blair. We really, really tried to make the system work. I saw a need to balance the political arrangements with help for the economy through the devolution of corporation tax. We had the complete support of all the political parties and the business community, but corporation tax has still not been devolved. We have done our bit in the House—we have given the Assembly and the Executive the power to do that—but, tragically for all those businesses in Northern Ireland and all the people working in them, it has not been delivered.

[Mr Owen Paterson]

I am as disappointed as anyone in the Chamber that we are having to pass a Bill that will directly deliver money to keep things going in Northern Ireland. I entirely endorse what my right hon. Friend the Secretary of State has done; I think that his patience in recent months has been extraordinary, and I fully understand why he intends to continue to do his best to persuade the local parties to agree. Sadly, however, we have reached this point. The Bill is technical and I hope that it will be passed shortly without amendment, although I know that other Members intend to speak.

My right hon. Friend made a key point in his speech. He said that his real concern was for good governance in Northern Ireland. What worries me is that it is simply not fair for the civil service in Northern Ireland to have to run the place without political decision-making. The hon. Member for North Antrim (Ian Paisley) mentioned that in an intervention. Who is responsible? To whom will the permanent secretary be accountable? Sadly, this arrangement can be only for the short term. We hope that the Secretary of State pulls it off and gets the institutions up and running. He has spoken of a “glide path”, and I think that he will have to deal with the problem of the declining public services in Northern Ireland.

Let me rattle off a few facts. This has nothing to do with money. Northern Ireland receives £14,018 per head, while England, where our constituents are, receives £11,579. That means that, in Northern Ireland, the state has £2,721 more to spend per head. Several Members have mentioned health and education; let me briefly deal with those.

Last month, the BBC conducted a major health study. When it comes to healthcare, Northern Ireland is the worst-performing region. In some specialisms such as orthopaedics, waiting lists for treatment now exceed three years. Patients suffering chronic pain can wait up to two years to be seen by a specialist, and cancer care targets have never been met. In 2015, the target for the health service was to complete 70% of routine procedures in three months; it did not meet that target. The response was to lower the target to 50%, and the health service failed to meet that as well.

In many critical areas, performance continues to get worse rather than better. In the Belfast Trust, which is not necessarily the worst-performing trust, 29,500 people are waiting more than 12 months for an out-patient appointment—the target is zero—and 25% of patients wait for a year to see a specialist, while in England and Wales the figure is 2%. Clinicians are voting with their feet. Doctors are refusing to work in some small A&E departments: they believe that they are unsafe to operate, because they do not have access to the full range of services and specialisms.

There is a way out. One thing that Northern Ireland is very good at is generating reports recommending reform. My hon. Friend the Member for South West Wiltshire (Dr Murrison) mentioned Professor Bengoa’s report, which recommended a complete restructuring of the health service. It was supported by clinicians and by the Sinn Féin Minister, but, of course, it has gone nowhere. Reform requires decisions. It needs leadership, and the political will to design and implement a healthcare system that can work and deliver for all the people.

However, that inevitably means challenging local political interests, and the necessary political courage has simply not been there.

This partly comes down to the duplication of services. As Secretary of State for Northern Ireland, I was a strong supporter of Shared Future, especially in the context of education. Education is critical to the future of the whole of Northern Ireland, but the sectarian division in education is a terrible waste—not just of human talent, but of money. There are two teacher training colleges. A proposal to rationalise them met with furious opposition, and was abandoned. The education boards were abolished and replaced by a new unitary education authority, but there is still waste. The authority now absorbs about 30% of the education budget. Some of that is spent on transport, but it shows that this terrible duplication is costly.

In 2015, the Council for Catholic Maintained Schools proposed the closure of St Mary’s High School in Brollagh, County Fermanagh. It had just 121 pupils, which was far below the 500 that it needed to be viable. What happened? Against his own Department’s advice, the Sinn Féin Minister refused to close it. The roll has now fallen to below 90, and it will finally close in 2018. This fiasco has cost between £550,000 and £700,000 a year to keep it open. So if we are going to get a shared future, we should seriously consider the benefits of direct rule. Direct rule Ministers could take difficult decisions. We could end this ludicrous duplication, this ludicrous cost and this ludicrous waste in the delivery of public services.

I go to Northern Ireland quite regularly privately. Time and again in recent visits people have come up to me and said, “When are we going to get direct rule?” I know that no Front Bencher wants this, the devolved parties do not want it, and nobody in this House wants it, but we must now face up to the requirement to balance the problems of failing public services because of lack of political direction and the need to recognise the achievements of the process and to keep the political institutions going. That is a very difficult balance to judge at present, but when we hear the figures I have cited—I have plenty more, which I could have read out if I had the time—we recognise that we are letting down the hard-working people of Northern Ireland if we expect them to put up with failing public services, despite very high levels of public expenditure, because there is simply not the political decision-making process.

**Maria Caulfield:** Will my right hon. Friend give way?

**Mr Paterson:** No, as others want to speak.

It is simply not fair on the civil service to expect it to deliver this. So, without any great enthusiasm, I will be voting for the Bill tonight. I wish the budget had gone out to the local Members and there had been institutions spending this money months ago, but I wholeheartedly support what the Secretary of State has done, and I wholeheartedly sympathise with the difficult position he has been in. However, I ask him to think about the balance between what is happening on the ground, and what services the people of Northern Ireland are actually getting, and whether this stasis at the moment is really delivering for them.

Perhaps the Secretary of State should now begin to get his slow glide in order, to begin to think about direct rule Ministers. I agree with Opposition Front Benchers

that once we get going on that it might be very difficult to get out, but I ask us all to think of that balance. We owe it to those hard-working people in Northern Ireland that they should get proper decisions made with public money.

Tonight, I will support the Bill, but I ask the Secretary of State to think about what happens over the next few weeks.

7.52 pm

**Deidre Brock** (Edinburgh North and Leith) (SNP): First, I want to make clear my support for the Secretary of State's comments regarding the PSNI and its commendable handling of, as he rightly described it, a repugnant act in Omagh, and the shadow Secretary of State's remarks about the further outrages that have come to light today. I also want to make it clear that I will be confining myself to commenting on the budget Bill as presented by the Secretary of State, as I am aware that plenty of Members wish to speak in this debate.

I begin, too, by making clear my view that we are here doing something that should more properly be done in Belfast. Budgets affecting the people of Northern Ireland and the public services in Northern Ireland should be decided at Stormont, not here. No matter how good the intentions of Members in this Chamber—I do believe that the Secretary of State has good intentions in this—this cannot be a substitute for the proper consideration of the Assembly.

Northern Ireland has been without an Administration for far too long, and the negotiations over reforming that Administration seem bogged down in a way that previous leaders of the largest parties in the Assembly would never have allowed. I have respect for the current leaders, but if Mr Paisley and Mr McGuinness could find a way to work together and move forward, I am certain that two intelligent women can find agreement and a future direction without blame or rancour. There are difficulties—no one would suggest that there are none—but surely there are no insurmountable difficulties, and there is nothing that should be holding up such vital negotiations for so long.

Assembly Members have been without a plenary for far too long and will, no doubt, have to answer ultimately to their constituents for that, although the Prime Minister might be looking enviously at Arlene Foster just now and thinking that the absence of Cabinet Ministers might be no bad thing. From looking at how things have been going so far, it seems likely that there is going to be a fair bit more push and pull before we see the Assembly back to work, particularly with the renewable heat initiative inquiry rumbling its way through public life over the water, but the focus of the Stormont parties must be on getting it back up and running.

Decisions about Northern Ireland should be taken in Northern Ireland by the people who know best what the communities there need; Belfast should decide. Decisions are best made by the people most directly affected. With all the certainty in our own best judgment that we are able to summon here and with all the noise that is generated on a regular basis, we still cannot offer, as the Secretary of State suggested, the scrutiny of the needs of the communities of Northern Ireland that Assembly Members can offer, even allowing for the considerable knowledge of Members representing Northern Ireland constituencies on the Back Benches here.

Scottish National party Members will not stand in the way of this Bill, which is important because it will keep the lights on in hospitals and the heating on in schools, and keep the police on the streets and local authorities working. So we will watch it through its proceedings today. It is certainly to be hoped, however, that this place does not need to do anything of this nature in the future and that the budgets for services in Northern Ireland will be decided and passed in Belfast.

It was good to hear some of the comments made today about the Northern Irish civil service. We do not mention the civil servants very much in any of our debates about Northern Ireland generally, but it would be remiss of us to go through the process of passing the Bill today without mentioning the contribution that they have made to keeping public services running in Northern Ireland, and we should note that with gratitude. Civil servants have carried on delivering even when they have been deprived of the political leadership that gives them cover as well as direction, and we should offer them additional support while they keep things running. The past months cannot have been easy for them and we owe them our thanks.

While we wait for the outcome of the negotiations to give those civil servants some respite, however, we should be clear about what is and is not acceptable for the future. The Secretary of State is clear that this Bill does not represent a return to direct rule. I certainly do not want that at all, and I appreciate his comments, but he has spoken about a glide path to increasing intervention by the UK Government. I urge him to do everything possible to avoid that. The continuation of the talks is essential and will be taking up a fair amount of his time, but I urge him to keep it in mind that restoring devolution must be the aim.

Stormont is adrift, but it would not be beneficial for it to flounder; the rocks upon which it would flounder might set back the peace process and the significant advances the communities of Northern Ireland have achieved during the years of peace. There must be no return to the entrenched attitudes and intransigent opinions that bedevilled those communities for decades.

I hope that passing the Bill is the last time we have to do something of this nature, rather than it being done in Belfast. With regret, but with hope as well, I support the Bill.

**Several hon. Members** *rose*—

**Madam Deputy Speaker (Dame Rosie Winterton):** Order. To be absolutely sure that everybody has the opportunity to speak, I impose a time limit of 10 minutes.

7.57 pm

**Nigel Mills** (Amber Valley) (Con): I hope not to get too close to that time limit.

I also rise to support the Bill, although it is a shame to have to do so on the basis that it is the least worst option available to us, as we would all prefer a Bill that represents an attractive and sensible way forward, but that is where we are. I agree with all the praise that has been given to the Secretary of State for his great patience in waiting until the very last minute in order to try to get the institutions in Northern Ireland back up and running. None of us wants to have to set the budget here.

[Nigel Mills]

The options are as follows. The first is to have another election, but we have had two elections this year, after both of which the same two parties were the leading parties. It is hard to imagine that there is sufficient feeling in Northern Ireland that two different parties—or perhaps at least one different party—will be elected so that a different Government are formed. An election at this stage would therefore probably just see a further hardening of opinion, which would make the situation worse, so that option looks extremely unattractive.

The second option would have been to continue without setting the budget, using the gradual running out of money in the public services as a way of twisting the arms of the two main parties to find a deal. I suspect that we have been trying that for a few months now and it has not worked, so there is a real risk of harming ordinary people by trying that for a bit longer. That option was therefore not really on the table.

That leaves only moving quickly to full direct rule, which again has lots of downsides. To try to do so quickly, without any thought of what the local consultation would be, what the institutions would look like and how we could work through the long-term damage that would be caused to the institutions, would have been an aggressive step. I think that takes us back to the point that this is the least bad approach.

Let us be clear about what we are doing: we are setting the budget for Northern Ireland. We are choosing here how money should be spent in Northern Ireland. Perhaps the Assembly's most important power was to set budgets and control how much money was spent. A Parliament or Assembly that cannot set a budget or choose how to spend its money is not a Parliament or Assembly at all. Let us be clear that we are taking perhaps the most fundamental decision that Parliaments can take by choosing priorities and how much should be spent on them.

I know that we have tried in every possible way to show that this is as close as we can get to what we think the budget would have been, had the Executive been setting it, but this is not the Executive's budget. There has been no Executive for 10 months. This is us and the civil service choosing how to spend the money, so it is a large step towards direct rule. Choosing how much is spent, and on what, is perhaps the most fundamental step we can take.

As other Members have said, we cannot leave Northern Ireland without any sensible government for very long. There are people who quite fancy the idea of a country being run without politicians, but I sense that when they suggest that, they do not envisage continuing to pay politicians as they try to run the country without them. We can see from what is happening in Northern Ireland that, without real government and without real accountable Ministers, no real decisions are taken. We do not get the progress that we want, and we do not get money spent on the priorities that we want.

A prolonged period without accountable Ministers or accountable decision taking is probably the worst form of government, and it cannot carry on for very long. I am not even sure that we can get past a year. If we get to the anniversary of the Executive falling without having put something in their place, that would be the final end point and we would have to put something

in place. We cannot have two years of budgets being set like this and two years of no progress at all. I will happily support the Bill, but we have to find a better way forward as soon as possible.

8.1 pm

**Sammy Wilson** (East Antrim) (DUP): The Secretary of State has indicated the process by which the Bill has come before us tonight. We will support it, but I believe that it should have come before the House far sooner. The fact that we have lingered for so long before bringing this necessary Bill before the House is a reflection of the Northern Ireland Office's attitude that we must not offend Sinn Féin. Let us make no mistake about this. It bears repeating that we are here today because of the political cowardice of the Sinn Féin Finance Minister. This time last year, he was faced with a challenging budget, but he would not have been the first Finance Minister to be faced with such a budget. All Finance Ministers since 2008 have had to bring forward budgets that were criticised by pressure groups and faced Departments screaming about cuts, but at least they brought those budgets before the Assembly, argued their case and made amendments when necessary so that the good governance of Northern Ireland could be continued. Máirtín Ó Muilleoir refused to do that.

I know that my right hon. Friend the Member for Belfast North (Nigel Dodds) wanted to give Sinn Féin the benefit of the doubt, but I believe that it has opted out in this regard. We have only to look at the history. It opted out of the difficult choice on welfare reform. It let the hated Tories bring in welfare reform, but now it is critical every time there is an issue about universal credit, personal independence payments or any other aspect of welfare reform, although it abrogated their responsibility on that one. The same applies to the changes required in the health service. The Sinn Féin Minister had a report, which she accepted, but she then refused to do anything about it because that would have involved hard decisions about hospital closures. Now the same thing is happening with the budget. The Secretary of State should not be too optimistic that he will reach an agreement in the talks that leads to Sinn Féin going back into the Executive and re-establishment of the Assembly. It will continue with its list of unrealistic demands as a cover for the fact that it does not want to get into the Assembly in the first place.

**Lady Hermon:** Is it not the case that Sinn Féin has opted out since the Brexit decision? It has played on that decision, making a calculation that it will stay out of the Northern Ireland Assembly while playing up fears of a hard border and a hard Brexit to provoke talk about a border poll, which plays well to their constituency. However, as the Secretary of State has often said, there is not going to be a border poll because there is no evidence that people want to change the status of Northern Ireland.

**Sammy Wilson:** That brings me to my next point. The Secretary of State must be clear about Sinn Féin's strategy. It prefers the chaos of having no Assembly and no direct rule. That suits it and its republican agenda. It is our preference to have Ministers appointed in Northern Ireland, but if we are not going to have that, we have to move towards a situation in which Ministers can take charge of the Departments in Northern Ireland and

plan for the future, in the interests of good government and stability, and to ensure that Sinn Féin's chaos theory of politics is not put into practice.

This is a challenging budget. There has been an increase in cash terms, but there is no real-terms increase. We accept that there have been difficulties in the rest of the United Kingdom, and that Northern Ireland cannot be totally exempt. However, we have put forward a good argument and been successful in highlighting the particular issues in Northern Ireland that need to be addressed, which are different from those in other parts of the United Kingdom. Some Labour Members argue that we need to spend more money on public services, but they seem to be reluctant to see it spent on public services in Northern Ireland. They must explain that inconsistency, however; I merely need to highlight it—*[Interruption.]* I see the Scottish National party's spokesperson turning round. Her party makes exactly the same point, but perhaps its Members' difficulty is that they are angry that they never got in on the act.

This is a challenging budget. I have posed a question to the Secretary of State, because I have experience of this. The Office of the First Minister and Deputy First Minister has always somehow been exempt from reductions when it comes to budgetary decisions. Many people will find it incomprehensible, at a time when we do not have a First or Deputy First Minister, that the Executive Office should get a 32% increase in its budget. I imagine that most of the budget was drawn up by the Department of Finance, and it is also significant, at a time when the Department of Education is getting only a 1.5% increase and the Justice and Agriculture departmental budgets are going down, that the Department of Finance should be getting a 10% increase. One wonders what influences there have been. These are questions that could and should have been dealt with by the Assembly. We would certainly like to hear the Secretary of State's explanation of why public-facing Departments such as Education and Agriculture are facing reductions in their budget allocations.

The amount of waste in the education budget in Northern Ireland was mentioned earlier. The 1.5% increase in the education budget will be challenging for schools. I know this from representations that I have had from headmasters in my constituency. We rationalised the administration of education by doing away with five boards and having one education authority, but that still absorbs a disproportionate amount of the education budget. More money is held at the centre by the Department of Education and by the Education Authority.

There is of course another approach that would not involve spending another penny. The Secretary of State and the Chancellor could address the £500 million that was allocated under the Stormont House agreement for a shared future in education. That is not new money, yet the Treasury has tied it up in such a way that it cannot be spent on that shared future. Take the big joint campus at Omagh, which would have allowed for a huge amount of expenditure on education in western Northern Ireland. There is no clearer example of a shared future campus, yet the £140 million allocated under the shared future agreement cannot be spent. There are schools in my constituency with a mixture of Catholics and Protestants that are crying out for expenditure. They are integrated schools in all but name, but as they do not happen to have the right title

ahead of their name, the money cannot be spent on them under the shared future programme. I want the Secretary of State to take that up with the Treasury. As we have heard today, even when there is a big problem in the education budget, we still have a huge number of school sites and a huge amount of land that are not being sold by the Department of Education, which could raise revenue that would be available to the public purse in Northern Ireland. We have a tough budget, and the Northern Ireland Assembly could have worked its way through it, but it has not. These are the sorts of questions that have to be asked.

As for the future, I know that the Secretary of State is reluctant to be the one who introduces full direct rule again, but we are going to hit the same problem next year due to Departments' lack of ability to plan for spending if we do not have Ministers in place. If there is no Minister in place, how can Departments look at new initiatives that may cut expenditure or introduce efficiencies? They cannot. So what will we do? We will trundle along, spending money in the same way as we have always done, because that is all that the civil servants will be authorised to do. The Secretary of State will soon have to grasp the nettle and say that we need Ministers in place who can look through the programmes that Departments need to undertake, who can plan for the future, and who can tell civil servants that they can do things with ministerial authority.

We welcome the announcement that £50 million to deal with pressures in health and education will be available this year, but the hundreds of millions of pounds of infrastructure money can be spent only with planning, which can be done only if Ministers are in place. I tell the Secretary of State not to dally any longer. Do not hold out hope that the cowards in Sinn Féin will take the reins of government and make the tough decisions. They will not, which unfortunately means—we do not relish this—that decisions will be made by Ministers here.

8.13 pm

**Alan Mak** (Havant) (Con): I join the Secretary of State and the shadow Secretary of State in condemning the actions of those responsible for the incidents at Omagh and Londonderry. I also join my right hon. Friend in commending the work of the Police Service of Northern Ireland. More broadly, I commend the Northern Ireland civil service for its work in the absence of the Executive and the Assembly.

I welcome today's Bill. Speaking from the Benches of a one-nation Government and a Unionist party, I am interested in the wellbeing of the entire United Kingdom. I therefore welcome the Secretary of State's efforts to restore Northern Ireland's devolved Administration, its power-sharing Executive and its Assembly and to put Northern Ireland's financial situation on securer footing, giving reassurance to businesses, community groups, residents and others with an interest in Northern Ireland having a secure and prosperous future. I also share his determination to see the negotiations make progress and to get back to a situation in which Northern Ireland is self-governing once more.

I want to make three brief points in my contribution. First, I want to restate how important it is that a budget is secured for Northern Ireland tonight. I hope that the whole House will join me and the Secretary of State in supporting the Bill and will give it fair passage so that

[Alan Mak]

we can safeguard public services in Northern Ireland. Secondly, the Bill reflects the Secretary of State's desire to act with circumspection. I do not believe that he is acting lightly; he is acting in a reasonable and balanced manner and has ensured that he has exhausted all other options, from extending deadlines to chairing a variety of negotiations, and this is the best solution. The alternative is no budget, with funds being distributed by civil servants, which is effective in the short term but unsustainable. Thirdly, this situation is neither direct rule nor a step towards it; this is about the machinery of government and ensuring that the residents and businesses of Northern Ireland have a proper, functioning financial settlement.

The provision of good-quality public services is one of our citizens' most basic expectations of Government, so the Bill must be passed because it will allow the Government to fulfil their side of the social contract, ensuring that Northern Ireland's residents receive the services that they deserve and, quite frankly, for which they have already paid. It is important that good government functions well. As the Secretary of State outlined, the situation in Northern Ireland has meant that for some months civil servants have been responsible for distributing funds in the absence of a functioning Executive. While that is clearly better than no access to public services and no funding, it is not a sustainable, long-term plan for the economy. I therefore commend my right hon. Friend the Secretary of State's efforts to get this Bill passed tonight. That system of civil service spending is no substitute for a budget passed by an Executive. As others have said, the prioritisation and allocation of funds must be decided by a democratic authority.

I hope that self-government and a devolved Administration in Northern Ireland are restored, but this budget Bill is a positive solution in the meantime given the situation in which we find ourselves. The Secretary of State, his Minister and the entire Northern Ireland Office are determined to put it into effect and have tried for a significant amount of time to effect the restoration of a power-sharing Administration. To that end, he has hosted discussions at Stormont on numerous occasions and progress has been made, but there are still some issues outstanding on all sides. While the negotiations continue, however, we in this House must act and this Bill is the proper way of doing so. The Secretary of State is right to say that if this House is to act to help with the affairs of Northern Ireland, we should do so on what he calls a "glide path." We should do only what is necessary when it is necessary—no more, no less, and no sooner. Tonight's Bill is the appropriate resolution given the situation facing the House.

While discussing devolution and self-government, we should note that up until this year we had experienced the longest period of unbroken devolution in Northern Ireland for some time. That is a significant achievement, and this House should congratulate all the parties involved. I hope that we can continue with that objective after this budget Bill is passed.

The United Kingdom is stronger, more united and better off when all our constituent nations, including Northern Ireland, have a secure and prosperous future and a strong relationship with this House. I am confident that the Bill's measured approach, as outlined by the

Secretary of State in his opening remarks, will mean that the people of Northern Ireland receive the public services that they deserve, that there is a strong and effective financial settlement for them and, of course, that the negotiations continue. It is for those reasons that I am pleased to support the Bill tonight, and I wish my right hon. Friend, his Ministers and the whole team all the best in ensuring that Northern Ireland has the secure financial footing that it deserves.

8.18 pm

**Jim Shannon** (Strangford) (DUP): It is a pleasure to speak in this debate. The Secretary of State is not currently here, but I thank him and the Parliamentary Under-Secretary of State for their hard work in bringing forward this legislation; we appreciate their efforts. Let me make it quite clear that this situation is not what I wanted, this is not what the DUP wanted, and this is not what the people of Northern Ireland wanted when they cast their votes for the second time in a year. The only people who want this stalemate and who should be here speaking about the situation that they have caused are those in Sinn Féin, but they are not here—although they might be found skulking in the corridors, hiding from people while supposedly earning their money. They refuse to do what they are elected to do both in this place and in the Northern Ireland Assembly.

For that reason, we are here in an impossible situation, and my heart rails against the injustice of the predicament that my constituents and the people of the Province have been strong-armed into by those who are not fit for purpose—those who are elected to represent and will not do so. I wonder how our schools would be if a teacher applied for a job, was granted the position, took the money and then proceeded to refuse to teach because they wanted the summer holiday to start in November and Christmas to be moved to July. Our education system would be in tatters, and that is a fact. The problem is that, due to the reticence of Sinn Féin to do their job over unmet, outrageous and unworkable demands, our education system will be in tatters.

The Killyleagh outdoor centre is in my constituency, and I have met the education authority to press for the centre to be retained. That will happen, but it will happen because of an arrangement with Newry, Mourne and Down District Council. There is the new building at Glashry College in my constituency, too. We are waiting on both those projects to happen.

I am my party's health spokesperson in this place, and I have had an opportunity to meet some of the guys back home. We have longer waiting lists in almost every department because the moneys are not there to get them moving. People have come to me who have been waiting on a list for orthopaedics for three years and cannot get their operation or their examination. There is something wrong.

The issue of insulin pumps was in the press last week, and the pumps are sitting in cupboards up at the Ulster Hospital and the Royal Victoria Hospital and cannot be used. We have to ask ourselves what is happening. This week we have had the story that Bupa has moved out of Northern Ireland because it can no longer work with the NHS and the Department of Health, Social Services and Public Safety. Those are just some examples. There is also infrastructure, the economy and every other Department.

**David Simpson:** My hon. Friend has raised a number of points about different Departments. Does he agree that it is regrettable that agriculture will face a reduction of some 3.7%? It is vital that the animal standards and welfare—all of that—is taken care of as we leave the European Union, and that there is enough funding to eradicate tuberculosis.

**Jim Shannon:** I congratulate my hon. Friend on his hard work on the Select Committee on Environment, Food and Rural Affairs. He is studious, and he tells me that he will be working even harder than normal this week. The Committee is doing a lot of work, and I commend him for it.

I proudly wear a remembrance pin in my lapel today. My colleague asked me why, and it is to remember the UDR four—four young men murdered on the boundary of my constituency by the IRA at Ballydugan. I knew three of those young men personally. Justice for their families remains unmet, in this world at least, but they will get their answer in the next world—that is the way it should be. There is a day of reckoning for everyone, and those who have carried out evil deeds will one day be held accountable. The things that should be important to anyone, regardless of creed, class, colour or ethnicity, are all sacrificed for an ideal of a greater good that cannot change one person's life or enhance it in any way—and all because people who are supposedly so principled refuse to stand up for their people today.

If a person in the street—nationalist or Unionist, Protestant or Catholic, or whatever their religion might be—were asked what is the most important thing, they will say education, health, the roads and getting the operations they want. Those are the issues in my office every day, as I suspect they are in the office of every Member here today; it is not the Irish language Act or those issues. The quicker that Sinn Féin catch on to what the issues are and, I say this with respect, the quicker the shadow Minister, the hon. Member for Ealing North (Stephen Pound) realises that, too, the better it will be and we will have an understanding in the Chamber of the real issues.

Sinn Féin are not here to speak for a solution. However, we are here, and we will continue to speak for the people of the Province in the best way we can. When I speak to constituents at home about the budget, they have highlighted many things, and my response has been steady and constant: direct rule is no good for Northern Ireland. It is not what I want, and I do not think it is what the people want. We are a party of devolution, as everyone in this House recognises. I am proud to be in this House, and this is the world's greatest seat of democracy. I have watched direct rule, and I am of an age, as I suspect are many Opposition Members—with the odd exception or two; there might be a couple behind me—that remembers direct rule. Under direct rule we lost out on having an input on education and health, and most of our input was through the local councils or the Forum for Political Dialogue, as it started off, and then the Assembly. We lost out on those issues through direct rule.

I watched the Northern Ireland Office struggle under the weight of running an entire country, and I watched this place taken up with micromanagement, under which it is next to impossible to produce excellent results. I do not want direct rule, and neither do most people in this

Chamber—most especially the Secretary of State in all likelihood—but we now have no other option unless good sense and a desire to do what is right appear.

I turn to today's business and setting the budget. I have listened to my colleagues outline many of the pressing needs that must be addressed, and I wish to underline one of those needs in the short time I have remaining—the role of community funding. My right hon. Friend the Member for Belfast North (Nigel Dodds) spoke about that, and I do not think there is one Northern Ireland MP sitting here who is not faced with it every day. It is essential that the good work within our communities is enabled to continue. I have been contacted by the Eastend residents association, a great group in my constituency that applied for community funding through the social investment fund to build an extension on the community flat. The group provides a homework club, a pensioners club and a craft club, and it hosts a benefits advice centre and cross-party surgeries by elected representatives. The group is very much part of the community, across party politics. The group needs the extension to continue its work, and at this moment in time we are sitting in limbo; we do not know what is going to happen. We have been waiting for years for the extension, and the SIF funding was granted.

I am given to understand that all commitments will be honoured, but my issue is twofold. How many other groups will not be able to grow because they have no mechanism to access capital spending? How can underperforming young Protestant men in my constituency get out of the rut in which they find themselves if they do not have the community influence and the funding to help them find what they excel at? That applies to all the community groups in my constituency. It applies to the Glen Estate, the West Winds, Bowtown, Ballygowan, Scrabo Estate, Saintfield, Ballynahinch and Crossgar community associations. Every one of those groups has a project that it needs completed. If we cannot get the money into those projects, we cannot get that done.

What about Home Start and Positive Futures? They are also organisations that are waiting on funding. We need this money, and we need this budget in place to make things happen. That also applies to domiciliary care and other care packages.

My second issue lies in the actual funding formula. The £15.7 billion figure included in the Government's main estimate represents the cash grant payable to the Northern Ireland consolidated fund, which is also supplemented by funding from other sources, including the locally raised regional rate and borrowing under the reinvestment and reform initiative. That does not allow for any additional funding to be secured or raised.

The Secretary of State has been at pains to say that this is not direct rule and that it is simply allowing the Northern Ireland civil service to be allocated the funding as it believes has been agreed by the Department, but I believe there is no scope for political representation to change minds or to bring new information to light—some of my hon. Friends have referred to that. We are left with little accountability, which has previously been a huge problem in Northern Ireland.

I ask the Under-Secretary, in the absence of the Secretary of State, how the Government intend to ensure that this interim measure does not prevent worthy projects

[*Jim Shannon*]

—I have named a number—and the groups involved from getting funding, as they would have under the guidance of a Minister, had one been in place.

I know that few answers can be given at this stage, but the truth is that people need answers. My constituents need answers and they need certainty. All our constituents need those things. Unlike those who are notably absent, the DUP, the biggest voice of Unionism, is willing to work with the Government to bring about stability. That is important for the areas of health and education, but stability is also necessary in non-ring-fenced areas. We are looking to the Secretary of State and to the Government to provide it. The time is fast approaching when they will have to take firmer steps to deal with the issue of blatant non-compliance by Sinn Féin.

8.28 pm

**Emma Little Pengelly** (Belfast South) (DUP): I wish to make some short remarks. What we are doing today is necessary, but this is a deeply disappointing day for Northern Ireland, particularly as since devolution in 2007 so many people have worked incredibly hard to build the peace and democratic stability in the Province, both publicly and privately, politically and in relation to civic society. Today is a disappointing day, given the huge amount of work people have put in to try to make devolution work. It did work for a decade but we are not in a good place now, so it is welcome that the Bill has been introduced today but it is also disappointing.

Significant challenges had to be overcome in the course of the past 10 years. The fragility of the fledgling Government meant that considerable care and development was required, and in the DUP we pulled our weight and played our part in doing that. We remain committed to trying to get devolution restored for the benefit of all across the communities in Northern Ireland. Many times we looked as if we were on the verge of collapse in Northern Ireland, as we were having to face some very difficult issues, but hard work, perseverance and good will overcame those difficulties. Until the collapse earlier this year, we had sustained the longest period of government in Northern Ireland since 1972, and that was not easy.

There has been a reluctance on the part of some to call out what we have today, but what we have seen is Sinn Féin bringing down government in Northern Ireland and refusing to re-establish it—it is that simple. For those who argue that Sinn Féin is basing that approach on a principle, I challenge them to look back to what was happening this time last year and consider a six-month period. I ask them to look at the oscillation within Sinn Féin as to the reasons it was bringing down government, what it was seeking in negotiation, what its requirements were and what its barriers were to re-establishing the Executive. It took Sinn Féin a considerable time to decide that the Irish language Act was its key red line, as we see when we look back at its various statements. We sat in rooms waiting for Sinn Féin to come down so that we could see what it wanted, but it was far from clear what its position was for many weeks and months.

That says to me that Sinn Féin is using this particular issue, having identified in those discussions that the Irish language Act was a particularly difficult area. That is not just my opinion; it is a reality. The likes of an Irish language Act is a deeply divisive cultural and

identity issue in Northern Ireland, and it was always going to be difficult to overcome. That is precisely why those in Sinn Féin chose it as their single red line, emerging from that cacophony of decisions and discussions that they had at that time. Sinn Féin is holding the people of Northern Ireland to ransom as it stamps its feet with demands; it is putting a cultural agenda before issues such as health and education, and that is disgraceful. People are suffering: those on health waiting lists; parents needing special educational help; the homeless; the victims of historical institutional abuse, about whom we have heard; the businesses which need economic stability in order to grow; and the young people who need skills investment and jobs.

I will not go into the detail on the timetable of what happened again. As has been mentioned, I was the chairperson of the Finance Committee. Some people have said that this is a political point, but as chairperson of that Committee I can tell the House that there were a number of parties from across the Northern Ireland Assembly in that Committee and we agreed to send letter after letter to the Finance Minister, Máirtín Ó Muilleoir, showing our disgust and concern at the delay in bringing forward this draft budget. The current situation is not caused by the collapse of the Executive, because at the time of the collapse there should have been a budget in place.

That brings us to another critical point: Sinn Féin chose the timing of the collapse of the Assembly. Only Sinn Féin knew its plans and timings, and it could have produced a budget before it walked away. I made that point in the chamber of the Northern Ireland Assembly directly to Máirtín Ó Muilleoir; I asked why that timing was picked, given that in a matter of two weeks a budget would have been produced and put in place.

I worked with Sinn Féin for many years on the inquiry for victims of institutional abuse. Sinn Féin was acutely aware of the timing of that report coming out, but instead of waiting just another couple of weeks for the report to be produced and thereby facilitating the Executive making decisions before the collapse—let us face it: a couple of weeks either way would have made no difference to the public inquiry and the matter discussed at that time—it decided on that timing, without a budget, without considering the victims of historical institutional abuse and without giving that critical security and certainty to the Government Departments in Northern Ireland.

It was because of Máirtín Ó Muilleoir and Sinn Féin's decision, particularly on timings, that Departments and public services were thrown into a period of uncertainty and extreme and unfair pressure. Consequently, it is the people of Northern Ireland, across all communities, who suffer the most. Sinn Féin's decisions put us in the position we are in today of having to consider putting in place a budget in November, when no budget has been in place in Northern Ireland since right back in March. Even though we have heard some references to the indicative budget being put in place to allow Departments to plan, let us be in no doubt that the lack of certainty has fundamentally affected decision making and the roll-out of public services. Real people have been impacted by that.

I referred earlier to my entry in the Register of Members' Financial Interests. Health services in particular have been put in a completely unsatisfactory, pressured and difficult situation. Let us be clear: this is a matter of

life and death. People will have died because of the uncertainty and because decisions that Ministers needed to make and decisions that needed to be made about the budget could not be made. That is absolutely disgraceful.

I welcome the Bill, and I particularly welcome the decision to release £50 million from the DUP-Conservative party agreement funds. We have been making the case for some time that these funds are vital. Our public services in Northern Ireland are under huge pressure. It has already been mentioned, but in the discussions on that agreement and the funding, it was really important to the DUP that the money would go to public services to benefit absolutely everyone across all communities in Northern Ireland. The DUP will be there not to fight on narrow political issues or cultural agendas, but to do our utmost to deliver excellent public services for the people of Northern Ireland, regardless of their political view, religion, race or any other criteria. It is only if we work towards that that we will build.

I have heard reference to a shared future for Northern Ireland; we absolutely want a shared future in which the people of Northern Ireland are happy and healthy, living in a better and brighter Northern Ireland, within the United Kingdom. We will work to try to achieve that, but the challenge is for Sinn Féin: drop your red lines. We will go into government tomorrow morning. We have no asks and no demands. Get back to government and get delivering for the people of Northern Ireland.

8.37 pm

**Sir Jeffrey M. Donaldson** (Lagan Valley) (DUP): I commend my hon. Friend the Member for Belfast South (Emma Little Pengelly) for setting out so clearly where we are. I shall not focus so much on the detail of the budget, but on the circumstances that have conspired to bring us to where we are this evening.

I must say to the Secretary of State that I have listened carefully to what he has said, and he is someone I admire, and his patience and resolve are undoubted, but it concerns me slightly, as a British Member of Parliament representing a British constituency in Northern Ireland, that some seem almost apologetic that this sovereign Parliament is taking decisions that affect the British citizens I represent in Northern Ireland. We should not apologise for that. It is through the fault of others who have negated their responsibility that we have been brought to this point.

I served in the Northern Ireland Assembly and in the Executive. The decision by the Democratic Unionist party, which I am proud to represent, to go into government with Sinn Féin was probably the most difficult political decision I have had to make in my political career. It was a challenging decision to go into government with a party that I knew had members who were responsible for the planning and perhaps even the carrying out of the murder of members of my family, people with whom I had served in the Ulster Defence Regiment, friends I had grown up with and neighbours. Yet I and others were willing to set that aside in the greater interests of Northern Ireland—for the next generation, the young people. We were prepared to set that aside and say, “We’ll give this a chance.” I have watched Sinn Féin squander that chance. Yes, there are issues and difficulties that have led us to where we are now, but what are they when set alongside the history of Northern Ireland and its troubled past?

We are now in a situation in which we in this House must take decisions that really should be taken by the devolved Assembly and Executive. I regret that. I am a devolutionist and believe that government is best served and delivered when it is close to the people, which is why I want to see Stormont functioning for my constituents of Lagan Valley. We cannot continue with this impasse indefinitely. We cannot continue with the situation in which that democracy and that government are not being delivered. They are not being delivered because one party—potentially a partner in the Government of Northern Ireland—refuses to deliver it, refuses to take up its responsibility, and refuses to sit down with the rest of us.

If Sinn Féin members find it difficult to sit down with my party, they need to understand that we find it difficult to sit down with them, but we are prepared to do so in the interests of the people whom we represent. In the decisions that we have taken in our confidence and supply agreement with the Conservative party, we have demonstrated time and again a willingness to act in the greater interest, to set aside partisan advantage and narrow issues and to act for the greater good.

We cannot go on indefinitely like this; we cannot go on indefinitely with Government Departments in Northern Ireland having no political direction. It is simply unfair on the senior civil servants in Northern Ireland. It is unfair on those Departments that they do not have that political direction. As my hon. Friend the Member for Belfast South has said, this is literally costing people their lives. Decisions are not being made on interventions that would help people in desperate need of healthcare, and yet those people are waiting, waiting and waiting. The political decisions that are required are not being made.

There is, I suspect, a reluctance on the part of the Secretary of State and his colleagues to go any further than we are going tonight on direct rule. He has been at pains to say that this is not the first step towards direct rule. I understand where he is coming from. I understand the reason for the reluctance, but I say to him that I know the psychology of Sinn Féin. When we say to its members, “Don’t worry, we are not pushing towards direct rule,” does that encourage them to think, “Well, the Government aren’t going to take on their responsibility, so we will hang out a big longer, a bit longer and a bit longer”? Does it incentivise them to take on the responsibility that the people elected them to take on when we say, “Well, actually we are not moving towards direct rule.” It is not that we want to move towards direct rule, but Sinn Féin must face up to the reality, and the reality is that we cannot continue in a vacuum.

It is wrong that a part of the United Kingdom tonight does not have the political direction that the people expect and require and that my constituents deserve every bit as much as those who are represented by the party of the Secretary of State. We cannot sustain this position indefinitely—or even in the short term. There are too many crucial decisions, and too many lives that depend on those decisions, not least those of the victims of historical institutional abuse.

Earlier, I mentioned the victims and survivors of our troubled past who have been waiting for years for the establishment of institutions that will examine that past in more detail and that will enable those victims and survivors to go some way towards getting to the truth

[*Sir Jeffrey M. Donaldson*]

and gaining access to justice. Is it not cruelly ironic that the victims of the IRA are being prevented from having access to justice by the political party that supported the violence of the IRA for years? Where else would such a situation be tolerated? It is unacceptable.

Efforts are being made, and we will continue those efforts on these Benches—the DUP will redouble its efforts—to get agreement, but the Secretary of State needs to publish the proposals on legacy. He needs to put down a marker and say, “We’re going to wait but we won’t wait forever.” Let the public, the victims and survivors have their say on legacy issues. Let us get those proposals out; there is no good reason for delay. The Government need to act in taking the necessary measures and decisions—not because we want to wrong-foot others, but because it is what the people need and require, and it is what is in the best interests of everyone in Northern Ireland.

This budget is welcomed and the decisions that will flow from it are good and will be beneficial for many people, but we cannot continue with this impasse. The House must send a clear message this evening to the political parties in Northern Ireland, especially to Sinn Féin. If they are not prepared to step up to the mark, to take on the responsibility now and to start governing, this Parliament will do that job on behalf of the people of the United Kingdom and it will ensure that the people of Northern Ireland are provided with the political direction that they require within their Government Departments. There are people in this House who are prepared to step up to the mark and to play their role in supporting the Government in taking that forward, although we do so with some reluctance, because it is not our preferred outcome. Our preferred outcome is a functioning Executive; it is power sharing.

I find it rather ironic that I, as a Unionist, am the one in this House advocating power sharing in Northern Ireland, when for years it was the nationalists who told us that this was their key and core demand. And when it was delivered and they got it, what did they do? They walked out. They left. They abandoned power sharing. That leaves me wondering about the level of commitment. Are we in a situation where there are some who want to make Northern Ireland work, and others who conspire against making it work? Their credentials are on the line. I say to them, with the greatest of respect, that the DUP wants to be in government and we want to work with others, including Sinn Féin, to deliver for the people we represent. We are prepared to go into government today—no preconditions and no red lines. Let us get on with it. But this House has to send a clear message that if Sinn Féin is not prepared to do the same, this House is going to govern for the people of Northern Ireland.

8.47 pm

**Ian Paisley** (North Antrim) (DUP): I have had the opportunity to make a number of interventions throughout this evening’s debate, so I will make only some short remarks now.

I cast Members’ minds back to the middle of the last couple of decades, when we were going through the negotiation process. At that point, my party made it clear that it was reluctant to go into a particular government until certain demands were met. There were previous times before that when other Unionist parties made

similar claims and drew similar red lines. The then Government party and the then Secretary of State, who is now in the other place, made it clear that a certain train was departing a certain station, and that if the Democratic Unionist party and other Unionist parties were not on board, that train would depart without them. Not only would it depart without them, but government would then happen without them and they would be left sitting on their hands. In Lloyd George blackmail mode, that was what was held out to people in Northern Ireland, and it was clearly meant that that was going to happen.

The interesting thing at the moment is that there does not seem to be the belief on Sinn Féin’s side that the Government are actually prepared to follow through with such an offer. If the train is leaving the station, Sinn Féin should be on board and it should play its role. If it is not prepared to be on board, the train should depart without it and we should be allowed to govern without it.

The Government do not want that to be the case; they do not want it to be on the agenda. They want everyone to be singing and on board the same little train going forward. Well, if the members of one party are blocking progress, they cannot be allowed to pull the safety cord on that train, bring things to a halt and say that nothing else happens without them.

It is incumbent on the Government to recognise that if they are not prepared to let the train of devolution go forward without Sinn Féin’s participation on its terms and its terms only, it is about time that they stepped in and allowed devolution without Sinn Féin or had direct rule. Tonight, we are standing at that point. Will it be direct rule, or will it be devolution without Sinn Féin’s active participation? I do not think the Government have the guts to go for the latter choice, and I think they are now timidly being pushed towards direct rule.

I said in one of my interventions that it is essential that we do not have drift in Northern Ireland, because there is a certain type of Irishman who will fill the vacuum. We saw a bit of that yesterday in Omagh, and we have seen a bit of it today in Londonderry. Certain people will try to fill the vacuum with violence, and that is not acceptable.

The Government have to move, and move expeditiously. They cannot allow themselves to be seen to be pussyfooting or taking this issue quietly and slowly. They have to make sure that they take strides with determination to implement this budget measure and then, within a matter of weeks, move to the next phase of direct rule. That will mean preparation and money being spent on preparing the Northern Ireland Office to have new Ministers drawn into it from this place and from the Government side of the House to help govern Northern Ireland.

The decisions my constituents want taken with regard to healthcare, education and infrastructure will require ministerial direction and ministerial determination. It is unacceptable that we have a situation, starting tonight, where, no matter how nice a gentleman he is, the head of the Northern Ireland civil service will be completely unanswerable and unaccountable to anyone in this democracy. That situation is not acceptable, and we cannot let it run for weeks on end. It has to end immediately, and the Secretary of State needs to take determined steps to see that that is the case.

When the Secretary of State spoke tonight, he made it clear that civil servants will act within certain boundaries, but they do not have to do that. If they made a decision the Secretary of State did not like, he would have to take the head of the civil service to court. That situation is unacceptable, and it cannot be allowed to continue or even to get off the ground. We need to make that very clear.

The decisions that are coming up are coming up rapidly. Police pay, police recruitment and police retention are key issues we hear about every day and will require political direction. On other issues, Northern Ireland wants to be an events location. Next year, a major golf tournament is coming to the constituency of my hon. Friend the Member for East Londonderry (Mr Campbell). The year after that, there is the British open. Decisions will have to be made in January next year to let those events go ahead without any problem.

We will also have our Milk cup, or SuperCup, football tournament, and events to do with the North West 200. All the decisions on the finance of those events, and all the decisions to do with whether we have the Red Bull air races taking place in Northern Ireland, will have to be made in January. That will require political direction and political determination. Those decisions will not be taken by a civil servant; in fact, civil servants will be reluctant to go anywhere near those issues and to start making those decisions, because they might be too controversial for them.

As the independent chairman of the Northern Ireland taskforce on motorsport, I want to know, and I ask each week, what will happen to the needs of motorsport in Northern Ireland. It is a huge industry generating tens of millions of pounds for the local economy in many parts of our country, yet we do not have political decisions being made about how moneys will be allocated to events and events funding in Northern Ireland.

It is perverse in many ways that with tonight's decision we will be having more British rule in Northern Ireland—and with no more of an Irish dimension. The fact of the matter is that Sinn Féin has brought about a situation where it now appears to be in a worse place, as an ideology, than it was in 1997 and in 1985. While Unionism was on the back foot and being pushed out of its sense of place and sense of nationhood, we now have Sinn Féin putting its community in a very difficult situation.

**Mr Gregory Campbell:** Does my hon. Friend agree that it is supremely ironic that the decisions taken over the past few weeks and months by the party of “Brits out” has resulted tonight in “Brits in”?

**Ian Paisley:** I agree that it is a case of “Brits in”, but of course the British have never left, and could never be bombed out, bullied out, pushed out or got out, because it is our land—our country—and we are staying there, so I never really subscribed to the view that we were “out” in the first place.

The call to have an Irish dimension as part of this process has fallen on deaf ears. There is no role in the new mechanism that we are now in—this “twilight zone”, as it has been called—for the Irish dimension. That has left nationalists and republicans bereft of any sort of foothold in the process going forward. That is entirely their fault. We live in a divided community. We have a society that is split and we have to try to heal it.

We can do that only when we have responsible politicians on the side of Sinn Féin, the SDLP and others coming forward and being prepared to lead their community away from the abyss that they have taken it to. It is sad that they have decided to do that, but they have done it and it is their responsibility.

My party is up for devolution. We put an awful lot of effort into it. I know the sacrifice that was made by many people in my party and many people on these Benches. I know the personal sacrifice that was made by my father to get devolution up and running. It saddens me that it is coming to an end, but I shed no tears for it when I see the mess that some people would try to make of it. If people want to squander it and make a mess of it, let us bring it to an end and finish it. Let us have direct rule and get on with governing our people in a sensible way.

8.57 pm

**Stephen Pound (Ealing North) (Lab):** The hon. Member for North Antrim (Ian Paisley) has given a powerful coda to what has been, as those in all parts of the House would recognise, an extraordinarily well-informed and important debate on a desperately significant subject. There is not much doubt that an enormous amount of good will has been expressed towards the Secretary of State, and gratitude for the work he has done and the effort he has made.

If there is one thing that slightly depresses me about the debate, it is that we are probably going to have to do the whole thing all over again in a few months' time. As we approach the next financial year, many of us will be thinking of the consequences of setting a new budget for it. I am not saying that my Christmas will be totally destroyed—that this will completely tarnish the gilt or dull the sparkle of tinsel—but it will certainly be slightly diverted by thinking of that prospect ahead.

Every speaker has referred to the appalling circumstances and situations that are prevailing today. Omagh has been mentioned. I have grown into having a great affection for the people of Omagh in the many years that I have attended the commemoration of the horrendous massacre that took place on 15 August 1998, when, as we all know, 29 adults and two unborn children were killed. I remind the House, as if it needs reminding, that next year is the 20th anniversary. I am sure that many of us will wish to be present there to show solidarity with the people of Omagh.

There has been an enormous amount of good will, and I am particularly grateful for the statement that has been issued since the start of this evening's debate by Simon Coveney, Minister for Foreign Affairs and Trade, who has committed the Irish Government to continuing to work to facilitate as much discussion as possible to support the talks. We are grateful for that north-south dimension. *[Interruption.]* I am not entirely sure where that noise came from. It was a little bit close.

All the speakers this afternoon have said pretty much the same thing: we do not want to be here, but we accept the fact that we have to be here to do something. The hon. Member for South West Wiltshire (Dr Murrison) referred to the democratic deficit, and I think he put his finger on it. Most of the speakers referred to the fact that there is a lack of accountability, a lack of transparency and a democratic deficit. This may be a necessary evil, but it sticks in many people's throats.

[Stephen Pound]

I am grateful to the right hon. Member for Belfast North (Nigel Dodds) for mentioning the appalling circumstances of the Northern Irish football team; I think he was the only person to do so. We express our gratitude and respect to Steven Davis, particularly for the dignity he showed when Stuart Dallas was chopped down with an absolute leg-breaker that did not attract a red card, whereas a ball on the upper shoulder was given as a penalty in a disgraceful and reprehensible display of bad refereeing. We are, I hope, united on that.

The right hon. Gentleman referred to the wish to have a general election now, and he implied that there were those in the House who did not wish to have one now. I cannot always speak for my Labour friends, but we are more than willing to have a general election at any time the Government wish to mention. We are ready, and we are willing. When the nation calls, Labour will be there to answer that call; be assured of that.

The right hon. Member for North Shropshire (Mr Paterson) struck not a discordant note, but a slightly different note when he referred to his wish not to be beastly to the Northern Ireland civil service, but at the same time seriously to consider the benefits of direct rule. I almost thought that there was a job application in there somewhere. I hope that the rest of us feel that we do not wish to return to direct rule.

**Kate Hoey** (Vauxhall) (Lab) *rose*—

**Stephen Pound:** I will happily give way to my party friend and colleague.

**Kate Hoey:** I thank my party friend and colleague. He said something about Labour being there, and I wondered whether that meant that he was about to announce that, finally, the Labour party will allow people in Northern Ireland not just to join—it has done that only recently—but to put up candidates?

**Stephen Pound:** Time is short tonight, Madam Deputy Speaker. There are things that I could say, and there are things that I would be happy to say, but the tugging on the back of my coat from my hon. Friend the Member for Pontypridd (Owen Smith) cannot be denied.

The hon. Member for Edinburgh North and Leith (Deidre Brock) put her finger on it when she talked about hospitals and schools—and I hardly even need to mention the parlous state of the A5. There are things that need to be done, and we should get on with dealing with them. I think everybody accepts that. The hon. Member for Amber Valley (Nigel Mills) rather succinctly described what we are doing this evening as the “least worst option”. Not for the first time, he has discovered *les mots justes*, and I congratulate him on that.

In a typical contribution, the hon. Member for East Antrim (Sammy Wilson) stunned the Chamber, as he always does. He seemed to imply that we had lingered too long before introducing any legislation. We have already used section 59 of the Northern Ireland Act 1998 twice: once to passport 75% of the budget and then, in July, to passport 95% of it, so things have happened. He also implied—in a way that was untypically provocative for the gentle hon. Gentleman—that somehow the Labour party was not in favour of increased public spending.

We are in favour of increased public spending across the board. We want it in Wales, we want it in Scotland, we want it in England, we want it in Ealing and we want it in Northern Ireland. We are in favour of increased public spending; we are just not in favour of bespoke public spending.

If I may say so, the hon. Member for Havant (Alan Mak) spoke powerfully against the idea of direct rule, and he spoke with cogency and brevity. I would like to say the same about the hon. Member for Strangford (Jim Shannon)—I really would—but, not for the first time, the emotion, the power and the strength of his commitment to his constituency and his part of the United Kingdom forced him to expand further and extrapolate more than he probably wanted to do initially. However, his exegesis on this theme was welcomed by us all. I have never spent a few hours listening to him and regretted them.

The hon. Gentleman said that, after all, what we have is not “what the people want”, and I think that is so important. Not for the first time, my friend quite rightly put his finger on it by saying that this is not what the people want. The right hon. Member for Lagan Valley (Sir Jeffrey M. Donaldson) also cogently said that we cannot continue with this impasse, and how right he was.

I must say that the final speech, from the hon. Member for North Antrim, was statesmanlike and powerful. I hope he will not resent my saying so. He used the metaphor of a train leaving the station, which for many of us had echoes of Michael Collins and Lloyd George, but the trouble is that the train is not moving: it is stuck in the sidings and is not going anywhere at present. I would like to see the train moving, with all of us aboard that freedom train, but in the meantime, we have to inject the financial lubrication necessary to keep the wheels turning, and that is what we are doing tonight.

The Opposition will not oppose the Bill. Reluctantly, we will support this sensible measure, which keeps the show on the road, but we look forward to a devolved Assembly and a reconstituted Executive. I think that is something that every right hon. and hon. Member in this Chamber wants to see as soon as possible.

9.6 pm

**The Parliamentary Under-Secretary of State for Northern Ireland (Chloe Smith):** I thank the hon. Member for Ealing North (Stephen Pound) for his sober words, and for his party’s support for the Bill. I also thank the Scottish National party for its support.

I thank my hon. Friend the Member for South West Wiltshire (Dr Murrison), the right hon. Member for Belfast North (Nigel Dodds), my right hon. Friend the Member for North Shropshire (Mr Paterson), my hon. Friend the Member for Amber Valley (Nigel Mills), the hon. Member for East Antrim (Sammy Wilson), my hon. Friend the Member for Havant (Alan Mak), the hon. Members for Strangford (Jim Shannon) and for Belfast South (Emma Little Pengelly), the right hon. Member for Lagan Valley (Sir Jeffrey M. Donaldson) and the hon. Member for North Antrim (Ian Paisley) for their contributions. I thank the House for its support in general for this necessary although regrettable step that will keep public services running in Northern Ireland in the continued absence of a devolved Government.

I do not think that anyone in the House has welcomed the fact that the UK Parliament is debating the Northern Ireland budget. This step has been held off for as long as possible to allow a Northern Ireland Executive to bring forward its own budget in the usual way. However, the point at which that was possible has passed and no Executive have been formed so, in those circumstances, the step we propose today is the only appropriate and right one.

As my right hon. Friend the Secretary of State said, the Bill provides certainty and a measure of financial stability. By providing a full budget for this financial year, it ensures that civil servants—we owe them our thanks for working so hard to administer public services in the absence of Ministers—do not have to tackle the kind of cliff edge we might otherwise have faced. Although this is a Government Bill, it is not the Government's budget. It is based entirely on the advice of Northern Ireland civil servants, and the decisions that follow will remain for them to take.

Several hon. Members, including my hon. Friend the Member for South West Wiltshire, the Chair of the Northern Ireland Affairs Committee, asked why there was not more notice of our proposals. I would only repeat that we have tried as hard as possible to provide as much space as possible for a different course. We sought to allow the space for an Executive-formation Bill to be brought forward instead, and we then endeavoured to inform right hon. and hon. Members as much as possible about the detail of what we faced, albeit during a truncated period of time.

A number of hon. Members asked about the detail in the Bill. I emphasise that the decisions taken through the Bill remain a devolved matter. I will not go into the detail of the allocations, but I will respond to a few specific questions. The Chair of the Select Committee asked about the method by which the budget allocations have been set. To put it briefly, the House addresses the 2017-18 financial year through the Northern Ireland main estimates, which have been published today. The Northern Ireland Department of Finance prepared the estimates and made them available to hon. Members. They provide the line-by-line detail of how that civil service has allocated resources for this year. Further explanation has been made available to Members through additional briefing from the Northern Ireland Department of Finance.

I would make a further brief point in response to the hon. Member for East Antrim, who asked why there might be particular increases for the Department of Finance and the Executive Office. I emphasise again that those are matters for the devolved government to answer, but the hon. Gentleman will know, given his experience, that some of the figures are essentially transfers from one line item to another. He can address that further when he looks through the full detail of the estimates.

As we are delivering a budget on behalf of the Northern Ireland Assembly, some hon. Members have, of course, talked about accountability. We recognise that the situation is highly unusual, but that was why my right hon. Friend the Secretary of State outlined a proportionate approach to accountability, which we have put in place. I particularly welcomed the endorsement

of that approach by the Chair of the Select Committee, and I trust that hon. Members can look to it in the immediate next steps.

I echo my right hon. Friend the Secretary of State's emphasis on the Government's commitment to the restoration of devolved government. The debate reminds us that we need an Executive.

**Conor McGinn:** There has been little or no discord tonight about the desire of all of us to see devolution restored. What is the Government's plan for allowing that to happen? The Bill will pass tonight, but what will the Minister do tomorrow with the Secretary of State, the Prime Minister, the Irish Government and the political parties in Northern Ireland? Whatever has been done in the past 11 months has not worked, so something needs to change if the Assembly and the Executive are to be restored.

**Chloe Smith:** We have spent significant time on the future of devolution and what the next steps should be. That might have happened during our consideration of a technical budget Bill, but the House has discussed those matters tonight. The Government will continue to support the Northern Ireland political parties, working with the Irish Government as well, so that we move towards resolving the differences that have stopped an agreement from being reached. We are steadfast in that and in our commitment to the Belfast agreement. We will work tirelessly on that process from tomorrow morning.

**Vernon Coaker:** The debate has been good; there is general good will across the House towards Northern Ireland. The House will rightly support the budget proposals, but there is an impasse at the moment. No matter whose fault that is, a number of us want the Government to take concrete steps to support the restoration of the Executive and the Assembly. This is about not just rhetoric or wishful thinking, but concrete steps that will give us a chance of believing that the matter can be resolved.

**Chloe Smith:** I am grateful for that intervention. Several options remain under close consideration. My right hon. Friend the Secretary of State will continue his work with the kind of patience for which he has been roundly praised in the Chamber. Such work must continue. The Prime Minister will continue to give the process her wholehearted support and active attention. I will not go into further detail on the avenue down which the hon. Gentleman is trying to draw me, because our consideration of the Bill is not the appropriate vehicle for that. *[Interruption.]* Instead, we must pass this budget Bill and, with your support, Madam Deputy Speaker, I will conclude my remarks to allow us to do that.

The Bill is a necessary intervention in devolved matters, but it does not preclude the continuation of the talks. Indeed, it leaves spending decisions in the devolved space for a returning Executive to take, should the parties reach an agreement, which is what we all wish them to do. While leaving the decisions at a devolved level, the Bill none the less gives Northern Ireland Departments and other public bodies reassurance about their funding for the rest of the financial year. The people of Northern Ireland need that for their public services, and, as such, I propose that the Bill is read a Second time.

*Question put and agreed to.*

*Bill accordingly read a Second time; to stand committed to a Committee of the whole House (Order, this day).*

*Bill considered in Committee (Order, this day).*

[DAME ROSIE WINTERTON *in the Chair*]

*Clauses 1 to 8 ordered to stand part of the Bill.*

*Schedules 1 and 2 agreed to.*

*The Deputy Speaker resumed the Chair.*

*Bill reported, without amendment.*

*Bill read the Third time and passed.*

## **Parental Bereavement (Leave and Pay) Bill (Money)**

*Queen's recommendation signified.*

9.17 pm

**The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Margot James):** I beg to move,

That, for the purposes of any Act resulting from the Parental Bereavement (Leave and Pay) Bill, it is expedient to authorise:

(1) the payment out of money provided by Parliament of any expenditure incurred under or by virtue of the Act by the Treasury; and

(2) the payment of sums into the Consolidated Fund.

I pay tribute to my hon. Friend the Member for Thirsk and Malton (Kevin Hollinrake) for his work in getting the Bill to this point, and the effort he has put in to engage with stakeholders and Members to ensure it has cross-party support. I would like to take this opportunity to restate the Government's commitment to the Bill and their desire to see it succeed. The importance of the Bill is clear from the support for it across the House. We should therefore ensure that its financial element is clearly set out for the House to consider.

9.18 pm

**Gill Furniss** (Sheffield, Brightside and Hillsborough) (Lab): The Bill offers two weeks' paid leave to any employed parent who loses a child under the age of 18. Employed parents with at least 26 weeks' continuous service will also be eligible to receive statutory parental bereavement pay. As my hon. Friend the Member for Birmingham, Erdington (Jack Dromey) made clear on Second Reading, Labour supports the Bill entirely.

The Bill requires this money resolution to proceed because employers will be able to reclaim some or all of their costs from the Government. As the explanatory notes set out, the

"estimated cost to the Exchequer of 2 weeks' paid leave at the statutory flat rate (currently £140.98 a week) or 90% of average weekly earnings where that is lower, is £1.77m per year."

There will also be a one-off cost to amend Her Majesty's Revenue and Customs' systems, which is estimated at £1.25 million.

It is good that the Government have brought forward this money resolution to allow the Bill, which commands support on both sides of the House, to move into Committee. I hope that this is how they intend to proceed on all private Members' Bills that receive a Second Reading in this Session. I congratulate the hon. Member for Thirsk and Malton (Kevin Hollinrake) on championing the issue in the Bill and other hon. Members on both sides of the House on their work to ensure that grieving parents get the support they deserve.

9.20 pm

**Kevin Hollinrake** (Thirsk and Malton) (Con): I thank the Minister for setting out the financial implications of the Bill and for again confirming the Government's support for it. I, too, am delighted and grateful that there is cross-party support for the Bill. Given such support, I feel confident that it will become an Act and that employed parents who lose a child under the age of 18 will have the right to a minimum of two weeks away from work to grieve. We can all agree that it will reduce

the variation in the treatment—sometimes callous treatment—of bereaved parents by employers that sadly we have heard so much about.

The number of parents faced every year with the tragedy of losing a child is, thankfully, relatively low, so the cost of this important policy is therefore also relatively small. We can all agree that this will be money well spent on such an important provision. I pay tribute to the Minister for giving the Bill her full support. I am pleased to hear her reiterate the Government's support at such a crucial time and look forward to continuing to work with her and her Department to ensure that the policy works for employers and employees alike.

It would be remiss of me if I did not pay tribute to my hon. Friend the Member for Colchester (Will Quince), who has helped to guide important conversations on this issue. As I said in previous remarks on the Bill, we should refer to it as Will's Bill in recognition of his vital contribution. I also thank the all-party group on baby loss for its work and its continued efforts to champion the needs of bereaved parents. It is important that the momentum behind the Bill is maintained, and I urge all Members to support the money resolution.

*Question put and agreed to.*

## Business without Debate

### DELEGATED LEGISLATION

*Motion made, and Question put forthwith (Standing Order No. 118(6)),*

#### REGULATION OF SOCIAL HOUSING

That the draft Regulation of Social Housing (Influence of Local Authorities) (England) Regulations 2017, which were laid before this House on 14 September, be approved.—(*Craig Whittaker.*)

*Question agreed to.*

## Police Funding: Bedfordshire

*Motion made, and Question proposed, That this House do now adjourn.—(Craig Whittaker.)*

9.23 pm

**Andrew Selous** (South West Bedfordshire) (Con): I am grateful to Mr Speaker for granting me this important debate, and I am honoured to have the chief constable of Bedfordshire present.

Keeping the public safe is the highest duty of any Government, which is why I take this issue so seriously. Back in 2004, the concept of “damping” was introduced to the police national funding formula. As a result, Bedfordshire police receive between £3 million and £4 million a year less than the Government's own funding formula says it should. Bedfordshire police already have one of the smallest budgets of any force in England and Wales, at £102 million, and are in the lowest quartile of all forces for both budget and number of officers per head of the population.

For many years, Bedfordshire police managed to reduce crime on a reducing budget, and I understand, of course, that the Home Office has to play its part in helping the country to live within its means. Back in 2011-12, however, Bedfordshire had 1,264 police officers. It now has 140 fewer—only 1,124. In 2011-12 we had 128 police and community support officers. We now have 53, which is a reduction of 75. In 2011-12, we had 864 members of police staff. We now have 758, a reduction of 106.

**Mohammad Yasin** (Bedford) (Lab): Jon Boutcher, the Bedfordshire chief constable, is here tonight. About two months ago he said that, because of funding cuts, he did not have enough officers to respond to 999 calls. The situation is very worrying. Does the hon. Gentleman agree that it is time the Government listened to the chief constable?

**Andrew Selous:** I hope that the Government will listen to the chief constable, because damping—which, as I think the hon. Gentleman would admit, has been happening under Governments of both parties for a long time, starting in 2004—has had a cumulatively serious effect on Bedfordshire police.

Between 1 April 2016 and 31 August 2017, Bedfordshire experienced a 12.2% increase in crime, a 24% increase in the number of calls requiring an immediate response and a 48.9% increase in burglary, compared with the same period in the previous year. In my constituency, in 2013-14 Houghton Regis had an average of 391 crimes per month, which has risen by 13% to 440. In Dunstable an average of 235 crimes a month has risen by 24% to 292, and Leighton Buzzard's average monthly crime has risen by 57%, from 136 to 214. I am acutely aware of the impact of rural crime, particularly on people in isolated communities. Many years ago, Bedfordshire police officers lived in the villages for which they were responsible, but that is no longer the case. We are also dealing with an unprecedented level of unauthorised Traveller encampments, which further increase the demand on already overstretched police resources.

Between 2011-12 and 2017-18, the Bedfordshire police force has already achieved savings of £34.7 million, but Her Majesty's inspectorate of constabulary and fire and rescue services has spoken of

“an inability to maintain a preventative...presence across Bedfordshire.”

**Jim Shannon** (Strangford) (DUP): Will the hon. Gentleman give way?

**Andrew Selous:** I will, briefly.

**Jim Shannon:** Given the number of police officers who have lost their jobs and the number of forces whose size has decreased, I assume that community policing also faces a downturn. Does the hon. Gentleman share my concern about that? Does he recognise the importance of policing that not only interacts with the community, but serves as the eyes and ears of the police force?

**Andrew Selous:** The hon. Gentleman is exactly right. Community policing plays a vital role in prevention.

In Bedfordshire, 40% of the force's activity takes place in Luton. While there is insufficient police capacity to deal with the challenges in that town, it means that the rest of Bedfordshire has less than its proportionate share of police cover, for which its residents also pay. A small police budget that has suffered from 13 years of damping would be serious enough even without the fact that Bedfordshire faces unusually high levels of serious threats and criminality which are not normally dealt with by a force of that size.

Let me spell this out. Bedfordshire has the third highest terror risk in the country, and its police force must deal with the fourth highest level of serious acquisitive crime in England and Wales. It has a higher proportion of domestic abuse offences per head of population than the much larger forces of Greater Manchester, West Midlands, Thames Valley and Hertfordshire, and 40% of all firearms discharges in the eastern region take place in Bedfordshire. The number of reports of missing persons between April and June this year was 350% higher than the number during the same period in the previous year. As a Bedfordshire Member of Parliament, I am not happy that the people of my county do not enjoy the same levels of police protection and response in an emergency as are available to the people of Hertfordshire and Thames Valley. We pay no less tax than they do, so what is fair or right about that?

In one incident of gang-related violent disorder this year, no response resources were available and CID detectives went to the scene with no uniform or protective equipment, and a number of officers were injured as a result. In one incident in Luton recently, a single female officer made three arrests on her own and called for assistance, which took eight minutes to come while she was in danger. At present, each Bedfordshire police officer is expected to investigate 12 to 13 crimes at any one time. The level of stress affecting Bedfordshire police officers is leading to burn-out and psychological and physical illness; that is unacceptable, as we owe them a duty of care.

Bedfordshire police are not able to respond to all the daily calls seeking a fast response, nor to all the daily incidents requiring a community response. Recently a Leighton Buzzard businessman being threatened by a man wielding a metal bar dialled 999 and officers failed to attend.

As guardians of taxpayers' money, the Government are absolutely right to demand efficiency, effectiveness and value for money from our police forces. Bedfordshire police have already achieved £34.7 million of savings between 2011-12 and 2017-18. Bedfordshire also already has one of the most extensive blue-light collaboration

programmes in the country, and its tri-force collaboration is improving effectiveness and delivering savings. Some 25% of its resources are already allocated to tri-force and regional collaboration.

**Mohammad Yasin:** Last year, four shootings took place in one night in my constituency, and the police helicopter took more than an hour to respond. Does the hon. Gentleman agree that gun crime is on the rise because of a shortage of police officers?

**Andrew Selous:** I set out the increases in crime on the record for the House just now.

Bedfordshire Police's unarmarked reserves are only £3 million, the absolute minimum they should be allowed to fall to. Merger with Hertfordshire and Cambridgeshire would not be agreed by those two counties on the current level of Bedfordshire police funding. Further savings could only be made by reducing the already inadequate frontline resource.

Planning is already under way for over 50,000 new homes across Bedfordshire over the next three years and a large number of those are likely to be rated at less than band D council tax, which leads to a much reduced income from the police precept. Bedfordshire police believe they need a minimum of 300 more officers and 80 more detectives in order to provide an acceptable service. An increase of 300 officers would only be a net increase of 160 officers on the number the county had in 2011-12.

I am indebted to the *Leighton Buzzard Observer* newspaper for printing a few years ago an article by former Leighton Buzzard police officer Neil Cairns, who pointed out that in 1988 Leighton Buzzard and Linslade had 12 civilians, one inspector, six sergeants and 27 constables; that is a total of 34 warranted officers in the town's station. Today, 29 years later, Leighton Buzzard has eight officers and three PCSOs; that is a reduction of over three-quarters in the number of warranted officers in the town, which is the third largest in Bedfordshire. Bedfordshire Police has also recently stated that Leighton Buzzard has a larger number of officers than are currently based in Dunstable or Houghton Regis.

I have run out various statistics this evening, but statistics are dry. Let me illustrate the impact of burglary on one of my constituents, a Dunstable resident who wrote to me last week:

"My young daughter arrived home this week to find we had been burgled and it took the police more than an hour to attend. During this hour anything could have happened to my child and this situation is completely unacceptable. Please note that we have been burgled four times within the last five years and I now fear for the safety of my family."

He goes on to ask whether he should consider leaving the area, as he does not feel supported as a contributor to the town. I want to be able to give that constituent, and indeed all my constituents, the reassurance they need and deserve.

In 2001, when I was first elected to this House, I stood on a platform of restoring the 88 police officers that had been lost to Bedfordshire under the previous Government. In 2005, when elected to the House for the second time, I stood on a platform that committed the Government to recruiting an extra 5,000 police officers

nationally every year. By holding this debate tonight, I am holding true to the pledges I made to my constituents when they first gave me the honour of serving them in Parliament.

9.35 pm

**The Minister for Policing and the Fire Service (Mr Nick Hurd):** It is a great pleasure to reply to the debate, particularly given the way in which it has been framed by my hon. Friend the Member for South West Bedfordshire (Andrew Selous), who we know to be highly respected in the House for his moderation, his reasonableness, his long-standing passion for fairness and for pressing for reassurance on the resourcing of the police in Bedfordshire. I know from our private conversations that he has now reached a point of extreme frustration. He has had a number of conversations with various Ministers on this subject over many years, and he has been tireless in championing this cause, for reasons that we wholly understand.

Let me make three points in response to my hon. Friend. The first is that the Government get it: the challenges facing Bedfordshire police are well understood. I am delighted to see the chief constable, Jon Boutcher, in the Gallery tonight listening to the debate. Both he and my hon. Friend will be aware that these concerns about the funding of Bedfordshire police have been raised for some time. Indeed, the Home Office sent in a batch of officials in July 2015 in response to previous concerns that had been expressed about the stability of the police effort there.

It was largely for that reason that one of my first visits, having been made Minister for Policing, was to Bedfordshire, back in July. I met the chief constable and the police and crime commissioner, Kathryn Holloway. I also patrolled Bedford with officers. I feel that I left with a good understanding of the challenges facing the police force, which is managing a large rural area and two major towns. It is an area with considerable challenges relating to the counter-terrorism effort and to serious organised crime. It has also seen a significant increase in demand on a system that already feels stretched. The force has felt strongly for some time that it has a shortage of officers and detectives. In this debate and on previous occasions, my hon. Friend has used the good example of Leighton Buzzard as a place where the profile of policing has changed considerably over the years. That message is well received.

Secondly, I want to congratulate Bedfordshire police, and I hope that my hon. Friend will join me in that. I congratulate not only the current leadership of Kathryn Holloway and Jon Boutcher but the frontline officers and detectives who are working under considerable pressure at the moment. It is worth noting the commitment to frontline policing that has been demonstrated by that leadership. I note that there are slightly more police officers in service now than there were in 2016—there are 36 more—and that the force is actively recruiting. There is a commitment to maintaining frontline policing.

I also note that considerable savings have been made since 2011 by Bedfordshire police, as is the case in other forces as well. I can see what is happening with the force's quality improvement programme, the estate rationalisation, and the extensive collaboration with other forces, notably Cambridgeshire and Hertfordshire, all of which is to be applauded. I note that reserves are

being used and that when Bedfordshire is asked to lead, whether in the context of the Eastern Region Special Operations Unit, the counter-terrorism intelligence unit or the joint protective services in the tri-force, it does so excellently and is highly respected for its leadership. All that is important to recognise, particularly given the context of considerable stretch and strain on resources.

From my conversations with Commissioner Holloway and the chief constable, I know that they both work tirelessly to challenge and improve the independent inspectorate's judgments on efficiency and effectiveness. It is a source of controversy and challenge in Bedfordshire, but the facts are that the independent inspectorate, which has an incredibly important function in terms of driving improvement across the police system, judged Bedfordshire in its 2016 assessment as requiring improvement for efficiency and inadequate at effectiveness. Those judgments have been challenged, and the leadership is working tirelessly, as I said, to improve those ratings. However, we must recognise the challenging context and that comparable forces in what we call the most similar group—Essex and Kent—are rated good in all those categories while receiving funding per head that is equal to or lower than Bedfordshire's. That is not a criticism; I simply want to place it on the record that there is continued room for improvement in efficiency and effectiveness. Everything that I have heard from the current leadership is that they are absolutely up for that challenge and working towards it.

My third point relates to what the Government are doing about this situation. Although actions will speak louder than words—I hope actions will soon be forthcoming—let me try to reassure my hon. Friend that we are determined to ensure that the police have the resources that they need while continuing to challenge them to be more efficient and effective. I am delighted that he recognised that it is the Government's role on behalf of the taxpayer to continue to hold police forces' feet to the fire and to push them to be even more efficient and effective. We are determined to ensure that they have the resources they need, which is why police funding was protected in the 2015 settlement. As proof, direct resource funding going into the police stands at over £11 billion, which is up £100 million on 2015.

**Andrew Selous:** I note the Minister's typically fair comments about the comparator forces, but does he agree that what distinguishes Bedfordshire's case is the unusual level of challenge coming from Luton, from the terror issues and from the particular and serious nature of the crime mix within the county? When those things are put together, Bedfordshire's case is genuine.

**Mr Hurd:** I reassure my hon. Friend that I totally understand why he would say that, and it is an argument that is made by the leadership of Bedfordshire police. Comparisons are always a little awkward, but Kent does have additional counter-terrorism demands due to the presence of major ports and Essex has responsibility for Stansted, which is the fourth-busiest airport in the UK—those forces do have pressures. I do not necessarily want to labour that point; I am trying to reassure my hon. Friend. After years of pressing the police to find savings and efficiencies, to which they responded extremely impressively, the decision in 2015 was to try to protect police funding. The total amount of taxpayers' money going into the police system money is significantly up on 2015, but—

**Andrew Selous** *rose*—

**Mr Hurd:** There is a “but” and I will get to it after my hon. Friend’s intervention.

**Andrew Selous:** I take the point about Essex and its airport, but I am sure that the Minister is aware that Luton is the country’s fifth-largest airport and is rapidly expanding.

**Mr Hurd:** I totally accept that point, and I think I said in my earlier remarks that we have to recognise the challenges specific to Bedfordshire police.

The “but” I was coming to, having said what I said about the decision to protect police funding, is that we recognise that the context is changing, although not necessarily dramatically. Since 2015, the state of the public finances remains very constrained, as my hon. Friend well knows. There is evidence that demand on the police is rising and changing. The police are having to spend more time on safeguarding the vulnerable and on responding to increased demand in areas of complexity, such as domestic violence, modern slavery and counter-terrorism, and as a Government we have to recognise that.

We also have to recognise that there are very real cost pressures on the police system, not least in the recent pay award. That is why, as my hon. Friend knows, since my appointment in June I have personally led a review of every single police force in England and Wales. I have spoken to or visited all 43 of them, including Bedfordshire, to make sure that, alongside the other work we are doing, the Government genuinely understand what is happening out there: the shifting demand on the police; how the police are responding to manage that demand; what their current plans are for improving efficiency and effectiveness, because that matters a great deal; and what their plans are for managing their reserves, which are considerable.

I recognise that Bedfordshire is using its reserves, and I recognise that, as a percentage of revenue, Bedfordshire’s reserves are below the national average, but across the police system something like £1.6 billion of public money is tied up in reserves. The public and the taxpayer deserve to know about those plans in a lot more detail than we have had in the past. That is part of the review process I am leading.

**Mohammad Yasin:** Two months ago, the chief constable said that he did not have enough resources to attend 999 calls and that, as a result, the people of Bedfordshire

were not safe. Is it not now time for the Government to act urgently on the chief constable’s call for more funding so that the people of Bedfordshire are safe?

**Mr Hurd:** I am not a tribalist, but every time someone asks for more money, Labour’s answer is, “Yes. How much?” We will be more demanding in that respect, because we also act on behalf of the taxpayer. Public safety is priority No. 1 for any Government, and particularly for this Government, and although we are determined to make sure the police have the resources they need, we will continue to challenge them as to how they are using existing resources and how they can improve their efficiency and effectiveness ratings, as in the case of Bedfordshire, because that is what the public demand and deserve.

The point I am trying to elaborate is that the Government are listening. We recognise that the operating context has changed. There is a consistent message across the police system about that shift in demand and the strain on the system, and not just from Bedfordshire. That is why we are listening very carefully. We want to take decisions based on evidence not assertion, and those decisions will come before the House in the Government’s provisional grant settlement proposal, which I hope will come in early December. That will be the fruit of this review and the discussions we have had over many months with police leadership and the independent inspectorate to update our understanding of what is happening out there in terms of demand on the police system.

My hon. Friend the Member for South West Bedfordshire has been very tenacious and persistent on this front, so let me reassure him that public safety is the Government’s No. 1 priority. We of course have a responsibility to make sure the police have the resources they need. We have a responsibility to adapt if we have a clear picture of what is happening out there in terms of shifts in demand and cost pressures. We are grateful to the police for their co-operation in that process. I ask for a little more patience from him on the long journey he has had since being elected here. I hope that before the end of the year we will be able to come to this House with proposals for the 2018-19 police funding settlement. We are absolutely determined to make sure that this country has the most effective and trusted police force in the world. That is what we want for this country and that is what we want for Bedfordshire.

*Question put and agreed to.*

9.49 pm

*House adjourned.*





# Westminster Hall

Monday 13 November 2017

[MR ADRIAN BAILEY *in the Chair*]

## Referendum on Scottish Independence

4.30 pm

**Martyn Day** (Linlithgow and East Falkirk) (SNP): I beg to move,

That this House has considered e-petitions 180642 and 168781 relating to a referendum on Scottish independence.

It is a pleasure to serve under your chairmanship, Mr Bailey, in what I am sure will be an interesting and lively debate. I thank the Petitions Committee for allowing me introduce the two petitions before us. The petitions are diametrically opposed, representing opposite views on essentially the same issue—Scottish independence and how that should be determined. One of the petitions is entitled, “Another Scottish independence referendum should not be allowed to happen”, and it reads as follows:

“We in Scotland are fed up of persecution by the SNP leader who is solely intent on getting independence at any cost. As a result, Scotland is suffering hugely.”

The other is entitled, “Agree to a second referendum on Scottish Independence”, and it reads as follows:

“The actions of the UK government after the Brexit vote do not align with the people of Scotland. We are not bigoted. We are not racist. We welcome everybody based on their contribution, not on where they come from. The UK government does not behave in this way and so we must LEAVE.”

Petitions by their nature express a grievance, as both petitions make clear. It is not possible simultaneously to support the premise of both petitions, as my electronic mailbag has demonstrated over the last few weeks in the number of emails I have received supporting or opposing either position. I have selected a few representative excerpts that sum up the debate among my constituents and to give a flavour of what has been said. One says:

“I ask you to argue that the sovereign will of the Scottish people must be respected.”

It is interesting that although that point was made by somebody who opposes an independence referendum, very similar points were made by those who support one. A constituent said:

“I would ask you to take a motion to investigate precisely whom effected a constituent coup, that precluded the majority from being respected.”

Again, I directly quote a no petitioner, but similar points were also made by those arguing in favour of an independence referendum. Another said:

“the people voted to remain part of the U.K.”.

That is a historically factual position. Another email said:

“I would like to remind you that NO means NO.”

I will come back to that point. One said:

“I strongly urge you to continue to investigate keeping Scotland in the EU.”

That was a very common feature, again from both sides. Another wanted to work

“to help attract skilled workers to create a better and diverse Scotland in the future.”

Other emails stated:

“There is a democratic deficit, seen by such things as EVEL; there is a need for independence”,

and

“Brexit has caused a material change and our views are being ignored.”

It is, however, possible simultaneously to oppose both positions, as several correspondents suggested. That is best expressed by the following quote:

“Scottish independence and Scottish sovereignty don’t require the permission of Westminster. They require ours”—

a view that I have considerable sympathy with.

There is quite a range of varied opinions. It is quite clear from just that snapshot, which I hope flavours the arguments of both sides of the debate, that the underlying thought process clearly is whether someone supports self-determination, and how they think that would be best determined.

**Ian Murray** (Edinburgh South) (Lab): I am grateful to the hon. Gentleman for giving way so early in his speech. Quite rightly, he makes a balanced argument for the positions of the two petitions, but before he moves on to the substantive part of his argument, will he tell us how many people signed each petition?

**Martyn Day:** I refer the hon. Gentleman to the Library briefing as I cannot remember the exact figures, but significantly more signed the petition opposing independence than signed the one in favour. However, what is more important in the debate is democratic mandate, which I will come on to and which changes that dimension considerably.

Without any doubt, the strongest and most repeated argument of constituents opposed to another independence referendum is basically that the matter has been determined and that “NO means NO”, as I quoted earlier. However, circumstances change. People have the democratic right to revisit any decision or policy if they wish at any election.

**Hannah Bardell** (Livingston) (SNP): My hon. Friend is making a powerful and balanced speech. Does he agree that, in many ways, running a country is like running a business: as circumstances change, people have to look at their options, re-evaluate and re-address, and nothing should be ever be ruled out?

**Martyn Day:** I agree with my hon. Friend and I could not make that point better myself. We had universal suffrage for the first time in this country in 1928, but we did not stop the ball at the 1929 election; we continued to have democratic elections on a regular basis.

**Douglas Ross** (Moray) (Con): Were Alex Salmond and Nicola Sturgeon wrong to say that the referendum was a once in a generation event—a once in a lifetime event? The posters for the yes campaign said, “One opportunity”. Were they wrong to do that?

**Martyn Day:** I cannot give an opinion on someone else’s personal opinion.

**Douglas Ross:** It is your party’s opinion!

**Martyn Day:** If the hon. Gentleman wishes to intervene again, I will let him. It is up to the Scottish people at any election to decide what platform they wish to endorse, which is a point I will come to. The principle is that in 2016, at the Scottish Parliament election the Scottish National party was voted in with a mandate to potentially—

**John Lamont** (Berwickshire, Roxburgh and Selkirk) (Con): You lost your majority—your vote went down.

**Martyn Day:** Would the hon. Gentleman like to intervene? No. I will continue. The SNP was elected in 2016 with a clear mandate from a vote in the Scottish Parliament that was re-endorsed by the Westminster election.

**Kirstene Hair** (Angus) (Con): Does the hon. Gentleman agree that losing 500,000 votes in the recent election is quite a clear indication that the people of Scotland did not want another independence referendum and wanted his party to take it off the table?

**Martyn Day:** It is worth pointing out—I will speak slowly for diction purposes, lest I am misheard—that in my previous career I was a banker, and that it is a simple piece of arithmetic that 35 is a majority of the Scottish seats. It trumps 13 plus four plus seven.

**Paul Masterton** (East Renfrewshire) (Con): Can the hon. Gentleman use his career in banking to tell me the percentage difference in the number of voters who backed pro-independence parties and those who backed anti-independence parties?

**Martyn Day:** I cannot give the hon. Gentleman that figure, but I am sure that if he has it at his fingertips, he will intervene to give it to me.

**Christine Jardine** (Edinburgh West) (LD): Will the hon. Gentleman give way?

**Martyn Day:** I will come back to the hon. Lady in one moment. If we believe in a parliamentary democracy using the system that Westminster uses—I have a lot of complaints about that and want a proportional system of representation at all elections—then we have to accept that a simple majority is a win under this democratic approach.

**David Linden** (Glasgow East) (SNP): Does my hon. Friend see the irony that the Government party, whose Members have turned up in large numbers here—I wish they would do so in debates on universal credit, for example—argues for democracy, but its candidate for Perth and North Perthshire lost at the election so was stuffed into the House of Lords, and is of course the Secretary of State's understudy in the Scotland Office?

**Martyn Day:** I do indeed see the irony and I oppose the House of Lords as a whole on principle, not just on that point.

To continue with the substantive part of my speech—I am sure that I will provide many opportunities for everyone else to intervene—

**Mr Alister Jack** (Dumfries and Galloway) (Con): Will the hon. Gentleman give way?

**Martyn Day:** The hon. Gentleman does not know I am going to say next, but of course I will.

**Mr Jack:** The hon. Gentleman mentions the new Under-Secretary of State moving from Perth and Kinross to that job. Does he think that it is appropriate for the former Member for Gordon to move to RT?

**Martyn Day:** I do not think I will deign to answer that—that is not part of a democratic process.

Circumstances change and people have the democratic right to revisit any decision or policy at any time they choose at an election. The 2014 referendum is simply a case in point. It is pretty clear to me that the United Kingdom that the people of Scotland voted to remain in in 2014 no longer exists. During the referendum campaign, Ruth Davidson and the then Secretary of State for Scotland, the right hon. Member for Orkney and Shetland (Mr Carmichael), assured voters that a yes vote was a vote to leave the EU. He is sitting beside me, and I am sure he will correct me if I am wrong on that. But where are we now? The UK is clearly no longer a strong or stable member of the EU. It looks like we are pretty much on a shoogly nail on our way out.

**David Duguid** (Banff and Buchan) (Con): Does the hon. Gentleman not agree that the content of the document “Scotland's Future”, of which I have a screenshot, shows that the yes campaign in the 2014 referendum clearly knew and campaigned on the fact that Brexit was a possibility, and that, even armed with that knowledge, the Scottish public still voted to remain in the United Kingdom?

**Martyn Day:** It is also a matter of record that I and many of my colleagues campaigned strongly on the view that the best way of staying in the European Union was to vote yes and leave the United Kingdom, which now shows remarkable premonition.

**Hannah Bardell:** I thank my hon. Friend for being so generous in giving way. On the point by the hon. Member for Banff and Buchan (David Duguid) about Scotland's place in Europe, does he agree that it was excellent to see a Government actually put together a proposition and a document, unlike the Conservative Government, which did not write a single thing down in the run-up to the Brexit referendum and will not even publish their post-Brexit economic impact assessments?

**Martyn Day:** I thank my hon. Friend for making that very strong point. A substantial White Paper was produced on the 2014 referendum.

Before the last round of interventions, I was talking about EU membership. The point that I want to make is that independence for Scotland does not depend on Brexit, but Brexit clearly shows us what can happen when we do not control our own future. I remember that during the referendum campaign, Cameron, the Prime Minister at the time, told us that a no vote was “not for the status quo”, while the right hon. Member for Doncaster North (Edward Miliband) told us:

“A No vote will mean faster, better change.”  
Where are we now?

That brings me on to the vow by the three Westminster leaders, who promised us extensive new powers for the Scottish Parliament. Sadly, those promises have been broken and all but forgotten about.

**Ross Thomson** (Aberdeen South) (Con): The hon. Gentleman talks about promises made during the campaign. Would he like to explain what happened to the second oil boom that John Swinney promised during that campaign?

**Martyn Day:** We hear fear stories about oil at different times. In my political career, which spanned 16 years as a councillor before I was elected to Parliament, oil has been one of the Brigadoons of Scottish politics. It is always running out or a burden to us when there is an election, and there are always new finds and windfalls afterwards.

The point that I wanted to make is that choice must always be informed. I try to be fair and balanced, and I hope that everyone here agrees that I am trying to open the debate in an even-handed manner. If I have one criticism of the 2014 referendum campaign, it is that the yes side, in which I participated—I am as much to blame for this as anyone—often projected a message of “change but no change”, while the no side clearly did the opposite, projecting a message of “no change but change”. Far from settling the issue, that left us with what became an emphatic “not yet” holding position, which combined with the failure of the winning side to respect the terms of their own mandate leaves us where we are today.

We were assured that a no vote would result in a union of equals, the closest possible thing to federalism and a guarantee that we would stay in the EU. By contrast, I and people like me on the pro-independence side respected the decision, and we did not plan even to consider having another referendum on such a short timescale, but circumstances change. [*Interruption.*] Circumstances change. Perhaps if the Government had delivered on the promises made during the referendum this situation would not have emerged.

Perhaps both petitions have been overtaken by events. Both predate the 2017 snap election, which provided the public with a political opportunity to express their democratic views on this and other issues, the result in Scotland being yet another win for the SNP and the pro-independence movement. As I said earlier, with 35 seats, we have a majority in this House from the Scottish electorate. We were elected on a clear pledge—I will quote it to remove any confusion—that

“any continued Tory attempts to block the people of Scotland having a choice on their future—when the time is right and the options are clear—would be democratically unsustainable.”

I have seen nothing to change my mind about that as we head towards a Brexit cliff edge.

It will not have escaped anyone’s notice that we have had a number of referendums recently, including the 2014 Scottish independence one. Indeed, I have witnessed 12 referendums across the UK in my lifetime, half of which directly affected Scotland and four of which I was eligible to take part in—and I did so fully in each case. As hon. Members will no doubt be aware, all 12 referendums were of a constitutional nature of some sort, and there is a clear pattern that major UK and devolved nation constitutional issues are now determined in that way.

That leads me to the question of process: is a referendum the correct method to decide on Scottish independence? If we believe in democracy, there are logically only two routes by which we can make such a decision: the parliamentary route or by public plebiscite. The debate has moved on considerably in my lifetime from the days when we took the view that having a simple majority of SNP MPs at Westminster was the route to negotiate for independence. Even Thatcher accepted that route, and her successor Major made the point that no nation could be

“held irrevocably in a union against its will”.

How do we express that will?

**Christine Jardine:** Although we would all agree that no nation can be held in a union against its will, the expressed will of the Scottish people was that they would stay within the Union.

**Martyn Day:** As I have said a few times, circumstances change. The 2016 election gave a mandate. That was reinforced by a vote in the Scottish Parliament—I hope that everybody respects parliamentary sovereignty—and further reinforced by the election of 35 SNP MPs to this House earlier this year.

**Ian Murray:** On a point of order, Mr Bailey. I am sorry to interrupt proceedings when the hon. Gentleman is making such a powerful speech, but given that he is presenting the debate on behalf of the Petitions Committee, I wonder whether he will at any point get to the arguments for why we should not have a second independence referendum.

**Mr Adrian Bailey (in the Chair):** I am not sure that that is a point of order, but the hon. Gentleman has made his point none the less.

**Martyn Day:** The last two Westminster elections have seen a clear majority of SNP MPs democratically returned by the people of Scotland, but under the UK’s first-past-the-post system, that is not democratic enough. For a truly democratic decision, we must secure the majority of the votes cast, not merely the majority of elected representatives. I say that as a democrat. That said, representative majority is the only democratically expressible way for a mandate to hold another referendum to be established. How else could we get to the plebiscite view? Of course, independence referendums are used frequently across the globe to determine such issues, and I am aware of at least 30 nations having gone on to become members of the United Nations after taking that route. I look forward to Scotland following them.

As I have said, the Scottish people can give their politicians an electoral mandate at any time they wish. In the last Scottish Parliament elections in May 2016, the SNP achieved the largest constituency vote in the history of devolution and was again returned to Government with a clear manifesto commitment. I will read the full commitment, because it is very important:

“We believe the Scottish Parliament should have the right to hold another referendum if there is clear and sustained evidence that independence has become the preferred option of a majority of the Scottish people—or if there is a significant and material change in the circumstances that prevailed in 2014, such as Scotland being taken out of the EU against our will.”

Those are two very clear conditions, one of which looks like it may be about to met.

**Mr Jack:** If that is what the SNP genuinely believes, why did it hold a vote in the Scottish Parliament on a second independence referendum when opinion polls showed that less than 50% of people were in favour of having one? Of course, that was an Achilles heel for the SNP going into the last general election.

**Martyn Day:** I thank the hon. Gentleman for that intervention, but I hoped that I had clarified that point by reading out the full position in our manifesto. There are two conditions in it: a clear and sustained majority for independence, or a significant material change, and the example we gave is being played out in front of us just now. Indeed, it is very timeous that we are debating this issue as the European Union (Withdrawal) Bill enters Committee stage, which might fulfil that democratic mandate of ours.

However, we are not out of Europe yet. I say this as someone who was strongly pro-remain, but I hope that the disaster of Brexit can be avoided and that the will of 62% of the Scottish people can—

**The Secretary of State for Scotland (David Mundell):** Will the hon. Gentleman give way on that point?

**Martyn Day:** Certainly.

**David Mundell:** It is very important that it is on the record for the 500,000 SNP “yes leavers”—the people who voted to leave the EU—that the position of the SNP is to block the UK leaving the EU. I think that is what the hon. Gentleman just said.

**Martyn Day:** I would be quite happy to block the UK leaving—I say that unashamedly as a remainer. I hope that we can create a situation in which the 62% of the Scottish people can have their wishes respected. The Scottish Parliament put forward a sensible compromise position, which comes a long way from where I would start but allows us to stay in the single market.

**Stephen Kerr (Stirling) (Con):** Having heard what the hon. Gentleman just said and his earlier description of himself as a democrat, what is democratic about overturning a referendum of the people of the United Kingdom, when on the ballot it clearly stated that the issue was the United Kingdom’s membership of the European Union? He just said that he will do what he can to block us leaving. What is democratic about that?

**Martyn Day:** I thank the hon. Gentleman for his comments; I will come on to that in my speech. We have a clear mandate: 62% of the Scottish people voted to remain. We have a different constitutional opinion from the UK: we believe in sovereignty of the people, not necessarily sovereignty of Parliament. Our people have expressed a democratic wish and I am striving to maintain that. However, if we do not manage to maintain that position, we clearly have the potential for another route and a second referendum.

As I was saying, unlike the UK view of parliamentary sovereignty, the Scottish view clearly states that sovereignty rests with the people, so it will be for the Scottish people to decide. That view is well entrenched from the claim of right and legal precedent, but I want to bring us to a more recent one, because this debate is about Scottish

independence and the referendum we held. People may remember the Smith commission, which did not live up to many of our hopes, but paragraph 18 of its report states:

“It is agreed that nothing in this report prevents Scotland becoming an independent country in the future should the people of Scotland so choose.”

That was signed off by all the political parties in Scotland—a very democratic position.

**Jamie Stone (Caithness, Sutherland and Easter Ross) (LD):** If we cast our minds back to the beginning of the year and the end of last year the First Minister of Scotland went out to consult the Scottish people, to see how they felt about a second independence referendum. We heard an awful lot about that, and we read about it in *The National*—[*Interruption.*] Well, two people bought *The National* and I was one of them. After that, we heard nothing at all. Will the hon. Gentleman share with us what the results of the First Minister’s survey were?

**Martyn Day:** I think the hon. Gentleman has probably answered his own question. It was the First Minister’s survey, not my survey, and I do not have the answers. If I did, I am sure I could have found hundreds of quotes to support the argument I am making and kept the debate going for the rest of the sitting, but I want to make progress and allow other Members to get in.

I made the point that we have the right—or we should have the right—to make the decision, established by our principle of sovereignty of the people. How best can we achieve that when the time is right? I look back to the 2014 referendum, in which I played a large part for more than two and a half years. That referendum was praised by the Electoral Commission as setting the gold standard for civic engagement and participation. The commission went on to note that

“The Scottish independence referendum was well run, with high levels of voter satisfaction in the voting process.”

It added:

“The atmosphere in polling places was reported by police, staff and observers to be good natured throughout the day.”

That was certainly my experience in the north of West Lothian, where I was campaigning on the day. While people had differing opinions, there was a good-natured democratic outpouring, and we still benefit from that today, as it is still there in civic engagement across society.

The commentator Iain Macwhirter described the 2014 referendum as being

“like the velvet revolutions in eastern Europe, Scotland’s national movement was non-sectarian, peaceful and rigorously democratic.”

That sums up my experience in Linlithgow, in the north of West Lothian, working with many people from different political parties.

**Christine Jardine:** While I fully accept that that was the hon. Gentleman’s experience, it was not the experience of a whole lot of us, who found the referendum divisive and damaging. There are still families who do not speak to one another. Perhaps his experience is not universal.

**Martyn Day:** There is clearly an attempt to rewrite history: the word “democratic” has been erased and replaced with “divisive”. It was democratic and it was

empowering. That is the message that we have to take forward, and that is what any future referendum has to be as well.

I have no doubt that that was achieved as a result of the consensus that stemmed from the Edinburgh agreement and the securing of the section 30 order: a democratic and consensual approach to politics between Scotland's two Governments. In that, a clear route map has been established for how a referendum can be best carried out in future.

The reasons for independence are important. Much of what I have spoken about has been on process, but I hope that, as the debate continues with other speakers, we will get on to "why?" Let me give my own tuppence-worth. It will be no surprise to people that I often wear a "yes" badge—I am proud about my involvement in that—but the reasons are more important than just about being in or out of Europe, although that is important at the moment. I hope that Scotland can become a fairer and more equal society. That requires us to have the full levers of power to make Scotland a more successful country. Now, 70% of tax and 85% of welfare powers remain in the control of Westminster; the Scottish Parliament has no say over immigration, and it is powerless to prevent the Trident weapons of mass destruction sitting a few miles from our largest city. We need an alternative to the economics of austerity, where our Scottish Government are not restricted to merely mitigating some of the worst aspects of Westminster.

Independence—this is worth saying again from a democratic point of view and as a lifelong SNP member—is about more than the SNP. Scotland now has a multiplicity of pro-independence groups, with a broad home-rule movement pushing the case for independence. No amount of huffing or puffing in Westminster will decide whether Scotland is to become independent or not. Indeed, it will not even be decided by who shouts the loudest back in Scotland. It will be decided by the Scottish people, and at a time of their choosing.

**Douglas Ross:** On a point of order, Mr Bailey. I ask you to reflect on the earlier point of order, along with parliamentary authorities and indeed the Petitions Committee—

**Mr Adrian Bailey (in the Chair):** Order. If the hon. Gentleman remembers, I said that that was not a point of order. He cannot make a point of order about something that was not a point of order.

**Douglas Ross:** We are now looking at the entire 26-minute speech by the hon. Member for Linlithgow and East Falkirk (Martyn Day). I wonder—

**Mr Adrian Bailey (in the Chair):** Order. The hon. Gentleman is making a point of debate.

Before I call the next speaker, may I first say how good it is to see such an enormous level of interest here, as reflected in the attendance on a Monday afternoon? This presents some difficulties in management, because effectively we have only two hours of general debate. I need to caution Members that they will have roughly five minutes each. If Members go on after five minutes, I might start to get very agitated and indeed see fit to impose a time limit. I ask all Members to respect the right of others to make their contributions in the debate and confine their remarks to five minutes. I call Douglas Ross.

4.58 pm

**Douglas Ross (Moray) (Con):** Thank you very much, Mr Bailey. It is a pleasure to serve under your chairmanship. I say not as a point of order but perhaps to put it on the record that I am extremely disappointed that in 26 minutes the hon. Member for Linlithgow and East Falkirk (Martyn Day), speaking on behalf of the Petitions Committee and looking at two petitions, spent most of that time on the petition for a second independence referendum, which was supported by 38,000 people, and almost ignored the 221,000 people who supported the petition against a second independence referendum. I hope that after the debate the Petitions Committee will reflect on who it nominates to speak in such debates to ensure that petitions discussed together get equal merit.

In Moray in 2014, as in many parts of Scotland, people were engaged and encouraged to get involved in the independence referendum, but they did so in the clear knowledge that it was a once-in-a-generation event—a once-in-a-lifetime event. Indeed, as I said in my intervention, both the current leader and previous leader of the Scottish National party said there would be one opportunity—one opportunity for people to say whether they supported independence or opposed the separation plans of the SNP. In Moray, there was a 58% vote saying "No, thanks" to independence. I was proud to be part of the campaign, but I was immediately disappointed by the SNP's continued campaigning, and its continuing with the separation narrative despite the conclusive result of the 2014 referendum.

Because of that, the party that apparently governed Scotland was so obsessed with separation and independence that it took its eye off the ball in doing the day job. The SNP has had a continued central belt bias in the Scottish Parliament, moving towards centralising a number of issues. For example, Police Scotland is currently without a chief constable. The Scottish Police Authority has been without a chairman since June, and now they want to integrate the British Transport Police into Police Scotland. Already the organisation of Police Scotland is under significant strain, yet the SNP wants to centralise further.

**Brendan O'Hara (Argyll and Bute) (SNP):** Could the hon. Gentleman expand on the idea of central belt bias? Argyll and Bute takes in everything from Campbeltown to Tiree, and we have an SNP MP, and an SNP MSP. If there is such central belt bias, why does rural Scotland vote SNP in the west?

**Douglas Ross:** It certainly does not vote SNP in the north-east, where I overturned an SNP majority of more than 9,000 to gain a Scottish Conservative majority of 4,000.

**Jamie Stone:** The hon. Gentleman will agree with me that it is no surprise that, for that matter, electors do not vote SNP in one of the remotest and largest constituencies in rural Scotland—my own.

**Douglas Ross:** Absolutely—the hon. Gentleman makes a point that I hope to expand for the hon. Member for Argyll and Bute (Brendan O'Hara). Policing is an example of centralisation, and so are the health services. The hon. Member for Caithness, Sutherland and Easter Ross (Jamie Stone) and all other non-SNP politicians

[*Douglas Ross*]

are campaigning against the centralisation of health services in their remote part of Scotland. The point that I am trying to put across is that the SNP Government are obsessed with separation at the expense of the local issues that we need to focus on and concentrate on. [*Interruption.*]

**Mr Adrian Bailey (in the Chair):** Order. I am trying to ensure that everyone has an opportunity to speak. If I feel that anyone is making unofficial contributions from the Back Benches while another Member is speaking, I may change my mind and decide that they have already had their five minutes.

**Douglas Ross:** Thank you, Mr Bailey. I could go on to mention the failures of the SNP Government over the common agricultural policy, and rural communities that have been let down because the SNP takes its eye off the ball and focuses on independence and separation rather than the issues it should deal with.

We must also consider why such a large number of petition signatories have continued to tell the SNP Government that they do not want a second independence referendum: they know the benefits of our Union. In that Union we trade four times as much with the rest of the United Kingdom as with the rest of the European Union. The Union also delivers with respect to the Defence estate, in constituencies such as mine. There are two major military bases in Moray—the Kinloss Army barracks and the RAF base at Lossiemouth. [*Interruption.*] I am sorry, but I will not listen to ridiculous comments. The RAF base has had record investment by the UK Government, and it will be one of the main bases for fast jets anywhere in the United Kingdom. That is possible only because Scotland voted in 2014 to remain in the UK, rather than separating from it.

Many hon. Members will contribute to the debate, and will want to say why our constituents voted no in 2014 and remain no-voting constituencies in 2017 and beyond. The SNP may say that it has a majority of seats, but at the most recent general election, SNP Members lost 21 colleagues. I hope that they will reflect—and surely they will—on going from 56 seats to 35. [*Interruption.*] We certainly did not lose 21 seats. The SNP must listen, instead of lecturing. I hope that it accepts that we said no in 2014 and we meant it.

5.4 pm

**Martin Whitfield (East Lothian) (Lab):** It is an honour to serve under your chairmanship, Mr Bailey. I offer my congratulations to the Petitions Committee and, to some extent, to the hon. Member for Linlithgow and East Falkirk (Marty Day), on representing half the argument. Most of all, I thank all those who signed a petition, both those who seek a second referendum—38,515 people, of whom 612 came from my constituency—and, indeed, the 221,514 who oppose a second referendum, of whom 3,742 were from East Lothian, making it a pleasure for me to represent that half of the discussion this afternoon.

This summer marked 20 years since Scotland voted decisively for devolved governance. I am sure that hon. Members would welcome me highlighting the constitutional

significance of that vote and its impact on Scotland's politics. Devolution fundamentally changed Scottish democracy. The Scotland Act 1998 was one of the most significant pieces of 20th century legislation, and I am proud that the Labour party passed it, during its time in office. That settlement was only possible because of people like one of my predecessors, the great J. P. Mackintosh, who articulated a vision of Scottish devolution long before many others did so. As the late Donald Dewar said,

“His ideas had a lasting influence”

and he was

“a powerful advocate for devolution...John was something of a prophet, a mighty champion of reform at a time when constitutional change was not an approved and certainly not a fashionable cause. At the core he always placed democratic control, the empowering of the people. He did not base his argument on nationalism. It was not the glorification of the Nation state. It was never Scotland right or wrong. His vision was good government, an equitable democracy, that borrowed, elevated, created opportunity for the citizen.”

Therein lies the truth of the petitions—a desire and a cry for opportunity for citizens.

In 1997 in East Lothian, nearly three quarters of people supported the historic transferral of powers. Devolution was not set in stone: it has rightly been extended and improved along the way. However, the First Minister of Scotland was wrong when she talked about independence as a natural extension of devolution. The people of East Lothian, who backed devolution with a 75% vote, overwhelmingly voted to reject independence; the 62% vote was one of the highest in Scotland. It is clear, therefore, that the people of East Lothian and the people of Scotland want devolved governance but not independence. The majority of people in East Lothian recognise that devolution was created to empower Scotland and the Union, not to pull them further apart.

During the recent general election, I ran on a promise of no second independence referendum. I know that some Members of this House do not agree, but the evidence from across East Lothian was that they did not and do not want a second independence referendum. Of those who cast a vote, 70% voted for a party that did not want a second independence referendum. Twenty years after the devolution settlement, the First Minister spoke of fostering the

“spirit of consensus...achieved in 1997”.

I believe that any future referendum would be in contempt of that consensual spirit, which is why the petitions and this debate are so important. I ask Members to cast their minds back to 2014, after the independence referendum, when the Right Rev. John Chalmers spoke at a hearing in church about reconciliation. He spoke of a “momentous time” that resulted in some being elated and relieved, and others being desperately disappointed. He said it was a

“time to unite, a time to walk together”—

to act with responsibility, maturity and grace, and come together for a common good: the future of their country. Prior to the vote, Mr Salmond championed his “Team Scotland” of negotiators, who would comprise politicians from across the political divide, as well as key experts from outside politics. Its non-partisan membership would demonstrate

“the wish of those of us on the Yes side to move forward in a consensual way once the people have spoken.”

The people spoke. I ask where, then, was the moving forward in a consensual way? The then Labour shadow Foreign Secretary, Douglas Alexander, echoed the words of John Smith about the

“politics of opponents. Not enemies.”

He went on to say it would be important to ensure that Scotland did not “divide more deeply” after the referendum.

Given the turmoil that lies ahead, what we all need is a united Scotland; not the glorification of the nation state, not “Scotland, right or wrong”, but a vision for good government and an equitable democracy—one that should borrow, elevate and create opportunity for its citizens.

5.10 pm

**John Lamont** (Berwickshire, Roxburgh and Selkirk) (Con): It is a pleasure to serve under your chairmanship, Mr Bailey. As we have already heard, this debate is about two conflicting petitions. One calls for a re-run of the vote we had in 2014 and was signed by around 38,000 people, while the other reflects the views of the vast majority of Scots, who say, “We’ve had one vote. Let’s move on,” and is signed by 221,000 people, including more than 3,000 of my constituents. That is a symbol of what is abundantly clear: most Scots do not want another independence referendum. Poll after poll shows that support for separation has fallen. Poll after poll shows that the majority of Scots, including many yes voters, do not want another divisive referendum.

This year, 500,000 voters deserted the Scottish National party because of its obsession with having another go. I would have thought by now that the SNP would have got the message. Hon. Members across the parties who are here today know one thing to be true: there is no demand from the Scottish people for another independence referendum. Since the First Minister made her bid for another referendum earlier this year, not a single opinion poll has shown demand for one. It is perhaps surprising, then, to see so many SNP Members here today to make their case for independence. Given the pressure that their Westminster party leader is under, many will ask whether it is just an audition for the SNP’s next Westminster leader.

**David Linden:** Will the hon. Gentleman give way?

**John Lamont:** I will make a bit more progress.

I do not dispute that the debate over our country’s future during the 2014 referendum was lively. It encouraged passions the likes of which had not been seen in our democratic process. It encouraged debate, and encouraged voter engagement and turnout the likes of which we will probably never see again, but it also divided. It divided streets, villages, cities, communities and towns. It divided friends and families.

That debate also caused uncertainty. People decided not to invest in our country, not to buy houses in our country or move there until the constitutional future of Scotland had been settled. Because of that and my belief in our United Kingdom, one of my key promises to voters in the borders in the general election was that I would oppose a second independence referendum. I therefore stand here today to urge the SNP Scottish Government to listen to borderers and to listen to Scotland. There was a time when the SNP listened to voters:

“To propose another referendum in the next parliament without strong evidence that a significant number of those who voted No have changed their minds would be wrong and we won’t do it.”

Those are not my words, but the words of the First Minister herself. Every day that the Scottish Government refuse to take another referendum off the table is another day on which the First Minister breaks that promise.

I do not shy away from making the case for Scotland’s place within the United Kingdom—a case that is stronger now than it was in 2014. I have no doubt that people in my constituency would back the United Kingdom in even greater numbers if there were another vote, but now is not the time to have that debate again. I believe that people are opposed to another referendum for two reasons. First, they had a long constitutional debate, which resulted in a fair and decisive referendum with a record turnout. Both sides agreed to respect the result. For many of us, that vote was not a pleasant experience; it was divisive and damaging. People do not want to go through that all over again. The other reason people are against another independence referendum is that even the threat of another vote is damaging our economy and distracting the Scottish Government.

The Scottish economy has grown by 0.5% in the last year, compared with 1.5% across the whole United Kingdom. Small businesses in Scotland are significantly less confident about the future than their UK counterparts. In an already uncertain time across the UK, companies north of the border face a whole extra layer of volatility. In the borders, the uncertainty is even more damaging because so many jobs and businesses are based just across the border in England. The threat of another referendum makes it more difficult for Scotland to secure a good Brexit deal, because Scotland’s two Governments are fighting internally and not together. Meanwhile, the things the Scottish Government has power over, such as Scotland’s schools, hospitals and police services, are falling behind.

The SNP needs to come to terms with losing the referendum. The SNP needs to accept that the people have had their say. The SNP needs to acknowledge that the threat of another vote is harming Scotland’s economy. The SNP needs to listen to the borderers. The SNP needs to listen to Scots, and the SNP needs to remove its threat of another referendum.

5.15 pm

**Jamie Stone** (Caithness, Sutherland and Easter Ross) (LD): It will come as no surprise to the hon. Members gathered here today that I have no intention of supporting the notion of a second independence referendum for Scotland. I want to share an experience I had during the referendum period. It will be no surprise to the SNP Members here that I was involved in the Better Together campaign. I was at the top of a ladder, up a lamp-post in the town of Alness in Easter Ross, putting up a “No, thank you” poster. Around me there gathered a crowd of people who were not of my persuasion. I was called a traitor and told, “Get off that ladder and go back,” and all the rest of it. At that precise moment, while I was at the top of the ladder, my mobile rang. It was my wife. That was the point when Scotland’s future hung by a thread, and my wife said, “Darling, will you be sure to remember the milk and the cat food?” That brought me back to reality.

I want to talk about what other hon. Members have already referred to: the divisions. More than anything now, we have to put everything else behind us and heal those divisions. As other hon. Members have said, it got

[*Jamie Stone*]

very, very bad indeed. I do not want ever to see that again in Scotland, because it did not reflect on us as a country in any good way whatsoever.

**Douglas Ross:** Does the hon. Gentleman share my concern that, while the petition against a second independence referendum speaks in its preamble only of Scotland's suffering because of the SNP leader's obsession with independence, the petition in favour of a second independence referendum mentions that those who support one are "not bigoted" and "not racist", thereby implying that those who do not potentially are bigots and racists?

**Jamie Stone:** We have to move away from that language. I appreciate the hon. Gentleman's sentiments, and I also thank him for his comments about the problems we have experienced with the health service in my constituency. It is not for today, but there is a problem in that the SNP, or any governing party of whatever colour, must be seen to serve the outlying different areas of Scotland in ways that do not disadvantage them.

That is for another day. Let us think about the positive things around which I think all of us across this Chamber today can unite. Scotland, for many hundreds of years, has been an outward-looking nation. Why do we have these words in our Scottish dialect? Why do we talk about a hashet for the plate on which we carve a gigot of lamb? Why do we talk about a swarree? That is the French influence. Why do we have Dutch tiles in Fife? Why did Wick, in my constituency, export enormous amounts of herring to the Baltic? It was because Scotland was traditionally outward-looking and dealt with nations right across the world. That is something we should be proud of, and that is what we should concentrate on in the future. Whatever side we were on in Brexit, Scotland has a role in the world, and it is a positive one.

We can unite on that, but to do so we must put the divisions behind us. I am repeating myself, but they were bad, ugly, and they brought friend against friend and brother against brother. That is unfortunate, and I think we could agree on that. In closing, I must say well done to the hon. Member for Linlithgow and East Falkirk (Martyn Day) for taking so many interventions in such a cordial and well-mannered way.

**Ronnie Cowan** (Inverclyde) (SNP): I want to redress this imbalance. My constituents in Inverclyde voted almost 50:50; we lost by 86 votes in the referendum campaign. I do not recognise this position of "family against family" or "street against street". We do not have that feeling. We have got on with our lives and moved on. I will not hear that the people of Scotland turned against each other.

**Jamie Stone:** The hon. Gentleman said himself that it was 50:50. I wish I had a TARDIS and could transport him back to the streets of Inverness in the last days of the referendum campaign so he could see how ugly it got. It was not pleasant, it did not reflect well on us as a nation and we should grow up, move away from it and never, ever do it again.

5.20 pm

**Luke Graham** (Ochil and South Perthshire) (Con): It is a pleasure to serve under your chairmanship, Mr Bailey. In this year's general election campaign, I stood on a

platform of opposing a second referendum, as did all Conservative Members, so it will be no surprise that I will speak against another referendum today.

On 18 September 2014—just over 1,000 days ago—the people of Scotland voted to reject independence from the United Kingdom. More than 2 million people voted to remain part of the UK, which is more than the number of people who voted to remain in the EU and more even than those who voted for the SNP in 2015 or, indeed, in any election since. It is therefore clear that remaining part of the UK is the principal constitutional choice of people in Scotland. To be clear, Scotland is not just part of the UK—it is the UK. It was a Scottish king who united the crowns, who made the lion and the unicorn stand together and who commissioned the union flag. He recognised the value and opportunity of Britain, and so do the majority of our constituents.

The fact that a petition opposing a second referendum was signed by nearly 200,000 more people than signed the petition supporting a second referendum makes clear the true voice of people in Scotland. Indeed, the petition in support did not even reach the 100,000 signatures that it needed to be considered for debate, and had to piggyback the 220,000 signatures opposing a second referendum. As hon. Members will appreciate, all polls indicate that a second referendum is not welcome. A poll taken only last month showed that only 39% of Scots support another referendum, compared with 52% who now oppose one—not just now, but next year or even in five years. That is two of Nicola Sturgeon's generations.

Supporters of Scottish independence may ask why that is. First, there was the breaking of the promise that the referendum would be a once in a generation, once in a lifetime event. Secondly, there is the benefit of the Union to Scotland. The most recent Government Expenditure and Revenue Scotland figures—the SNP Administration's own figures, I might add—revealed a Union dividend worth £1,750 per head in extra spending for Scotland. Meanwhile, as we know, Scotland exports four times as much to the UK as to the EU, making the UK single market the most valuable barrier-free single market to Scotland. Thirdly, the threat of a second referendum is creating damaging uncertainty for the economy, and most people in Scotland do not want our country plunged into another divisive campaign. That is borne out in the statistics. Business investment is down 7.6% on the last year, and growth in quarter two of 2017 was just 0.1%, versus 0.3% for the UK as a whole.

I am an optimist, but unfortunately I do not expect the SNP to give up its quest to separate Scotland and end the UK. However, the SNP can surely see that the uncertainty and division is not helping our constituents while the key devolved areas of education and healthcare need serious attention to return us to No. 1 in the UK for education and to reverse the fact that Scotland has the lowest life expectancy of all the nations of the United Kingdom. To put it simply, people want us to move on. They want politicians to offer positive solutions to the problems we face in education, transport, agriculture and international trade, and to move our country forward, not continually question its very existence. The constitution stirs passions, but this divides our community and does not move forward our conversations.

We have heard talk of how fantastic the 2014 referendum was, and many of us were engaged in that campaign, but it was not entirely positive. I know of one story from a now Conservative party member in my constituency, who is now a councillor but who at the time of the referendum was not. He went down to the polling station with his wife, actually undecided; he did not know whether he would vote yes or no. He was asked in the polling station, “Which way will you vote, sir?” He said, “I haven’t decided yet; I intend to keep this private.” His wife was asked the same question, and she repeated his answer—she was not sure. But when she said that with her English accent, the campaigner at the door of the polling station said, “When we win, we will take you back to the border and kick you back to England.” That was a real comment—it comes direct from one of my constituents who is now a Conservative councillor in Clackmannanshire. He had to endure that. Although I am sure that SNP Members always encourage a positive tone of debate, they have to recognise that the referendum and the constant constitutional wrangling is divisive for our constituents and does not help unite us as a people. We already have a major constitutional change on the horizon, and at this moment we need to focus on getting the best possible deal for us all across the United Kingdom.

In 2014, the Scottish people decided on a legal, fair and decisive referendum to remain a strong part of the UK. The Edinburgh agreement in 2012 committed both the UK and Scottish Governments to respecting the outcome of the Scottish referendum, which is why people are clear that now is not the time for a second referendum. If SNP Members stuck to their words, they would agree that it should not be the time any time soon, either—perhaps not even for a real generation.

5.26 pm

**Ian Murray** (Edinburgh South) (Lab): It is a pleasure to serve under your chairmanship, Mr Bailey. I am slightly disappointed, as are many hon. Members, by the introduction we heard from the member of the Petitions Committee. I did not hear one argument for our not having a second independence referendum. Given the balanced way that the hon. Member for Linlithgow and East Falkirk (Martyn Day) could have made his case, I should have thought that he might have spent at least 55% of his opening speech on that argument.

Here is the bombshell: 2 million is larger than 1.6 million, and 55% of the Scottish people voted to remain part of the United Kingdom. I have no truck with the SNP as regards its continuing to agitate for a second referendum—that is why it exists—but I would hope it would realise the impact that has, not only on the Scottish economy but Scotland as a country. When people went to the polls and made their democratic choice to stay part of the United Kingdom, that should be respected, and for a number of reasons. First, it is democratic, but secondly, we were promised by the proponents of an independent Scotland that the referendum would be “once in a generation” or, indeed, “once in a lifetime”. When proponents said that and people went to the polls and put their cross in the box, whether yes or no, they should have been able to trust what people had said. I will not come on to what many Conservative Members did during the Brexit referendum, but people should be able to trust what people are saying during referendums and take that forward on their own basis.

I come at the debate from a slightly different perspective from people who have spoken already, and that is the perspective of jobs, livelihoods and prosperity in my constituency. Some 66% of my constituents voted to remain part of the United Kingdom, which is something I promised to respect—as did many other hon. Members here—not just at the 2015 general election but also the 2017 election; it was very much the question on the doorsteps in ’15 and ’17. The hon. Member for Linlithgow and East Falkirk says that the SNP won the 2017 election, but he should be marginally more humble about that result and not take the Scottish people for granted. If the SNP won the election, as he claims so emphatically, why is it not holding a second independence referendum if it feels it has that mandate?

There is a lesson in here for the Scottish people. Regardless of the First Minister, the entirety of the Yes campaign or the SNP—I appreciate that there are nuanced differences between those groups—if a second referendum is put on to the back burner, or even if the First Minister stands up and says we will have no talk of a second independence referendum, what will bring it back on to the front burner? People voting SNP in other elections. We have heard this afternoon that that is where the SNP sees the mandate as coming from, so a second referendum will never properly be on the back burner while the SNP continues to agitate for it.

Let us look at the economic case in terms of jobs and livelihoods. Scotland lags behind the rest of the United Kingdom in growth, jobs and the sustainability of the economy, and investment is not as high in Scotland as across the rest of the United Kingdom. That economic case for a second independence referendum is completely shot. Constituents come to me all the time and say, “We’re three years on from the independence referendum, and five to six years on from the start of this process, and we still don’t know the answers to the fundamental questions. What happens to our pensions? What currency will we use? What will our lender of last resort be?”—and, and this is a crucial one, because it is a key argument of the hon. Member for Linlithgow and East Falkirk—“Will we or will we not be part of the European Union?”

I still do not know the Scottish Government’s position on the European Union. They know they have to play to a number of people who voted yes to independence and voted to leave the European Union. They know they have to play to that base, in terms of whether Scotland will go back into the European Union—*[Interruption.]* If somebody from the SNP wants to intervene and tell me whether it is the Scottish National party’s position to go back in as full members of the European Union, I am happy to give way.

**Angus Brendan MacNeil** (Na h-Eileanan an Iar) (SNP): One of the hon. Gentleman’s colleagues who I was on the radio with said that if Scotland voted no in 2014, it was a vote to stay in the European Union. Where does that promise stand now?

**Ian Murray:** There has been a democratic vote, and a democratic petition on how it went has been put to the Petitions Committee, and I wish we were analysing that.

I will finish, because I want to leave other hon. Members time to speak. It is quite clear in my own constituency that 3,622 people took the time and effort to sign a petition to say that they do not want a second

[*Ian Murray*]

independence referendum, because of all the issues around the economy, culture and taking Scotland forward. They have made that decision already. Only 500 people in my constituency voted for a second independence referendum. We must listen to the public and hear what they are saying. For the sake of the Scottish economy and for the future livelihoods and prosperity of my constituents, let us say no to a second referendum and take it off the table permanently.

5.31 pm

**Bill Grant** (Ayr, Carrick and Cumnock) (Con): It is a pleasure to serve under your chairmanship, Mr Bailey. I will be very brief.

The Edinburgh agreement was signed in October 2012 following discussions with representatives of five political parties. The Scottish Government were enabled to set the question, “Should Scotland be an independent country?” and to extend the franchise to 16 and 17-year-olds. There followed on 18 September 2014 what I would describe as a fair and transparent referendum, but I will add a wee caveat. As a number of hon. Members have said, it was not sweetness and light. It was not a perfect transition. There were brutal verbal attacks. I will not go into the trolls on the internet.

In my home town of Ayr, which I love passionately, in the 14 to 16 weeks prior to the referendum—I will choose my words carefully—I was accused by yes supporters of being an Anglophile, a traitor and born out of wedlock, or words to that effect. It was the most brutal period in politics of my life, but it was a fair and transparent referendum. It was held in Scotland for Scottish people. There was an 84.6% turnout; I do not think there has been a greater turnout before or since. The people of Scotland responded well.

**Angus Brendan MacNeil:** I am an Anglophile. What is derogatory about being called an Anglophile?

**Bill Grant:** Nothing, but it came with associated words that I will not use in this Chamber. The hon. Gentleman would have to ask that person what he thought I was. It was delivered to me, and I took from it that I was a supporter of the English and was not a patriotic Scot.

**Angus Brendan MacNeil:** I am a supporter of the English.

**Bill Grant:** The hon. Gentleman should direct that to the person who said it. I was the recipient of it, so I cannot answer that one. I will use his colleague’s get-out-of-jail-free card.

The turnout was 84.6%. Scotland should be proud of the turnout and proud of the result, which was for no. More than 2 million people voted no and to remain in the United Kingdom.

The SNP has a love-in with Europe. There is a comparison to Catalonian independence, with closed polling stations, stolen ballot boxes and brutality in the streets. That is the Europe the SNP wishes to be part of. I do not want to be part of it. That is how a part of Spain looking for independence was dealt with, and we can be proud that the democratic outcome in the United Kingdom was honourable and wonderful.

**Brendan O’Hara:** I don’t think you will enjoy reading this one back.

**Bill Grant:** It is there to be seen. I am sorry if the hon. Gentleman cannot see the comparison I am making, but it is clear.

Given that we are going through the process of Brexit, we would do well to be a cohesive United Kingdom instead of sniping from the wings, which is constantly done by the SNP. One of the phrases coined during the referendum was, “Proud to be Scots. Delighted to be united”. It is as sound today as it was then. That sums up patriotism in Scotland, which is about the land of our birth or our adopted homeland and being a constituent part of a larger entity—namely, the United Kingdom. That is what we voted for, and that is what we have achieved. We have only just commemorated the tragic loss of lives in various wars where military personnel from all over the United Kingdom and beyond came together to fight for a common goal of peace, with the aspiration that we would live harmoniously together in the future. I will not let them down.

The SNP Government in Scotland are not the Government of yes; they are actually the Government of no. They say no to nuclear power and a nuclear deterrent, but they will hide behind the NATO shield. They say no to fracking, but they will import to the INEOS site in Grangemouth. They say no to child chastisement. They say no to parenting, because they will do it through the named person scheme. They say no to school progress—Scotland comes in at number 27 in the PISA league, behind Lithuania. They have no chief constable and no chair of the Scottish Police Authority. There is no success for Police Scotland or for my former occupation, the fire service, with fire stations closing. They say no to lower taxes.

**David Linden:** The hon. Gentleman seems to be making some disparaging remarks about Police Scotland. Does he not understand that recorded crime in Scotland is at a 43-year record low, including in Ayrshire?

**Bill Grant:** I thank the hon. Gentleman for that intervention. I never mentioned crime statistics. I mentioned two facts.

**David Linden:** It is at a 43-year low.

**Bill Grant:** No, the statement I made was nothing to do with that. I said that Scotland had no chief constable. Mr Gormley is on gardening leave. Is that correct? Yes, he is. There is no chair of the Police Authority. The SNP Government say no to lower taxes. Despite the First Minister’s parents buying their own home in Scotland, the Government say no to people buying their council houses. They have no economic case for separation. They say no to growing the economy. Finally, the only no they do not understand is no to a second referendum.

5.37 pm

**Christine Jardine** (Edinburgh West) (LD): I value as least as much as everyone else in this room the right to petition Parliament and hold debates such as this as an important aspect of our democracy. Similarly, while I disagree vehemently with independence and the call for a second referendum, I respect the right of all those

who make that argument. However, like the vast majority of people in Scotland, I am becoming somewhat frustrated with the SNP's inability to listen to what they are being told.

We have heard that the petition opposing a second referendum has 221,000 signatures. In my constituency, the petition saying there should be a second referendum had 572 signatures. The number of signatures on the petition saying, "Please, no. We don't want another one," was 4,474. There is a clear mandate to all of us: the people of Scotland do not want another referendum. They are heartily sick of this continuous constitutional argument that is stultifying Scottish politics.

**Pete Wishart** (Perth and North Perthshire) (SNP): I thought the Liberal Democrats were for a second referendum. Is it not the case that the Liberal Democrats want another referendum on leaving the European Union? When the Scottish people observe that contradictory position, what do they think?

**Christine Jardine**: When they observed what the hon. Gentleman calls a contradictory position, they voted for us and voted his party's MPs out at the election. If we look at the figures, we see that 37% of the electorate in Scotland voted for the Scottish National party and 62.5% voted for Unionist parties, including the Liberal Democrats. As has been mentioned, the SNP gave us a wonderful White Paper that set out exactly what the case was. That is very different from a big red bus with some numbers on it and people not knowing what they are voting for.

**Pete Wishart**: You are for a second referendum.

**Christine Jardine**: No, I am for a first referendum on the actual deal, which is a very different thing.

The constitutional debate in Scotland is all we have heard since 2011. We have heard about the division in families and the ended friendships. It has dominated a political period in which we would be far better off addressing the problems that beset Scottish education, health provision and general infrastructure. Do not take my word for it: there is clear evidence in the figures before us. We have heard about the plebiscites and the polls over the past few years, which consistently put no to a second referendum well ahead.

**Douglas Chapman** (Dunfermline and West Fife) (SNP): The hon. Lady has talked exclusively and quite widely about the mandate. Will she accept that the mandate that was given not only to the SNP in the 2016 election but within the Scottish Parliament is a mandate of real value for taking forward an independence referendum, or can we just drop the "Democrats" part from her party's title?

**Christine Jardine**: If we look at what happened in 2016, we see that fewer people voted for the SNP, and fewer people voted for the SNP this year. The clear mandate is that people are getting bored listening to the SNP talking about a second referendum, so enough! We have heard all the figures. There is now no reason, no will and, many people would argue, no need for a second referendum.

Since the Smith commission and the latest tranche of powers—remarkably, that seems to slip the mind of the SNP at any given opportunity when it tells us about the rosy picture that it is creating in Scotland and ignores the shortage of teachers, the lack of GPs and the closing of GP practices—the Scottish Parliament now has both power and responsibility. The Scottish Government run the health and education systems, justice and social care, and have responsibility for agriculture, fisheries, environment and more. They can raise taxes and, since September of last year, can introduce their own welfare benefits or vary the UK system to the specific needs of Scotland. To those of us campaigning on state pension inequality, it is very frustrating to hear the SNP argue against it at Westminster but do nothing to help at Holyrood.

I can hear SNP colleagues saying, "Oh yes, but we are being dragged out of the EU." Believe me: I regret that as much as any of them, but I regret it for all of the UK. I regret it for my neighbours in England as much as I do for my friends in Scotland, and I find it both frustrating and self-contradicting that although the SNP is happy to be part of the European single market, it rejects outright the idea of a single UK economic and political unit to maintain, as much as possible, our economic strength post Brexit.

What is the alternative? There is none. Every possibility has been either exhausted or rejected by the many people who did, in the immediate aftermath of the disastrous Brexit result, wonder whether there might possibly be some way for Scotland to stay in. I notice that even the Scottish Government's initiative to find a way seems to have fallen off the radar.

In conclusion, I say: enough. Let us get back to trying to build a better country and focus on the problems that need solving and the people who need support. As a Liberal Democrat, I stand with the majority of the people in Scotland, who clearly voted for a Scotland that is at the heart of the UK, and a UK at the heart of Europe, and will continue to work for both of them, as my electorate made clear I should. It is time for a change. We want a country that is open, tolerant and united, and that is why more people are rejecting the petty griping of the SNP.

5.43 pm

**Mr Alister Jack** (Dumfries and Galloway) (Con): It is a pleasure to serve under your chairmanship, Mr Bailey.

Today's debate is on two opposing petitions: one that argues in favour of another Scottish independence referendum and one that argues against. I am proud that the people of Dumfries and Galloway, whom I represent, voted by a factor of four to one in favour of the latter.

For those of us who live in Scotland, these petitions are characteristic of the ongoing political discourse since the result of the last referendum was declared on the morning of 19 September 2014. It is time for this matter finally to be put to bed. One of the success stories of the general election this June—I realise that they were few and far between—was the election of 13 Scottish Conservative MPs to this place. Those new Scottish Conservative MPs, including me, were elected very much on a mandate of stopping a second independence referendum in its tracks.

**Gerard Killen** (Rutherglen and Hamilton West) (Lab/Co-op): Will the hon. Gentleman give way?

**Mr Jack:** I shall make some progress first.

That message resonated with Scots right across the country, quite simply because people are fed up with Nicola Sturgeon and the SNP putting their obsession with our constitution ahead of governing in the interests of Scotland. Today's debate is not about whether Scottish independence would be a good thing; I argue strongly that it would not be. It is another debate about process, which, as the hon. Member for Linlithgow and East Falkirk (Martyr Day) made clear, is something that the SNP loves.

Constantly talking about this issue is like having Cicero's sword of Damocles looming over the Scottish economy.

**Danielle Rowley** (Midlothian) (Lab): On process, does the hon. Gentleman agree with me? My constituents have written to me, saying that they do not want another referendum. Many of them were remain voters in the Brexit referendum, and for them the only thing worse than the chaos that we have at the moment from the UK Government would be the further chaos of another referendum and uncertainty.

**Mr Jack:** Yes, I do agree—[*Laughter*—as hon. Members will not be surprised to hear.

Before becoming a Member of Parliament, I spent 30 years working in business, and I can tell hon. Members from my own experience and from speaking to many businessmen and women across Scotland that the business community will not thank anyone if Scotland is dragged into another divisive referendum, creating uncertainty. That would be calamitous.

Much of my argument today is about uncertainty for businesses wanting to decide on their capital expenditure projects, on resourcing themselves and on their future investment. All that is very difficult when people are wondering all the time whether we are going to be doing the extraordinary thing of heading into another independence referendum that would lead to so-called independence within Europe. We cannot be independent within Europe. I would argue that this is not about Brexit. It is not in any way a route that Scottish business should go down, outside the United Kingdom, on the basis that we do four times more trade with our United Kingdom partners than we do with our EU partners.

I say to the SNP that the legal, fair and decisive referendum was held on 18 September 2014. Polling day was preceded by two years of debate and discourse, and the people of Scotland then rejected independence. The question has been decided. To quote the former First Minister, although I will not do so in Russian, that vote, as has been said many times in this debate, was a once in a generation, once in a lifetime opportunity.

**Brendan O'Hara:** In the spirit of "Better Together", which is very much in evidence this afternoon, does the hon. Gentleman agree with the former Labour Lord Provost of Glasgow, Dr Michael Kelly, who just last week confirmed his belief that Scotland has to wait until every single person who voted in the 2014 referendum has died before it should get another referendum?

**Mr Jack:** All I will say to that is that if I had my way, we would wait even longer. For that reason, I shall conclude by paraphrasing the former SNP Member for Hamilton: stop the grandstanding, Scotland wants to get on.

5.49 pm

**Mr Paul Sweeney** (Glasgow North East) (Lab/Co-op): It is an honour to serve under your chairmanship, Mr Bailey. I will keep my remarks brief so that progress can be made in the debate. I just want to offer a few reflections on my experience of the last Scottish independence referendum and on the era in which I grew up.

As a relatively young Member of Parliament, I came of age politically in the era of devolution. I remember the great spirit of optimism when the Scottish Parliament was founded, just as I was moving from primary school into secondary school. In that referendum, 75% of Scots who participated had endorsed the creation of a Scottish Parliament with clear delineation of powers: what it would mean, what it would do, and what effects and opportunities it could have. That was a great moment. I felt it when I went to school—the celebration, the poetry and the civic engagement of that event stays with me to this day. That was a great moment in the history of our country. It could not have been in starker contrast to my personal experience—I think it is a valid comment—of the independence referendum campaign that culminated in 2014. I would like to say that my fundamental reflection on that—I think it is a sentiment we all share—is that a fervent, patriotic Scot was just as likely to favour the continuation of the United Kingdom as the creation of an independent Scotland.

We all ought to share the sentiment that, regardless of our views on the constitution, we share a burning ambition and desire for our communities, cities and country to realise their best interests; Regardless of what we think the optimum outcome is, we should all respect that ambition as a civic basis for the discourse. I feel that while that was upheld in the creation of the Scottish Parliament and the process of devolution that followed from that, the Scottish independence referendum somewhat lost that ecumenical spirit of civic engagement. It became rather hot-headed. One side sought to monopolise the idea of legitimate Scottish identity and I felt that was deeply unsatisfactory.

I was elected as a Member of Parliament in the most recent election having favoured the maintenance of the United Kingdom, but in a constituency—Glasgow North East—which voted 57% for independence. That led me to reflect on why that was case. Why did the people of Glasgow North East—indeed, the majority of Glaswegians—feel that independence was the way forward for them? My feeling is that it relates to the context in which the independence referendum took place. A feeling of alienation was the primary driver of why they felt that the only way out, the only way to improve their lives, was through independence.

I felt that the arguments made during the Scottish independence referendum on the no side were hamstrung by the fact that it had to bring Tory arguments into the agenda, which unfortunately meant that in many cases we could not make a positive socialist and social democratic case to stay in the United Kingdom. I feel that was a

great handicap through that referendum campaign. On reflection, I feel that that is why many people, particularly in Glasgow North East, felt that the United Kingdom no longer served their interests and that the only way to improve their lives, having no real stake in improving the country, was to vote for independence. I think that was a great mistake and a wrong assessment.

The referendum happened in the context of a Tory Government bent on a programme of austerity that was materially destroying and depleting the lives of the poorest in society. In that context, people felt there was no way out—they were trapped in a Tory monopoly on power and Government. We were not strong enough as a Labour movement at that time to convince those people that there was still something to fight for in the United Kingdom. I believe that is where we have seen the great change—where I was lucky enough to be offered the opportunity to be a Member of Parliament. We finally realised that there was a credible future in a Labour movement that binds together the United Kingdom, that offers not simply an intractable, unreformable status quo, represented by the Tory party, or the simplistic idea that independence would be a panacea for those solutions as well.

**Ross Thomson:** I am really grateful to the hon. Gentleman for taking my intervention. Let us be clear: during this independence referendum the right hon. Member for Islington North (Jeremy Corbyn) was absent because he was too busy in London to participate. After that referendum we all saw that front page of Kezia Dugdale in her astronaut outfit, because she was one small step away from backing independence. Labour is going through its annual leadership election and still, during that election campaign, which we know some hon. Members here believe is a stitch-up, there is still no commitment to the Union. Is it not clear that Labour has turned its back on the Union and only the Tories stand up for it?

**Mr Sweeney:** I reject that assertion. The very thing that continues to rend the fabric of the Union is intractable and stupid Toryism, which refuses to do anything to reform the United Kingdom and move it towards the solution that the people of Scotland actually want—intractable towards nationalism, even though it was rejected in the referendum.

The binary nature of that referendum is what truly disrupted the civic discourse in Scotland. Having a yes or no position offered a simplistic answer to a very complex question. That was what was so unsatisfactory about it. I was one of those people who at the early stages of that referendum favoured a third option. That would have opened up the debate in Scotland to a more nuanced discussion about the process of devolution, which, as we recall, Donald Dewar called a process, not an event. The Parliament's creation was the opportunity to achieve greater ends, but not an end in itself. Having that third question would have offered that opportunity.

Labour is approaching this discussion with a view to how we can improve and build the resilience of the United Kingdom for a better future for all citizens, including those in Scotland. That is not about, for example, where something happens to lie on the piece of rock that is the United Kingdom. It is actually about class identity.

**Douglas Chapman:** On the point about a third option. I believe that third option was actually put by the First Minister at the time and rejected by the Unionist parties.

**Mr Sweeney:** It was rejected by David Cameron, who, as I think we can all agree, will probably go down as the worst—[*Interruption.*]. No, no, it was rejected by David Cameron who was the principal driver in the negotiations, so the Labour party was not in the room at that time because it was not in Government. David Cameron will go down as the worst Prime Minister in the constitutional history of this country in terms of the calls he has made in the last few years.

To conclude my remarks, our focus should be on how we come together to drive forward the improvement of the United Kingdom and deliver hope for people such as those in my constituency of Glasgow North East, who can see a real future for improving their lives in the context of a unified country.

5.56 pm

**Paul Masterton** (East Renfrewshire) (Con): It is a pleasure to serve under your chairmanship, Mr Bailey. I welcome the opportunity to speak in today's debate. My constituency voted overwhelmingly to stay part of our United Kingdom, with 63% of people in East Renfrewshire voting against the break-up of the Union. Added to a further 2 million no voters across Scotland and over 200,000 on one of the petitions we are debating today, Scotland's voice should be clear. However, one of the main reasons I am here today is because the SNP has refused to listen. We went from 12,000 votes behind and in third place just two years ago to a majority of just under 5,000. That was because there is no appetite for a second independence referendum, there is no need for a second independence referendum and, I am sorry, but there is no mandate for a second independence referendum either.

In the First Minister's speech to the SNP conference before the last Holyrood elections, she left us in no doubt, saying:

"to propose another referendum in the next Parliament, without strong evidence that a significant number of those who voted no have changed their minds, would be wrong and we won't do that."

Yet only a matter of months after losing her majority in Edinburgh and increasing support for the Union, while on a special edition of BBC "Question Time," the First Minister refused to rule out a third referendum if she lost the second. Where does this end? The SNP "should face political reality"—the words of veteran SNP MSP Alex Neil. Maybe losing 500,000 voters in 21 seats at this year's general election has put the SNP a step closer to that reality. However, I do not hold out much hope.

Those of us against separation will always be proud of our shared history and optimistic about our shared future. Our pooled resources of capital, land and labour have given the world so much. However, we do not need to look at the past to see our positive contribution; just look at the difference that together we are making today. Today, through the great work done at the Department for International Development, from its base in East Kilbride, we are helping to rebuild homes and lives in areas hit by natural disasters. Today, we are leading the battle to eradicate polio. Today, our brave service personnel are liberating Syrians and Iraqis from the stranglehold of Daesh's occupation. Our leadership

[*Paul Masterton*]

of worldwide organisations has led to sanctions on North Korea for its nuclear programme and on Russia for its illegal annexation of Crimea, and brought about the Iran nuclear deal and the Paris climate accord.

The historian Tom Devine remarked that all that the Union has going for it is sentiment, family and history. As if that is not enough! Those things are everything. That is the difference. I do not actually think Scottish independence is stupid. I get the arguments; I understand the rationale. In particular, I understand the emotional pull that drives people to that cause. However, I do not think those on the yes side are able to do that in return. They do not seem able to understand that the Union, for me and many in Scotland, is not and never will be about numbers on a spreadsheet. If I could, I would ban that awful phrase “Union dividend”. Britain is not some financial transaction that I endure; it is an identity that I am.

That is why it was those of us on the pro-Union side who had so much to lose on 18 September 2014. Yessers ultimately had nothing at stake—the loss of an opportunity, maybe some hope, but fundamentally they woke up in the morning the same person as they were before. For me, my nationality, identity, country and self were on the line. A yes vote would have torn an intrinsic part of what makes me, me, away. I am Scottish, but I am British too, and that layer of my identity matters. It matters a lot. All that tosh from the yes campaign in the lead up to the vote that independence would not make people like me feel, or be, any less British was absolutely risible. They just did not get it. I am British, and I do not know how to be anything or anyone else.

I like that when I travel back from Westminster, and the plane touches down or the train pulls in to Glasgow, I smile because I am home, even though I have not really been away. The commentator Alex Massie put it better than I ever could in the days before the vote when he said that Britain is

“a place in which I’m always Scottish but also, when it suits, British too. A country where you travel to very different places and still always come home without having been abroad.”

Scotland is different from England, from Wales and from Northern Ireland, but it is not separate, and we are best served by continuing to face the challenges of this world together, as one United Kingdom.

[*SIR ROGER GALE in the Chair*]

6 pm

**Alan Brown** (Kilmarnock and Loudoun) (SNP): It is a pleasure to serve under your chairmanship, Sir Roger.

These two petitions are largely about democracy. One calls for another referendum to be held, and the other is against another Scottish referendum. That is fair enough; that is what democracy and opinions are all about. However, I take umbrage at the pejorative language in the no petition, which states:

“We in Scotland are fed up of persecution by the SNP leader”. I noticed some Tory Members nodding in agreement when that was mentioned earlier, but to me that is frankly outrageous language. Persecution is what happened in world war two. Persecution is what happened to dissenters in the Soviet Union. Persecution is certainly

not happening by a democratically elected Scottish Government—a Government that have the highest vote share of any in western Europe.

**Andrew Bowie** (West Aberdeenshire and Kincardine) (Con): Did the hon. Gentleman also take issue with the pejorative language in the yes petition, which states:

“We are not bigoted. We are not racist”—

so that, by inference, those who support not having a second referendum are?

**Alan Brown:** The hon. Gentleman can make that inference. I would not make that argument. I probably would not have used that phrase myself.

**Andrew Bowie:** That is what it is saying.

**Alan Brown:** The hon. Gentleman is making that inference; I am not.

We keep hearing today about divisive referendums, and to me that is one side seeking to delegitimise the whole process of another vote. If we are talking about division, I say to my neighbour, the hon. Member for Ayr, Carrick and Cumnock (Bill Grant), that I thought it was truly shameful to bring in the memory of those who served in the armed forces as an argument for not holding another referendum. I have friends who serve in the armed forces, and they are pro-Scottish independence. That is not them disrespecting their colleagues that they serve beside, and the debate should not stoop to that level.

It is clear that many people do not want another referendum. Equally, many people did not want a referendum in 2014, yet it still resulted in the biggest vote ever held in Scotland. It engaged people who had never been interested in politics before, and it was a model of democracy—we cannot forget that. Sixteen and 17-year-olds were given the vote; EU citizens were allowed to vote. It was a vote based on residence, not nationality, and had the UK Government followed that example in the European referendum vote, we would not have the Brexit shambles that we have now.

There should be nothing to fear about undergoing another democratic exercise. We respected the 2014 vote; but, as my hon. Friend the Member for Linlithgow and East Falkirk (Martyn Day) pointed out earlier, everyone is well aware that a key campaigning tactic of Better Together was saying that the only way to stay in the EU was to vote no. How significant that was in the final vote, we cannot say for certain.

**David Mundell:** On that point—

**Alan Brown:** I will let the Secretary of State in.

**David Mundell:** It is a mythology that has been created. The issue at the core of the debate about the EU in the 2014 referendum was how an independent Scotland would become part of the EU. That was a question that those campaigning for a yes vote were unable to answer during that campaign, so perhaps the hon. Gentleman could answer it now. How would an independent Scotland become a member of the EU?

**Alan Brown:** Quite simply, Better Together put out campaign literature that said, “How to secure membership of the EU: vote no”. That is what the campaign was.

There is the sheer, rank hypocrisy of those who campaigned using that as a tactic, and then actually campaigned to leave the EU. I am looking at quite a few

of the Members on the Conservative side who did that—all except for the hon. Member for Angus (Kirstene Hair), who found the EU referendum too difficult to vote in. She must be glad that the Tory Whips down here reckon that abstention is the best way forward on many Opposition votes.

I appreciate that Scotland being dragged out of the EU against its will has not yet caught the fire of the general populous as a reason to hold an immediate referendum; however, surveys have shown that people would like a referendum when the impact and effects of Brexit are fully understood. There is a will to have another referendum, not right now, but sometime in the future.

**Christine Jardine:** Surely that is more about the impact of leaving the EU than it is about the impact of leaving the UK. If people want a referendum when the impact of Brexit is known, that is not about leaving the UK, but about leaving Europe. That is a different issue.

**Alan Brown:** I think the hon. Lady is conflating her confused position, where the Lib Dems are arguing no to a Scottish referendum but yes to another referendum on the EU. The people that engaged in those surveys actually understood what the question was: would they like to see a future Scottish referendum? They said that they would rather see that once they have understood the impact of the UK leaving the EU, as that will then give them an alternative option.

**Kirstene Hair:** Since September 2014, there have been more than 70 polls taken across Scotland that have consistently said that the Scottish people do not want independence and do not want to have another referendum. After all these elections that the Scottish National party has suffered severely from, what is it going to take before it listens to the people of Scotland, who it supposedly represents?

**Alan Brown:** In 2016 the SNP at Holyrood stood on a manifesto that reserved the right to hold a referendum. It won and got the highest vote share of any Government in western Europe.

**Paul Masterton:** The hon. Gentleman says that even though the SNP at Holyrood lost a majority, it has a mandate to implement its manifesto. Does he therefore also believe that the Conservative party, despite having lost our majority here, has the right to implement our manifesto to leave the EU, leaving the single market and the customs union? He cannot have it both ways.

**Alan Brown:** There is the difference of opinion: 62% of the voters in Scotland voted to remain in the EU; 71% of the electorate in Scotland voted against the Scottish Conservative party.

**Christine Jardine:** Will the hon. Gentleman give way?

**Alan Brown:** I was finishing addressing the previous point, but yes I will now give way.

**Christine Jardine:** The hon. Gentleman makes much of the 62%, but 62% of the electorate in the last general election voted for pro-UK parties. Only 36% voted for the nationalists. Does that not tell him that perhaps people favour the Union?

**Alan Brown:** No, it does not. Hon. Members have made interventions saying, “The SNP should listen,” “Nobody wants another referendum,” “We’ll get beat,” and, “Nobody wants independence,” but what are they all afraid of? Why is there a three-line Tory Whip here?

**Jamie Stone:** Is it not the case that those of us who oppose another referendum are in fact doing the hon. Gentleman’s party a very great kindness, because if there was another referendum, it would be thrashed and that would be the finish of the SNP?

**Alan Brown:** We will see what happens in the future, but at least I am here and the hon. Gentleman is receptive to another referendum, despite what has just happened.

Quickly moving on, since 2014 there have been a number of broken promises. Thirteen Type 26 frigates were promised, and a frigate factory was promised, but neither has been delivered.

**Mr Sweeney:** I point out that the independence White Paper only promised that two offshore patrol vessels would be built in Scotland in the event of independence, so anything more than two OPVs is a bonus for the Clyde. I ran the whole campaign on the basis of the shipbuilding industry in the Clyde, because it involved 30 years of guaranteed work and a world-class shipbuilding facility. Although there are challenges for which the Tories must answer, the current picture is none the less far preferable to what would have happened in the event of independence.

**Alan Brown:** I would argue that more boats were promised for a future independent Scotland. The hon. Gentleman mentioned 30 years of work. Does he agree with his union colleagues who said that the way that the orders have been placed is a betrayal of the shipyards and of the promises made?

Another broken promise is guaranteed continued investment in the new renewables sector. The Conservative party pulled the feed-in tariffs one year early. Solar and onshore wind companies are no longer allowed to bid in contract for difference auctions, which has resulted in a 95% drop in investment in the renewables industry and put one in six jobs at risk.

Scotland’s budget has been cut by £3.5 billion. To date, Westminster has refused to introduce a VAT exemption for Scottish fire and police services. Scottish farmers have been ripped off by the UK Government, which is holding on to nearly £200 million in common agricultural policy convergence uplift. Those are illustrations of how Westminster looks after Westminster’s interests and does not consider Scotland’s needs.

**David Linden:** My hon. Friend is speaking eloquently. Does he share my surprise that when the Conservative party had to hang on to power, it was more than happy to send that much money to Northern Ireland to keep a majority?

**Alan Brown:** I agree fully. Now we are hearing that it is not to buy the votes of the Democratic Unionist party; it is based on Northern Ireland’s needs. Yet there is no process for the Government to engage properly with the Scottish Parliament and consider Scotland’s needs. They do not ask the Scottish Finance Secretary. In fact, another £600 million has just been taken from

[Alan Brown]

the rail budget. If the Government are considering Northern Ireland's needs, they should be able to do the same for other devolved Administrations.

Before I finish, I want to tackle the "once in a generation" issue. I have re-read that interview, and Alex Salmond qualified his remarks by continuing to repeat that it was his view. He then said:

"In my view this is a once in a generation—perhaps even a once in a lifetime—opportunity."

That was his view. It is amazing how the Tories are now clinging to Alex Salmond's views and saying that they must be held to. I challenge any of them to intervene and explain to me how that view of Alex Salmond can be binding on a future Scottish Government when it was a personal view. He might actually be proven right—

**Jo Swinson** (East Dunbartonshire) (LD): The person expressing what the hon. Gentleman says is a personal view was the First Minister of Scotland. It is reasonable for people in Scotland to put some store by what was said by the First Minister.

**Alan Brown:** He said that it was his view. As we all know, in the democratic process, even elected Governments cannot bind the hands of a future Government. Certainly a personal statement by the former First Minister cannot possibly dictate the future.

**Andrew Bowie:** The hon. Gentleman calls it Alex Salmond's view, but those are the exact same words that Nicola Sturgeon used on 15 October. She said that it was a once-in-a-generation, and possibly once-in-a-lifetime, event. The First Minister and the Deputy First Minister—the two leaders of the yes campaign—have both said that it is a once-in-a-generation, once-in-a-lifetime event, and he is saying that people in Scotland should take that as their own personal opinions?

**Alan Brown:** I think that the key word there is "possibly".

**Martyn Day:** Perhaps what Alex Salmond was hinting at was that when the devolution referendums took place, it took from 1979 to 1997 to get a re-run. That assumption was made without the belief that circumstances would change as materially as they are now about to.

**Alan Brown:** If the facts change, we have the right to change our minds in line with the facts, and we weigh that up going forward.

**Martin Whitfield:** On a point of order, Sir Roger. At the start of this debate, it was indicated that those on the Back Benches would have five minutes, in order to allow everyone to speak. It seems that some people will now lose the opportunity.

**Sir Roger Gale (in the Chair):** That is a point of order for the Chair. My understanding from my predecessor in the Chair is that that was indicative and informative, but the hon. Gentleman is quite right that this five-minute speech has so far lasted for 13 minutes. I am sure that the hon. Member for Kilmarnock and Loudoun is drawing his remarks to a conclusion.

**Alan Brown:** I am indeed, Sir Roger. I let the hon. Gentleman's colleague, the hon. Member for Glasgow North East (Mr Sweeney), intervene on me, which took time.

Westminster will always put its wider interests before Scotland's, so the Scottish electorate must always be able to have their say in a democratic referendum and be able to choose to go down a different path if they want. I finish by asking what hon. Members are afraid of in another referendum that is part of a democratic process.

6.15 pm

**Stephen Kerr** (Stirling) (Con): It is an honour to serve here under your chairmanship, Sir Roger, and to take part in this debate, which is inspired by two public petitions that we have received. It bears testimony to the public's ability to influence agendas in this Parliament and to this Parliament's openness that so many of us are here in Westminster Hall, engaged as we are.

Let no one doubt that the people remain concerned about the Scottish Government's obsession with independence. We have just seen evidence of that. In my constituency, more than 3,000 people signed the petition against a second referendum, and people have indicated in vast numbers and with strong feeling that they are fed up with the uncertainty and want a second independence referendum taken off the table.

The uncertainty caused by the First Minister's threat of an independence referendum is holding Scotland back. It is background noise, like the din of an overly loud sound system in a busy pub. It makes it harder for us to hear each other and make rational, informed decisions. It makes it hard for businesses in my constituency—I have had many representations from business owners in Stirling—to make decisions about investment. It makes it hard for families and communities divided by the first referendum to settle down and build the bridges needed to make better choices, and it makes it hard for Scotland to have a decent conversation about anything. That lack of a decent conversation and a functional debate affects all of us.

Societies are by nature diverse. Collections of individuals, families and free associations of people exist in a community where compromise is the only way that things can happen and betterment can take place. Without dialogue, there can be no compromise. Divisions can be a destructive influence on our country, and I am sad when people cannot work together due to positions taken during the 2014 referendum. That happens when nationalist ideology pervades our political culture and a "for us or against us" mentality grows. It also happens when Unionists cannot trust the intentions of nationalists.

We were promised that the referendum would be a once in a lifetime event, and many people tell me we need to heal the wounds caused by that referendum with a period of constitutional stability. Nationalists have a responsibility to respect the outcome of the 2014 referendum, as they committed to do in the Edinburgh agreement referred to earlier. We need a Government in Scotland—our Government in Scotland—to get on with the job of governing, but the SNP Government are crippled by inactivity. The only thing that holds them together is the combined effort for independence, which occupies their thinking and their effort. That nationalist ideology, which has been rejected by the overwhelming majority of Scots, is the only thing holding the Scottish Government together.

Scotland is part of the United Kingdom. We decided that in 2014. Nationalism has been firmly rejected. We are a part of a united kingdom, not a mere member of an association. Scotland is at the heart of the United Kingdom. The nationalists' pursuit of a second referendum is not conducive to experiencing the full benefit of our place in the United Kingdom.

I say again that nationalism is holding us back as a country. Business growth in Scotland was the lowest of any region or nation of the United Kingdom. The number of businesses in Scotland grew by just 1.6%, less than a quarter of the growth in the east of England alone. Investment dropped by 3% after the SNP doubled the large business supplement—another nail in the coffin for business in Scotland as the Scottish Government relentlessly push on to making Scotland the highest taxed part of the United Kingdom.

It should concern us all that the UK's growth is not enjoyed across all its parts—its nations and regions. I wonder whether the SNP lacks the ability or the will; is it somehow doing it on purpose? Nationalists wallow in that divergence: they react with grievance rather than action when faced with problems and prefer to blame other people than to get on with the job of governing. They obsess about the eradication of our sense of Britishness. The majority of Scots see themselves as British as well as Scottish—as do I—but the nationalist ideology at the Scottish Government's heart seeks to eradicate all British elements. Whether in removing Union flags, sidelining Her Majesty the Queen at the opening of the Queensferry crossing, or going after the British Transport police for political reasons, their motives are obvious to us all.

Nationalism is an unpleasant and divisive ideology that we do our bit to challenge today. The strength of feeling from the petition is obvious to all.

**Patrick Grady:** The hon. Gentleman says that British identity is good but that nationalism is a divisive ideology. I assume that he is not a British nationalist.

**Stephen Kerr:** In the context that the hon. Gentleman refers to British nationalism, I am not a British nationalist. I am a Scot and I am British. It is a question of identity and of patriotism.

From the people of Scotland to the politicians of Scotland, the petitions' message is clear. They should put ideology to the side, get on with the job of building a better country and focus on the issues that matter to people, such as a strong economy, a well-educated workforce, a healthy population, a working national infrastructure, streets that are safe to walk on, and dignity and respect for all. The SNP's obsession about the debate on Scottish independence helps to secure those objectives not one jot.

It is time for our politics to become positive and to focus on the priorities that people expect us to focus on. Ending the background noise—*[Interruption.]*—thank you for providing it—of nationalist ideology in our national debate will create the dialogue and the stability needed for Scotland to get the full benefits of its place in the United Kingdom and the world.

6.22 pm

**Jo Swinson** (East Dunbartonshire) (LD): It is a great pleasure to serve under your chairmanship, Sir Roger, and to take part in the debate. It has been interesting to

hear speeches from all sides; I found the contributions of the hon. Members for Glasgow North East (Mr Sweeney) and for East Renfrewshire (Paul Masterton) particularly thoughtful.

More than 4,500 people in my constituency signed one of these two petitions. Of those, 494 were in favour of having indyref2 but 4,050 were against—my constituency voted strongly against independence in 2014—so for many, this is a very divisive issue. All our constituencies have people who voted yes and people who voted no, and there will always be some of our constituents who are disappointed with the views that we espouse on these issues. I appreciate that my constituents who are in favour of independence will not necessarily welcome the points I make.

There were some positive aspects to the 2014 referendum. The hon. Member for Kilmarnock and Loudoun (Alan Brown) talked about the great engagement with democracy. That was certainly true in my constituency where I think 91% of people turned out—the highest ever turnout compared with UK elections in recent years. We also had 16 and 17-year-olds voting, which was a very welcome change in our politics. That has led to a change for voting in local government elections and I hope there will be a wider change in due course—it was frustrating that the private Member's Bill promoted by the hon. Member for Oldham West and Royton (Jim McMahon) did not succeed.

To SNP Members who sigh and are dismissive when other hon. Members raise negative aspects of the 2014 referendum, I say that those aspects are genuine. The hon. Member for Ochil and South Perthshire (Luke Graham) referred to the anti-English comments made to the wife of a now councillor. In my constituency, a brick was thrown through an activist's window where she had a "No Thanks" poster. I spoke to an elderly lady in Bearsden town centre who was wearing her "No Thanks" sticker on the inside of her wrist. She was afraid to wear it on her coat because of the visible animosity in the atmosphere at that time.

Some of the scenes in the run up to the vote, such as the huge protests outside the BBC where people were chanting for the political editor, Nick Robinson, to be sacked, did not make me proud of what was happening in my country and I did not welcome them. There was also a huge amount of online abuse, although I will not suggest that there was a monopoly on any one side. In fact, the evidence shows that SNP Members, particularly women, suffered a huge amount of misogynistic online abuse in the last election. None the less, that was part of the tenor of the campaign, which is regrettable. Debate should be robust, but it should be respectful.

Independence was overwhelmingly rejected by Scotland in 2014. It would be an even worse choice today. For example, figures in the White Paper estimated that oil would be at \$100 per barrel, and we know what has happened to the oil price. The argument the SNP makes for having a referendum because of Brexit is actually an argument for why it would be even worse for Scotland to choose that path now: it would be piling chaos on top chaos. The single market we enjoy with the rest of the UK is four times as valuable to Scottish businesses as the single market with the rest of the EU. This is not an issue only of economics, however; as the hon. Member for East Renfrewshire so eloquently put it, this is an

[Jo Swinson]

issue of identity and how we feel as a country. It is about being Scottish and British, which is certainly the identity I feel.

There is a wider issue. In this day and age, we should not be putting up new borders. We should recognise that we live in an interconnected world. It is much easier to tackle our shared problems—climate change, combating extremism, creating a more prosperous future and improving quality of life for all our constituents—in a strong United Kingdom, in a strong European Union, and in multinational organisations such as the World Trade Organisation, NATO and the United Nations.

There are downsides to a second referendum. Some people have asked, “What are you so scared of?” but I do not think it should be done lightly. A referendum creates economic uncertainty; we saw what happened to investment in the Scottish economy in the run-up to 2014. It also creates a distraction for Government. The huge constitutional upheaval meant that there was less focus on other issues in the Scottish Government and, bluntly, we see that now with the Government’s focus on Brexit. I do not say that in an overly negative way, but as a basic fact. I have been a Minister so I know what it is like to have a ministerial box and all the competing issues that a Minister must turn their attention to. I can only imagine the extra stuff that Ministers are having to wade through for the Brexit negotiations, as was no doubt the case for the Scottish Government in the run-up to the independence referendum—and would have been even more so if the referendum had had a different result. I do not think referendums should be embarked on lightly because of those issues.

Nicola Sturgeon, the First Minister, sometimes seems to have reflected on whether she has the mandate, as hon. Members have mentioned. Her words sometimes suggest that the referendum is on the back burner for now, but I am concerned by the way that SNP Members firmly stick to that mandate article. They fail to appreciate the anger on the doorsteps at this year’s election. Some of us were elected, or re-elected, in June because people in our constituencies in Scotland felt so strongly that indyref2 must be stopped. I have never experienced an election campaign like it where one issue has been so overwhelming and the determination has been so complete. The SNP lost 21 seats in that election, so a little more humility and a little more listening to the people of Scotland is in order from SNP Members. The people of Scotland deserve that, and the SNP should take heed for the sake of party preservation.

6.29 pm

**Colin Clark** (Gordon) (Con): It is a pleasure to serve under your chairmanship, Sir Roger. This debate is about a second independence referendum, but rather than go over the same territory as other hon. Members, I will consider the legitimacy of referendums.

Referendums have risen to prominence in the United Kingdom only recently. Constitutionally speaking, they are a relative innovation. The first nationwide referendum took place in 1975, and to date there have only been three. It is well established that the UK is without a fully codified constitution; our constitution has been described as the most flexible policy in existence. The fluid nature of our system means that the place for a referendum can be difficult to nail down.

From analysing past referendums, it can be said that they are inherently political by nature. The purpose of a referendum is to settle a political stalemate that needs to be taken to the general public for a final decision. Referendums are a creature of statute and flow from legislation passed by Parliament. As there is no generic referendum legislation, each is the subject of a separate Act. They are normally the result of a manifesto commitment of a majority Government; their legitimacy arises from the fact that the public have voted in a party on the basis that it will implement its manifesto.

**Alan Brown:** Is the hon. Gentleman arguing that manifesto commitments have legitimacy only if a Government have a majority? I point out to him that his Government do not have one.

**Colin Clark:** If the hon. Gentleman lets me carry on, I will get to the explanation.

As the hon. Member for Edinburgh South (Ian Murray) said, if the Scottish Government had won a majority, they would have called a referendum. That is how the first Scottish independence referendum was called in 2011. Referendums have huge political authority because they are direct expressions of public opinion. If we disagree with the outcome of a referendum, our immediate response should not be to call for another. We must respect a referendum’s democratic legitimacy, or we risk undermining the legitimacy of our tested system of careful consideration by elected Members with periodic elections by an emancipated electorate. To hold another referendum on Scottish independence so soon after the original would risk undermining the constitutional position of referendums in our society. It would also undermine the Scottish public, who clearly voted against independence.

In an uncodified system such as ours with no set precedent for a referendum, we must take care of the frequency with which we hold them. Holding multiple referendums on the same issue in a short space of time would bring into question their ability to settle issues decisively. It would also pose the question whether they are simply a precursor to further referendums, which we should avidly avoid.

The hon. Member for Kilmarnock and Loudoun (Alan Brown) suggests that we are afraid of referendums. He should realise that his party devalues referendums, and democracy, by calling for another referendum so soon after the 2014 result. We should leave the process not to polls, which are likely to fluctuate, but to the democratic will of the people. That will ensure the ultimate legitimacy of referendums.

Recently, in my constituency of Gordon, a council by-election had to be called because somebody got elected to this House. A Conservative councillor was returned with 48% of the votes, and 65% of voters voted for Unionist parties. The Scottish Government clearly do not have the same mandate as in 2011. Since then, they have seen a no vote in the first independence referendum and a drop in their share of MSPs elected to Holyrood. In fact, the most recent election saw the emergence of a strong opposition: my 11 colleagues—12, including the Secretary of State—and me. The issue has been settled decisively, so I ask both Parliaments and the SNP to respect the will of both Houses and respect the referendum.

6.34 pm

**Hugh Gaffney** (Coatbridge, Chryston and Bellshill) (Lab): It is a pleasure to serve under your chairmanship, Sir Roger. As Member of Parliament for Coatbridge, Chryston and Bellshill, I speak for the place where I was born and bred, the home of good people I have been fortunate enough to learn from and live with, and—in my view—the best, most decent and welcoming place in the United Kingdom.

I often refer to the United Kingdom when I speak in this Chamber and on the Floor of the House. Each of our four nations—Northern Ireland, England, Wales and Scotland—has its own identity, history and culture, but we share a collective bond that has seen us through tough times of war and through struggles for peace and tolerance. That was clear yesterday, when we all stood together as a nation to remember the people who fought for our country; I was reminded of it by Brooke Harrison, who told me about her great-uncle James Harrison, who died as a 21-year-old fighting for the United Kingdom in Normandy.

My view is clear: Scotland's future is promising, bright and positive, but it is part of the United Kingdom—of that I have no doubt. I am a proud socialist, following in the tradition of the Lanarkshire man Keir Hardie, but I am an internationalist, too. I do not believe in a border at Carlisle, nor in a border at Calais, and I never will. I believe in socialism, not nationalism. I believe in the people. I believe in solidarity. I believe in sharing and fighting together for a better future for our children and grandchildren.

During the referendum, I asked a young person who is now my constituent for her view. She said that the one thing she did not understand was the increase in flag flying and the idea that not flying yes flags or Scottish flags meant not loving our country. Sadly, that was repeated recently when we saw an increase in the flying of Union Jacks before the general election. The only flag I want to see flying is the red flag; I hope that if my good friend Richard Leonard is elected as Scottish Labour party leader this weekend and becomes First Minister of Scotland in 2021, that is what we will see.

I have always fought and will always fight against a nationalist agenda that does more to divide our nation than anything else. I do not want a divisive repeat of a campaign that was focused not on Scotland's future but on an argument that questioned our love for our country and said that we hated Scotland if we did not back independence. That was rubbish then and it is rubbish now. The Saltire belongs to every Scottish man and woman, no matter the colour of their skin, their ethnic background or their faith. Our land and riches belong to every Scottish man and woman in our country, and so does our devolved and democratically elected Parliament in Edinburgh. I mention our Parliament because many of the nationalists' arguments are similar to those of the Brexiters: "Taking back control", "Doing things our way", "We know best". Holyrood has significant powers, but for some reason the SNP does not want to use them. I have a simple message for Nicola Sturgeon and John Swinney: if they do not want to use those powers, they should call an election and let a Labour Government get on with governing in the interests of all the people of Scotland.

Where are we today? In Westminster we have a Conservative Government who are falling apart, with Cabinet Ministers falling like flies, policies being announced one day and scrapped the next, and the Tory Back Benchers in mutiny—you couldn't write the script. But this is not just about a poor Government; it is about the millions of women, men and children across the United Kingdom who want to know their future. In Edinburgh, we have a Government who move from disaster to disaster: failure to properly fund our public services, failure of SNP Ministers to provide the solid leadership that Scotland deserves, failure to get things done. Monklands Hospital needs £30 million of repairs. Its hard-working staff are at breaking point and the patients are not getting the quality of care that they need. That is the fault not of the health professionals, but of our disaster of a Health Secretary in Holyrood, who is out of her depth.

I spend a great deal of time with my constituents, who often talk about the pressures on their children's schools. Our police and firemen share stories of the pressures on them. Working conditions in the United Kingdom are at breaking point. These are public sector workers, and the First Minister did not want to give them a pay rise to until she was blocked into the corner by the Labour party. So it is clear to me and to my constituents that we have enough to be getting on with, and that there is no case to reopen a discussion that was comprehensively dealt with in 2014.

**Alan Brown:** The SNP is clearly leading the way in doing away with the public sector pay cap. Does he agree with his leader, the right hon. Member for Islington North (Jeremy Corbyn), who actually backs the Welsh Assembly not removing the cap unless it gets more money from Westminster?

**Hugh Gaffney:** I am going to move on.

Our country is in crisis. The challenge of Brexit was another divisive and unnecessary campaign that I fought hard against, and it proves that turning our backs on others, looking inwards and sticking our fingers in our ears does not work. The romantic view of a land of milk and honey is just a dream. It will never work in reality and has been shown to have become a nightmare.

I should also say that although I campaigned strongly to stay in the United Kingdom and indeed to stay in the European Union, democracy is democracy and the people are always right. We are leaving the European Union, which I regret, and that regret is made more potent because of the shambles that the Government are making of our departure. It is criminal to see the Tories focus on internal battles rather than on building the future that we all need and deserve.

I know that things need to change not only in Scotland but right across the United Kingdom. We see a grave political crisis in Northern Ireland, a Welsh Government who are desperately in need of proper funding from Westminster and increasing political tensions in England. We can change these things with the election of a new Government in Westminster and that can still be done with our four nations working together as a family of four nations. We can change these things. Let us call an election; let us get a UK Labour Government back in place. I am up for the fight and I know that other Scottish Labour MPs are with me, because that is the way we do things and that is the way we will do things every day in Parliament.

6.42 pm

**Ross Thomson** (Aberdeen South) (Con): It is an honour to serve under your chairmanship, Sir Roger. This has been a lively debate and I look forward to adding to the liveliness.

Just hours after the European Union referendum last year and as the result was coming in—in fact, before all the votes had even been counted and before anyone had time to contemplate and reflect on what was an extraordinary result—Scotland’s First Minister was immediately on our television screens, seizing her opportunity to crowbar Scottish independence back on to the political agenda after the people of Scotland overwhelmingly rejected it in 2014. However, that was no surprise, as the First Minister has made clear, in her own words, that her pursuit of independence “transcends” all else. It transcends Brexit; it transcends national wealth; it transcends the opportunity of the next generation to get a quality education; it transcends health; it transcends transport; it transcends the environment; and it transcends everything else.

Since that day, bathed in the media limelight in Bute House, it has become crystal clear that in fact the SNP has overplayed its hand on Brexit and a second independence referendum. The opinion polls show that the Scottish people are the biggest barrier to a second referendum, because they simply do not want one. Since 2014, support for independence has crumbled. The question of independence has been polled more than 70 times, as my hon. Friend the Member for Angus (Kirstene Hair) mentioned earlier. Since 2014, and consistently, no to independence has been in the lead in the polls, with an average of more than eight points.

I will touch on something that has also been mentioned during this debate and that I hear quite often from those who support independence when they look back at the referendum, in some ways through rose-tinted glasses. I accept that the referendum heightened engagement; some of the best examples of engagement happened during it, particularly in our school halls, where the younger generation were so engaged that some of the best questions and the best challenge came from them. It was also good to see such a high turnout.

**Alan Brown:** Does the hon. Gentleman agree that it was a mistake for the Scottish Conservatives to oppose 16 and 17-year-olds getting the vote in the referendum?

**Ross Thomson:** Scottish Conservatives actually advocate that those who are 16 or 17 should have the right to vote in elections and future referendums, and that is our party policy.

There was another element of that referendum campaign, which was how nasty and divisive it became. We have heard from other Members about some of their own experiences. As for me, my mother was chased down the road by an activist who was ripping down Better Together signs displayed in fields neighbouring our home; I saw war memorials in Aberdeen desecrated; I saw activists who were campaigning with us on our street stalls being intimidated and spat on; and let us not mention Twitter, which since the referendum has still been polarising, divisive and full of vile nastiness that we should all condemn and that should not be part of our discourse here in the UK. Unfortunately, a poison pervades our

politics in Scotland following that referendum. It is still absolutely there and we all have a duty to try to stamp it out.

During the 2014 referendum, page 210 of the White Paper, which has been mentioned by other Members, stated that

“if we remain part of the UK, a referendum on future British membership of the EU could see Scotland taken out of the EU against the wishes of the people of Scotland”.

Despite that being in the White Paper, and despite all Scots knowing it, Scots voted overwhelmingly to remain in the UK and subsequently, in another referendum, the UK voted to leave the EU. Following the logic of the hon. Member for Linlithgow and East Falkirk (Martyn Day), who articulated the benefits of a majority in referendums, we should respect the results of referendums whether we agree with them or not, and those results are that Scotland stays in the UK and the UK leaves the EU.

The First Minister seized on the votes of remain/no voters, hailing them as a justification for another referendum. In fact, that rush to divide the UK only served to alienate those remain/no voters. Furthermore, the SNP attempted simply to dismiss the votes of 1 million Scottish leave voters, including 400,000 of their own voters and MSPs such as Alex Neil, who is no longer a bashful Brexiteer; I wish some of his colleagues would join him, because we know they are there.

That left those voters voiceless and the anger among them is quite palpable, which we saw reflected in the general election result, because in the snap election that followed the EU referendum, and with the prospect of indyref2 hanging over the heads of Scottish voters, the SNP lost almost half a million of its votes and 21 of its seats, clinging on by the skin of its teeth in Perth and North Perthshire, and North East Fife. Notably, Angus Robertson and Alex Salmond are gone, both having lost their seats.

The Scottish people were repeatedly promised in 2014 that the referendum was “once in a generation”, and we have also heard the words, “once in a lifetime”. The people of Scotland seized on the snap general election to send Nicola Sturgeon a clear message—take a second independence referendum off the table for good. I have pondered what exactly Nicola Sturgeon and Alex Salmond meant by that “once in a generation” phrase—that “once in a generation” billboard and media opportunity—but we all now know that it amounts to a mere 907 days. That is the 907 days between 18 September 2014 and 13 March 2017, when Nicola Sturgeon confirmed that she would seek to hold a second independence referendum in the autumn of 2018.

The SNP attempt to use Brexit to increase support for independence, but that strategy is clearly flawed, because at the end of the day none of the challenges raised by Brexit and none of the questions posed by Brexit are ever answered by tearing Scotland out of the UK, its most important single market.

6.49 pm

**Andrew Bowie** (West Aberdeenshire and Kincardine) (Con): Thank you, Sir Roger, for calling me to speak despite the fact that I have not stood up since you walked into the room. It is a pleasure to serve under your chairmanship.

When I was preparing for the debate, I looked for some inspiration and I stumbled on these words, penned by one Alex Salmond:

“we renewed our joint commitment under the Edinburgh Agreement to work constructively and positively to implement the will of the people”.

Those are the words Alex Salmond did not say on the morning of 19 September 2014, taken from the speech he had prepared to give if Scotland had voted yes. What a pity he was not so keen to renew that commitment following the actual result.

It might be useful for us to remind ourselves of the exact wording of the Edinburgh agreement. It is referenced a lot, and has been referenced this evening:

“The governments are agreed that the referendum should...deliver a fair test and a decisive expression of the views of people in Scotland and a result that everyone will respect”.

The agreement was signed by David Cameron, Alex Salmond, Michael Moore and Nicola Sturgeon, and I would argue that it was a pretty unambiguous statement. But the then Deputy First Minister, whose signature graced the document, obviously felt it did not go far enough, which is presumably why, on 15 October 2013, she appeared on the “Daily Politics” show and declared that the referendum was a

“once in a generation event, possibly once in a lifetime for Scotland”.

We fast forward to 13 March this year—it is hard to believe it was still this year—when the same Nicola Sturgeon, now First Minister of Scotland, announced her intention to hold a second referendum on independence. We all know the arguments surrounding that, we have heard them here today: that a second referendum was warranted because everything had changed, that the Brexit referendum result was dragging Scotland out of the European Union against its will, and that the Scottish people were told in 2014 that, in voting no, they were guaranteeing Scotland’s place in the European Union. The Scottish people went to the polls in 2014 in the full knowledge that a referendum on our membership of the EU was a real possibility—David Cameron had announced it in his Bloomberg speech of January 2013. I know the Scottish National party does not like to hear this, but despite that, despite a much more favourable economic outlook for Scotland in 2014 and despite an unpopular Conservative Government that had more pandas than MPs in Scotland—despite all that and more—the Scottish people voted to stay a part of our United Kingdom.

No poll, before or after the referendum on our membership of the European Union, has shown support for independence to be at more than 50%. No has consistently been in the lead. Indeed, the average lead for no in the last 30 polls has been by more than eight points. So it is no surprise that in the wake of the First Minister’s announcement, 221,000 individuals signed a petition opposing a second independence referendum. Now I know that is but a fraction of the half a million votes lost by the SNP in the general election, but it is still a sizeable amount and compares very favourably with the 38,000 who signed the petition in favour of another referendum.

I could go on about the economic case for staying in the UK. I could point to research showing that most remain voters, me included, are angry that their votes are being used by the SNP as the basis for a second referendum, as proxy votes for separation, but I will

not, because the people of West Aberdeenshire and Kincardine, Gordon, Aberdeen South, Banff and Buchan, Angus, Moray, East Renfrewshire, Ochil and South Perthshire, Stirling, Dumfries and Galloway, Berwickshire, Roxburgh and Selkirk, Dumfriesshire, Clydesdale and Tweeddale and Ayr, Carrick and Cumnock and the people of the 11 other seats taken by Labour and the Liberal Democrats have spoken loud and clear. Indeed, 62.5% of votes cast in Scotland in the recent general election were for the Unionist parties, with only 36.9% voting for separatism. The people of Scotland are abundantly clear; they do not want a second referendum.

I thought, perhaps naively, that the message had got through, for the mood music has indeed changed of late. There was little mention of independence at the Scottish National party conference, there was not a word in the Scottish Government’s programme for government, and last week, for the first time in probably about six years, we got through an entire First Minister’s questions without the constitution being mentioned once—and it was not just because we did not mention it. It was all going so well. The rebrand was almost complete, the wool almost down across our eyes, but we can always rely, like a bad rouble, on Comrade Salmond. This morning, he let the cat well and truly out of the bag. This morning the mask slipped. This morning, in an interview with *Business Insider*, Alex Salmond said that the First Minister is prepared to call a second referendum and that it could take place within a very short timescale after Brexit.

So there we have it. It never really went away, and it never will go away. Independence is the SNP’s *raison d’être*. I respect that position; it is a perfectly laudable and respectable position to hold. But we have had a referendum, we had what was supposed to be a once-in-a-lifetime referendum, and the Scottish people voted to remain equal partners in our family of nations. It is up to every single one of us to represent the settled will of the Scottish people and, as Alex Salmond did not say on the morning of 19 September, to respect the result of that fair and decisive vote.

6.54 pm

**Tommy Sheppard** (Edinburgh East) (SNP): Sir Roger, you had the misfortune not to witness, although you will have heard about it, the hon. Member for Edinburgh South (Ian Murray) complain at the start of our debate that the mover of the debate from the Petitions Committee, my hon. Friend the Member for Linlithgow and East Falkirk (Martyn Day), was subject to bias and seemed to favour one of the petitions over the other. Since then, two and a half hours have elapsed and, by my count, we have had two speeches in favour of one of the petitions, assuming we put the mover of the debate in that camp, and 15 in favour of the other. It is good to see such a balanced debate.

**Douglas Ross:** On a point of order, Sir Roger, could you clarify whether you have been unable to call a number of Scottish National party Members who hoped to contribute? Or is it the fact that we had only those two speeches because only two SNP Members put in to speak?

**Sir Roger Gale (in the Chair):** Due to the self-denying ordinance of all hon. Members, all those who indicated that they wished to speak, on both sides of the House, have been called.

**Tommy Sheppard:** Sir Roger, I none the less rest my case. Anyone looking at the transcript of the debate will see that it is far from open and is, indeed, one-sided. For the avoidance of doubt, I have a very short amount of time and a lot has been said so I will not take any interventions—Conservative Members should, therefore, be comfortable in their seats.

Before going on to talk about the referendum, I want to make two points about the nature of the campaign for Scottish independence. The first point is for the benefit of the hon. Member for Stirling (Stephen Kerr) and some others who have spoken. They would be doing a great disservice to themselves, and indeed to the movement for national autonomy in Scotland, if they were to reduce the campaign to the aspirations of the Scottish National party. Many people involved in the campaign for Scottish independence would not even describe themselves as nationalists—they view themselves as internationalists, as republicans, as social democrats, as liberals, as Greens. They see themselves pretty much as anyone who wants to see change in their country and has become frustrated and impatient with the ability and capacity of the British state to reform itself and achieve that change. It is a very diverse and multifaceted movement, and it would be wrong to dismiss it in the way Members have done today.

Secondly, I want to say to the hon. Member for Glasgow North East (Mr Sweeney), who otherwise made a very reasoned contribution, that this is not a question of identity. I speak as someone who was born and brought up in Northern Ireland and carries a British and an Irish passport. It is not a question of identity—far from it. If there was any nation that had a surfeit of icons for its identity it would be Scotland. We have the flags and emblems; what we lack is the ability to control our own lives, use our own natural resources and chart the destiny of our country. It is about empowerment and power, and people would do well to understand that that is the nature of the debate that is happening in Scotland.

The campaign against a second independence referendum is predicated pretty much on accusing people like me of disrespecting the result of the 2014 referendum. I want to say, as many people from my party have said so many times since then, that that is not true. We respect the result of the 2014 referendum. We acknowledge that a clear majority of our neighbours and citizens voted to remain in a political union of the United Kingdom. But we say that if circumstances were to change in a way that would invalidate the options presented in 2014 that should call for a rethink, in the same way as when someone gets back from the shop, opens the box and finds that what is inside is not as described on the cover, they have a right to get their money back. People would, in my view, have the right to get their vote back if what happened was not what they had voted for, turned out not to be what came about. That is why the question of a change in circumstances is so important.

This is obviously an abstract theory. We were asked to identify what we would mean by a change in circumstances so dramatic that it would occasion an early second referendum. We said, “For example, one thing might be Scotland being taken out of the European Union against its will”. That was stated as an example, by the way, before the Brexit vote and before we knew

how Scotland would vote or, indeed, how people in the rest of the United Kingdom would vote. That change of circumstance came to pass.

We did not just outline those circumstances as some theoretical point of discussion. My view is that if circumstances changed in that way, there would be justification for a second independence referendum. I accept that people here will disagree with that, but it is a legitimate point of view. In order to test that point of view and see whether people agreed with it, we did what a normal political party would do: we wrote it into our manifesto for the 2016 Scottish general election—an election that we won. *[Interruption.]* It is on page 26, if Members want to go and check. We said clearly that circumstances such as Scotland being taken out of the European Union against its will would create an argument for a second independence referendum.

**Bill Grant:** Will the hon. Gentleman give way?

**Tommy Sheppard:** The hon. Gentleman must have difficulty hearing; I said I was not taking any interventions. Please be seated. *[Interruption.]*

**Sir Roger Gale (in the Chair):** Order.

**Tommy Sheppard:** We put that commitment in the manifesto, and we won that election. A majority of the Members of the elected Scottish Parliament believe that if Scotland is taken out of the EU against its will, that would be justification for consulting people again on the question of Scottish independence.

That was the situation as it was then, but what happened after Britain voted to leave the European Union? Did Nicola Sturgeon suddenly run in and say, “That is it. We are going to execute this. We want a second referendum now”? No, far from it. *[Interruption.]* If the Tories stop braying for a moment, I will tell them what happened. A Scottish Government who believed in Scottish independence and the European Union produced a document that argued for neither. It argued for a compromise solution in Brexit that would allow differential arrangements in Scotland to respect Scottish public opinion and protect Scottish interests. That is what we put to the British Government in December 2016, and in the new year it was thrown back in our faces. By Easter this year, it was perfectly clear that whatever option came out of Brexit, it was not going to afford for any differential solution in Scotland. What changed things was the election on 8 June.

People have talked about reflection and modesty. I accept that 480,000 people who voted for the SNP in 2015 declined to do so in 2017. Most of them—the vast majority—stayed at home and did not vote for anyone else. I accept that the confusion around the second referendum was a large part of many of those people’s thinking. That uncertainty is clearly there in the minds of many people, and that gives us cause for reflection, but the main thing that changed on 8 June was that the Conservative Government lost their majority, so the range of options for Brexit changed. It is an irony that the Scottish Conservatives think that the pause button has been pressed on the second referendum timetable because they won their seats, when in truth it was paused because the Tories lost seats in England and we now have a hung Parliament and do not quite know

what the outcome of Brexit will be. In fact, the level of confusion and uncertainty is greater than ever. We now say that we have to wait and see what Brexit delivers to be able to decide whether we go forward with a second independence referendum.

There are only two ways that things can go from here. One is that the United Kingdom Government come to an agreement with the Scottish Government and the Brexit process goes through with the consent of the Scottish Parliament. That is one possible outcome. The other option is that the United Kingdom Government ignore the representations of Scotland, overrule them and proceed regardless. In those latter circumstances, the mandate from 2016 is still there and will be executed, because we will give the people of Scotland the right to decide whether they want the isolationist economic chaos that Brexit represents or whether they want to revisit the decision taken in 2014 and this time decide they would be better off taking matters into their own hands, and taking back control to Scotland.

7.4 pm

**Lesley Laird** (Kirkcaldy and Cowdenbeath) (Lab): It is a pleasure to respond to this debate and to serve under your chairmanship, Sir Roger. I campaigned in this year's council elections and the general election, and the mood was clear on Scottish doorsteps: people were fed up with the words "independence" and "referendum". Who can blame them? We heard all that in the debate.

The discussion has been going on for at least 10 years, and the answer is always the same: Scotland wants to be part of the United Kingdom. Yet the SNP just does not seem to get it. The SNP did not get it when it lost its once-in-a-generation referendum in 2014. Nor did the SNP get it when it lost its overall majority in the Scottish Parliament in 2016. Nor did the SNP get it when it lost 21 MPs in this year's general election, including Russia's new friend, the party's former leader Alex Salmond. I emphasise that point, because Hannah Bardell and Tommy Sheppard made a number of interventions on packaging and seeing things as a business. They talked about the promise of what a business delivers, where there is a right to take things back if they are not quite right, but one of the things about being a business is that you need to listen to your customers, because the first law of business is that the customer is always right. In each of the three elections, the customer has clearly said, "We do not want independence."

For most people in Scotland, the endless debates on independence are a bit like the Christmas party guest who overstays their welcome, no matter how many hints they are given that the party is over. What the majority of the Scottish public thinks of independence has been made clear time and again. Their collective heart sinks at the thought of another referendum. It is also clear that the First Minister and the SNP blindly refuse to accept that reality. They ignore what Scottish people really want: a Government who concentrate on galvanising the economy, improving the NHS, and reducing poverty and inequality.

Sadly, rather than coming clean and admitting that the misplaced dream of independence is dead in the water, Nicola Sturgeon continues to rattle her sabre every now and then in an effort to keep her membership

happy. She did that immediately after the Brexit vote. What did it achieve, beyond annoying the people of Scotland and boosting the Tories? The Tories undoubtedly benefited in Scotland by playing the Union card in the general election, but let us not forget that the only reason Nicola Sturgeon was even able to suggest another referendum was because of Tory cowardice, infighting and inherent selfishness.

Indeed, the real threat to the Union since 2014 has been the right wing of the Tory party. They pulled David Cameron's strings, and now they are pulling those of Theresa May. Their utter disdain and disrespect for Scotland's views on Britain's place in Europe are writ large. They just do not care, and their carelessness is jeopardising the Union, which they claim to support. That lack of care is all too apparent in the way they are trampling over the lives of those patronisingly dubbed the "just about managing"—those people who Theresa May laughably says her party is trying to protect.

**Sir Roger Gale (in the Chair):** Order. I am sorry to interrupt the hon. Lady. I understand that many Members present come from a different discipline. The Scottish Parliament exercises different rules from those of the Westminster Parliament, but in this Parliament we do not refer to hon. or right hon. Members by their names; we refer to them by their constituency or their title, and we address the Chair. When a Member says "you", they mean me, and not any other Member present. I am using the hon. Lady to make a point, but I would be grateful if all Members from north of the border in particular—I understand they come from a different discipline—took that on board.

**Lesley Laird:** I thank you, Sir Roger, for your intervention and advice.

The irony of all of these issues is that the SNP wants Scotland in Europe but not in Britain, while the Conservatives want Scotland in Britain but not in Europe. They are two sides of the same tarnished coin, and people are fast waking up to that. They can see the gap between political rhetoric and the reality of politician's actions. They feel that democracy is too far removed to make a difference to their lives, whether it is Westminster or Holyrood. They are fed up with constantly being defined as either for or against independence, or for or against Brexit. The people of Scotland want politicians to move past binary divisions and to focus on our common problems. They want solutions for the declining educational standards and teacher shortages that we have seen under the SNP in the past decade. The hon. Member for Dumfries and Galloway (Mr Jack) spoke earlier about process, which has not necessarily been put to good effect when we consider the state of the processes of the health service and of education, economics and planning. Of course, there is the situation in which we find ourselves with the police and the fire service. I hope the Minister will ensure that that issue is on the Budget agenda next week.

People want to see poverty levels decrease, not increase. The numbers of children living in poverty in Scotland have risen, up by 40,000 in the past year alone. People want austerity to end and the economy to grow, and with it their wages. Those are the problems that we need urgently to address. Only a Labour Government are equipped to address them. Do not just take my word for

[Lesley Laird]

it; look at the record of past Labour Governments. It was a Labour Government that created the NHS and the welfare state; a Labour Government that invested record amounts in the NHS and introduced tax credits for families struggling on low incomes; a Labour Government that introduced the minimum wage and raised millions out of poverty; and it was a Labour Government that delivered the Scottish Parliament. The next Labour Government will build on that proud record. A Labour Government in Westminster would pay major dividends for the Scottish Government, whoever they might be.

Our investment in public services and the economy would mean that Scotland benefited to the tune of an additional £3.1 billion by 2021-22. Our pledge to protect the triple lock on state pensions would protect the incomes of more than 1 million Scottish pensioners. Our pledge to ban zero-hours contracts would alleviate the stress and uncertainty felt by tens of thousands of Scottish workers.

**Andrew Bowie:** On a point of order, Sir Roger. I am not sure this is a point of order, but there is only one way to find out. I do not know whether we have moved on to the territory of a party political broadcast, rather than dealing with the matter at hand: the two petitions we are supposed to be debating this afternoon.

**Sir Roger Gale (in the Chair):** The hon. Gentleman is extremely perceptive: it is not a point of order.

**Lesley Laird:** I will continue, following that non-point of order.

Our pledge to introduce a real living wage would provide a boost to the incomes of almost half a million Scots who are currently earning less than the living wage. Such pledges epitomise why Scotland should remain a part of the United Kingdom. They show the difference that a Labour Government in Westminster could make to people's lives in Scotland.

**Alan Brown:** Will the hon. Lady give way?

**Lesley Laird:** Not yet. I wish to make some progress.

However, we also accept the need to revisit the distribution of power and wealth across the United Kingdom. Although independence is not the answer, it is clear that the current constitutional settlement is not working. My hon. Friend the Member for East Lothian (Martin Whitfield) said that what we want is devolved Government, which is so important to the people. That is the issue that continually arises when we meet people on the doorstep. Too much power is concentrated in Westminster and Holyrood. As a result, many communities in Scotland and across the UK feel disenfranchised and alienated from the political process, so now is the time to broaden the debate and open up a wider conversation about our constitution and democracy across the UK.

Devolution is an iterative process. Great strides have been made, but we have yet to reach the optimal balance of power and responsibility, and much more work is needed. That is why Labour has proposed a different option: a people's constitutional convention to re-establish the UK for a new age. Labour is and always has been the party of devolution. Only by continuing that journey,

and by empowering our nations, regions and communities, can we address the social and economic inequalities that divide us. Only then will we have a democratic system that works for the many, not the few. That should not be about wrapping ourselves in the Saltire or the Union flag and claiming to be more patriotic than anyone else. There are people living on our streets and parents who cannot afford to feed their kids. There are poor and vulnerable people being exploited every single day. Helping them to improve their lives, putting an end to austerity, and alleviating poverty and inequality should be our ultimate aim. That should galvanise all that we do, not another independence referendum.

7.15 pm

**The Secretary of State for Scotland (David Mundell):** I am delighted to serve under your chairmanship, Sir Roger, and I commend Mr Bailey for his earlier efforts in chairing this debate, which opens for many people outwith Scotland a window on Scottish politics. When I considered replying to this debate, I was, like the hon. Member for Caithness, Sutherland and Easter Ross (Jamie Stone), mindful of the words of *The National*, which indicated this debate was very important. It is therefore surprising that less than half of the SNP Members of Parliament sought to even attend the debate, never mind take part. Let us make that absolutely clear, so that it is on the record, before we hear about the next Unionist conspiracy to make sure that only two or three SNP MPs got to speak, while Unionists crowded them out. It was a choice not to take part in this debate, which I think readers of *The National* will be most disappointed to hear.

We have added in some ways to the collection of human knowledge. It is disappointing that the Westminster leader of the party, the right hon. Member for Ross, Skye and Lochaber (Ian Blackford), has left. I am sure the hon. Member for Kilmarnock and Loudoun (Alan Brown) said one thing that he would have agreed with: anything Alex Salmond says cannot be relied on. It is good to get that on the record before that well-known Bolshevik begins his new career.

One point that will be of interest to many yes voters and SNP voters is that the position of the SNP is to block the UK leaving the EU. That will not go down well with the 500,000 yes voters and the 400,000 SNP voters. I do not think it will go down well with Jim Sillars; I look forward to hearing his response. It will not go down well with Alex Neil and the SNP MSPs who voted to leave the EU, but at least the position is clear: the SNP is for blocking the UK leaving the EU.

Another point flushed out, which was clear from several Members and certainly clear in the speech made by the hon. Member for Edinburgh East (Tommy Sheppard), is that another independence referendum, in the view of the SNP, is simply paused. It is not over, not stopped, but paused. That is why there is a very important message to everyone listening to this debate. Every vote ever cast for the SNP will be taken as a vote in support of another independence referendum and in support of independence. That is the case. We have heard it justified as to why the SNP is entitled to take this position, because every single person who voted for them wanted another independence referendum and wants independence. So Scotland beware: vote SNP, get another independence referendum. We have to be very clear on that.

From a Unionist point of view, we could take some solace in the complacency of the SNP—something the hon. Member for East Dunbartonshire (Jo Swinson) referred to. The fact that the SNP came within 600 votes of losing another six seats does not seem to have been taken on board. Earlier, the hon. Member for Argyll and Bute (Brendan O’Hara) was promoting the support for the SNP in his constituency, but forgot to tell us that his vote came down by nearly 10% and the Conservative vote went up by 18%. That was a clear message from his voters that they did not want to hear about independence.

I thought that the hon. Member for Linlithgow and East Falkirk (Martyn Day) sought to offer a balanced view of the two petitions; he mentioned both, and that probably fulfilled his obligation. What he did not say, of course, was that the petition asking for an independence referendum only got heard on the back of the 220,000 people who did not want an independence referendum, because a petition that attracted fewer than 40,000 votes would not in itself get a debate in Parliament.

We have had an independence referendum—that was the theme of much of what has been said. It was a legal and fair referendum. Many aspects of the engagement were welcome. In particular, I found the school debates in which I took part encouraging, in terms of how our young people applied themselves. Nobody, however, can deny that there were many aspects of that referendum that were seriously unpleasant and that we would not want to hold up as a model. It is important for us in the political class to recognise that although we might go on about how great it was that 84.7% of people voted and all the meetings that were held, ordinary members of the public did not enjoy the referendum process. Other than those who are diehards on both sides of the debate, I do not find people on the doorstep who say, “That 2014 referendum was great—the best time of my life.” What they say—even those who voted yes—is: “I don’t want to go through that again.”

**Gerard Killen:** Does the right hon. Gentleman agree that if we were to accept demands for a second independence referendum from the Scottish National party and it was successful in that referendum, it would set a precedent to revisit that decision in a third referendum for Scotland to go back into the United Kingdom? What precedent would that set for the future constitution of the UK?

**David Mundell:** The hon. Gentleman is correct. We were told in the Edinburgh agreement that the result would be respected on both sides. The hon. Member for East Lothian (Martin Whitfield) referred to the reconciliation service, at which I was present. I was hopeful, at that point, that it would lead to a way forward. That did not happen.

There was a point at which the SNP, and those people who had argued for yes, came out and said that to make their case they needed to make a bigger tent, bring more people in, and convince people. Today, however, we have heard what has become the core of their message: the people of Scotland were duped and we need to do it all over again. That is essentially what we have heard from SNP Members. In the tirade of negativity from the hon. Member for Kilmarnock and Loudoun, nothing

positive was said about what an independent Scotland would be like or would do. In particular, nothing was said about Andrew Wilson’s report on how the £14 billion deficit would be managed. That is a piece of information that I would want, as a Scottish voter, before there was any prospect of opening up another independence referendum.

A lot of the arguments have been well rehearsed. I will not respond to the essentially political points made by the shadow Secretary of State for Scotland, the hon. Member for Kirkcaldy and Cowdenbeath (Lesley Laird). We see in Scotland how the Scottish Labour party talks about the Labour party, and that is what she has replicated here today. All of us who support the United Kingdom should follow the example of her colleague, the hon. Member for Coatbridge, Chryston and Bellshill (Hugh Gaffney), who made the case, albeit from a socialist perspective, for the United Kingdom, as my hon. Friend the Member for East Renfrewshire (Paul Masterton) did very eloquently too.

The message from this debate, this petition and everything we have heard from the SNP is that we cannot be complacent. We must make the case for the United Kingdom all the time, and ensure that in elections the SNP does not get itself into a position where it can take forward another independence referendum.

7.25 pm

**Martyn Day:** I apologise to the hon. Members for Stirling (Stephen Kerr) and Kirkcaldy and Cowdenbeath (Lesley Laird) for leaving during their speeches. I have had too much water to fight the cold that I am suffering from; there was no disrespect intended.

I always thought that my constituency was the friendliest place in the country; I have learned today that it obviously is, given the number of references to division that we have heard—hon. Members know where to come on their holidays this year. I would like to make the point that we all need to be careful about the language that we use, and ensure that the word “division” does not become a self-fulfilling prophecy. It is incumbent on people on both sides to make sure that if their supporters are not behaving reasonably, they take action and show proper leadership.

That brings me on to the final points that I wish to make. No one has addressed the democratic deficit. I am a great supporter of the work of the Petition Committee, which allows things to be debated that otherwise would not be, but we have had suggestions that a number of people submitting an e-petition to the Committee is somehow worth more than a democratic vote in the Scottish Parliament—an elected chamber that has a mandate. Clearly, that is not the case, and this debate has a long way to run. I look forward to taking part in it over the coming years.

*Question put and agreed to.*

*Resolved,*

That this House has considered e-petitions 180642 and 168781 relating to a referendum on Scottish independence.

7.27 pm

*Sitting adjourned.*



# Written Statement

*Monday 13 November 2017*

## **DEFENCE**

### **Afghanistan: Call-out Order for Reserves**

**The Parliamentary Under-Secretary of State for Defence (Mr Tobias Ellwood):** With the expiry of the call-out order made on 9 November 2016, a new order has been

made under section 56(1B) of the Reserve Forces Act 1996 to enable reservists to be called into permanent service in support of United Kingdom operations in Afghanistan.

Under the call-out order made on 9 November 2016, 71 reservists have been called out for operations. We anticipate a continued requirement for reservists, with the right skills and experience, over the period the new order will be in force. This is fully in line with our policy of having more capable, usable, integrated and relevant reserve forces.

The order takes effect from the beginning of 9 November 2017 and ceases to have effect at the end of 8 November 2018.

[HCWS236]



# ORAL ANSWERS

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**Written Answers to Questions [The written answers can now be found at <http://www.parliament.uk/writtenanswers>]**

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