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**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES**

(HANSARD)

Wednesday 17 January 2018

House of Commons

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The House met at half-past Eleven o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

Oral Answers to Questions

INTERNATIONAL DEVELOPMENT

The Secretary of State was asked—

Tax Havens: Developing Countries

1. **Ms Karen Lee** (Lincoln) (Lab): What steps her Department is taking to mitigate the effect of tax havens on the tax receipts of developing countries.

[903325]

The Secretary of State for International Development (Penny Mordaunt): Mr Speaker, I start by paying tribute to Rebecca Dykes, the DFID staff member killed in such tragic circumstances last month in Beirut. Becky was passionate about helping others, and through her work has improved the lives of some of the most marginalised people in the world. Becky's family have set up a charitable fund in her name to advance some of the causes Becky cared about so deeply, and my Department is providing support; we will also hold a commemoration next month to celebrate her life. I am sure I speak for the whole House when I say that our thoughts and prayers are with her family and friends during this difficult time.

The UK continues to lead efforts to strengthen international tax transparency. DFID supports developing countries to benefit from and influence new international standards which help them to tackle tax avoidance and evasion.

Ms Lee: Lesotho has severely underfunded public services, in part due to high rates of HIV and AIDS, yet our Government have just concluded a tax treaty with Lesotho that severely constrains its ability to levy taxes. Does the Secretary of State believe that that is consistent with promoting international development?

Penny Mordaunt: One of my first actions, which I set out this week, is to establish a new team to help countries that we are seeking to develop and that are transitioning out of poverty to improve tax collection systems and set up public services. We need to focus on that as well as on alleviating crises and immense poverty. I will be happy to discuss the matter further with the hon. Lady, and it will be one of my priorities.

Mr Gary Streeter (South West Devon) (Con): Does my right hon. Friend agree that aggressive tax avoidance involving tax havens can be tackled effectively only by collective global action? Will her Department therefore keep the issue high on the agenda at future G8 meetings and will she do all she can to ensure that the UK continues to take a lead?

Penny Mordaunt: Absolutely. The UK is leading on this matter, having put it on the G8 agenda in 2013.

Nick Thomas-Symonds (Torfaen) (Lab): It is vital that developing countries have an effective tax collection system. What bilateral action are the Government taking to support countries to achieve that goal?

Penny Mordaunt: As I just said, I think we need to do something more hands-on and more practical, so I am dedicating some resource and a team within my Department to focus on that for every nation we work with.

Mrs Pauline Latham (Mid Derbyshire) (Con): Will my right hon. Friend commend the work of Conservatives in government to crack down on tax havens, including the leadership shown by David Cameron in making that a centrepiece of the UK's G8 summit in 2013?

Penny Mordaunt: We have made considerable progress—for example, all our overseas territories that have a financial centre are now committed to global standards on tax transparency.

Modern Slavery: Libya

2. **Ellie Reeves** (Lewisham West and Penge) (Lab): What steps her Department is taking to tackle modern slavery in Libya.

[903326]

The Minister for the Middle East (Alistair Burt): Eradicating modern slavery is a top UK priority. We are helping to build Libyan capacity to tackle this abhorrent crime, and providing humanitarian aid and protection for migrants and refugees, not just in Libya but on the whole route of those travelling to that country. Last year, the UK supported more than 20,000 emergency interventions for migrants and refugees in Libya.

Ellie Reeves: Over 2,000 people in my constituency signed the petition debated last month and the issue is of great concern to us all. What update can the Minister give my constituents on the implementation of the plan agreed by African Union and European Union countries at the end of November? Specifically, how many migrants have been repatriated?

Alistair Burt: After the debate, I asked the organiser of the petition to come in to my office to see me, and she, one of the supporters of the petition and I had a meeting last week, which gave my officials a chance to talk with her about the huge interest and concern that the petition demonstrated. Briefly, the matter worries us considerably. There is work going on across Government in relation to the criminal aspects of the slave auctions, but at the meeting I was also able to outline what we are doing to build capacity, such as—

Mr Speaker: Order. Minister, we have quite a lot of questions to get through, so we need shorter answers. Sorry, but we do.

David Evennett (Bexleyheath and Crayford) (Con): Will my right hon. Friend join me in welcoming the significant investment from the aid budget that the Department has made available to tackle modern slavery in Libya and across all migration routes from sub-Saharan African into Europe, and will he reaffirm his commitment to this work?

Alistair Burt: Even though time is tight, I must thank my right hon. Friend for the remarkable support he gave to the Foreign Office and the Department for International Development when he was a Whip and his remarkable contribution to Government over the years.

My right hon. Friend is right. We have a £75 million programme focused on migration along routes from west Africa via the Sahel to Libya. This includes an allocation of £5 million in Libya aimed at providing that aid. He is right to raise this.

Ann Clwyd (Cynon Valley) (Lab): I have repeatedly raised in this Chamber the abuse endured by migrants in the camps in Libya, including sexual violence against women, girls and men. Will the Minister confirm that Libya has been designated a priority country under the UK preventing sexual violence initiative? It should have been.

Alistair Burt: My right hon. Friend the International Development Secretary yesterday inaugurated exactly the programme the right hon. Lady mentions. It is a matter of great concern to the UK, and we are in contact with the Libyan Government about it. I had a high-level meeting in Geneva last week about the issues she raises.

Dame Caroline Spelman (Meriden) (Con): Will the Minister commend the work the Church of England is doing on modern-day slavery with its We See You campaign to help us all identify victims, including from Libya, more easily? All too often they are invisible to us.

Alistair Burt: My right hon. Friend is quite right. Modern slavery is a key part of my right hon. Friend the Prime Minister's agenda—we have allotted £150 million to it—and the work of the Church of England, in making sure that people see victims and are attuned to their needs, is vital.

Kate Osamor (Edmonton) (Lab/Co-op): I join the Secretary of State in paying tribute to Rebecca Dykes. All our thoughts are with her family, friends and colleagues during this difficult time. I also congratulate the new Minister for Africa on her appointment.

I thank the Minister for his answer, but in truth we must do much more. This is not modern slavery; it is just slavery—pure and simple—alive and flourishing in the 21st century. It is racist and a stain on our humanity. The African Union says that hundreds of thousands are at risk, so repatriating a few thousand will never be enough. Will the Secretary of State address the root causes and re-examine the UK and Europe's migration policy in the Mediterranean and across Africa?

Alistair Burt: I thank the hon. Lady for her remarks about Becky Dykes, who was part of the middle-eastern team in Lebanon. She, like my right hon. Friend the International Development Secretary, spoke for all of us.

The hon. Lady is right to keep the attention on slavery, but I want to do as much as I can to reassure her that we have this very much in focus, although of course there is more to be done. There is a closer connection now between the EU, the UN and the African Union, and we are working with international partners on the whole route and, specifically in relation to Libya, on the criminal aspects. It is complex—Libya is a difficult state to work in; and this is a £150 billion criminal operation moving people around and putting them into slavery. We will continue—

Mr Speaker: Order. I am sorry, but we must press on; we have a lot to get through. I call Mr Lamont.

Small Charities: Funding

3. **John Lamont** (Berwickshire, Roxburgh and Selkirk) (Con): What steps she is taking to help small charities access funding from her Department for international development projects. [903327]

The Minister of State, Department for International Development (Harriett Baldwin): Small charities are vital to the UK's funding for international development. Last July, the small charities challenge fund was launched to support the work of small, UK-based charities in international development. The fund will enable these organisations to increase the reach and impact of their projects.

John Lamont: Scottish Borders makes a significant contribution to the UK's overseas aid effort, often in the form of fundraising or volunteering for larger national charities. Local grassroots organisations can play a crucial role in some of the world's poorest countries, but applying for funding can be challenging, and some worthy organisations might not be aware of opportunities such as the small charities challenge fund. Will the Minister reassure me that the Department is doing all it can to promote these funds and make applying for them as easy as possible?

Harriett Baldwin: I thank my hon. Friend for his excellent question. I agree that we need and have tried to make the process as simple and streamlined as possible. We have publicised it through a range of different regional events and—importantly—written to every Member of Parliament, because excellent local MPs such as my hon. Friend can publicise these opportunities to the great grassroots charities.

Tony Lloyd (Rochdale) (Lab): During the Rohingya crisis, the Rochdale Council of Mosques, with its local Bangladeshi roots, made a material difference to our ability to convey aid to the area quickly. Could that be built into the framework for dealing with future disasters and emergencies?

The Minister for Africa (Harriett Baldwin): Indeed, and I am grateful for the work that was done in the hon. Gentleman's constituency to raise money during that

appalling crisis. As he will know, it is possible to secure match funding from the Department when local communities are able to do such an impressive amount of fundraising.

Mr Richard Bacon (South Norfolk) (Con): I draw attention to my entry in the Register of Members' Financial Interests.

Given that larger charities are necessarily more bureaucratic, and given that the UK aid grant scheme was set up to help smaller charities, are Ministers satisfied that the due diligence processes for applications from smaller charities are entirely appropriate and cost-effective?

Harriett Baldwin: We do carry out due diligence for small charities, and we have received more than 100 applications to the Small Charities Challenge Fund. The cut-off in relation to size is an annual income of £250,000. I look forward to the announcement of the results of the first round of applications.

Mr Gregory Campbell (East Londonderry) (DUP): Will small charities that are particularly innovative in sub-Saharan Africa, providing clean drinking water for hundreds of thousands of people there, be able to avail themselves of the fund, and will the Minister actively promote it to them?

Harriett Baldwin: They will indeed be able to avail themselves of the fund, provided that their annual income is less than £250,000 and provided that they are working in one of the 50 poorest countries in the world. Larger charities can apply to other sources of funding.

Preet Kaur Gill (Birmingham, Edgbaston) (Lab/Co-op): The Secretary of State may talk up the £4 million Small Charities Challenge Fund, but the truth is that the Government are failing international charities and the people whom they serve. Civil society funding is being squeezed, the programme partnership arrangements and flexible funding have been scrapped, and the right to speak out has been restricted under the draconian Transparency of Lobbying, Non-party Campaigning and Trade Union Administration Act 2014. What plan has the Secretary of State to reverse that?

Harriett Baldwin: I congratulate the hon. Lady on her appointment: we look forward greatly to working with her. We are proud of our track record on the 0.7% commitment, and my right hon. Friend the Secretary of State will announce her strategic priorities shortly.

Occupied Palestinian Territories

4. **Grahame Morris** (Easington) (Lab): What steps she is taking to improve access for humanitarian organisations in the Occupied Palestinian Territories. [903328]

9. **Andy Slaughter** (Hammersmith) (Lab): What steps she is taking to improve access for humanitarian organisations in the occupied Palestinian territories. [R] [903333]

The Minister for the Middle East (Alistair Burt): I will answer briefly, Mr Speaker.

The UK Government consistently call on the Israeli Government to ease movement and access restrictions in the OPTs. Since 2011, we have been funding the United Nations Access Coordination Unit to work with the Israeli Government and the Palestinian Authority.

Grahame Morris: Palestinians in the occupied territories face significant barriers to access to healthcare. Some have even died as a result of delays at checkpoints. Will the Minister urge the UK Government to recommend to the working group of the United Nations' universal periodic review of Israel's human rights record that Israel lift restrictions on the movement of Palestinian patients and healthcare workers and Palestinian-registered ambulances?

Alistair Burt: The hon. Gentleman has drawn attention to a serious aspect of the difficulties of restrictions. It is much in the UK's mind, and we will continue to raise it.

Andy Slaughter: I draw attention to my entry in the Register of Members' Financial Interests.

The overnight announcement from the United States of the largest cut in aid for Palestinian refugees for 70 years follows the Israeli Government's ban on 20 international organisations entering Israel, including three from the UK. Does that concern the Government, and what do they intend to do about it?

Alistair Burt: The United Nations Relief and Works Agency has a unique role in protecting and providing essential services for 5 million Palestinian refugees. We are deeply concerned about the impact of potential cuts in US funding on stability in the region, and about the continuity of UNRWA's vital services. We will go on supporting them.

Theresa Villiers (Chipping Barnet) (Con): What action is the Minister taking to ensure that no taxpayers' money from DFID ever ends up in the pockets of convicted terrorists?

Alistair Burt: It just does not. We do not give aid to terrorists, and the Palestinian Authority knows that.

Bob Blackman (Harrow East) (Con): What action is my right hon. Friend taking to ensure that the funds given to the Palestinian Authority and the Israeli non-governmental organisations are used to promote peace in the area, so that we can see a peaceful co-existence between Israel and the state of Palestine?

Alistair Burt: My hon. Friend raises an important point. We have just this year allocated £3 million to co-existence projects so that those from the Palestinian community and Israelis can work more effectively together. One of the problems in recent years has been a growing divide between communities. We want to find projects that will break down barriers rather than erect them.

Tommy Sheppard (Edinburgh East) (SNP): Will the Government oppose President Trump's latest threat to withdraw funding from UNRWA, and will the Government attend a conference of donor countries, convened by the Norwegian Government and the EU, to discuss the imminent crisis that would result?

Alistair Burt: The answer to the second question is yes, and I am hoping to attend that conference myself. On the first question, as I said in answer to the hon. Member for Hammersmith (Andy Slaughter), that is a decision for the United States; we are concerned about the impact but our support for UNRWA will continue.

Dan Carden (Liverpool, Walton) (Lab): The US President's threat this week to withdraw tens of millions of dollars from UNRWA for Palestinian refugees is an act of cruelty towards some of the poorest and most disadvantaged people in the world. It attacks the long-established principle that development and aid cannot await a peace deal. What is the Minister doing to strengthen the resolve of the United Nations and our European counterparts to maintain vital humanitarian work in the region?

Alistair Burt: I welcome the hon. Gentleman to his position; we look forward to hearing much more from him. I met the head of UNRWA recently in London. Our commitment for next year to its programme budget is £38 million. It assists in the provision of basic education for some half a million children. As I have explained, we are concerned about the loss of funding to UNRWA and our support for it remains clear, but this is another example of how something will not be properly fixed until we get the agreement between Israel and the Palestinians that we are all searching for, and we hope 2018 will be a landmark in that.

Yemen: Humanitarian Aid

5. **Richard Burden** (Birmingham, Northfield) (Lab): What recent estimate she has made of the amount of humanitarian aid entering Yemen. [903329]

The Minister for the Middle East (Alistair Burt): Donor countries have spent over \$2 billion in humanitarian aid in 2017. This does not capture all the aid flows to Yemen, including significant contributions from Gulf countries who channel much of their aid independently. The UK is the second largest donor to the UN Yemen appeal and the third largest donor to Yemen in the world.

Richard Burden: The Minister will be aware that the 30-day relaxation of the blockade on Hodeidah port expires at the end of this week, and even while it has been in place, a combination of its temporary nature and the action of intermediaries has pushed up prices so many people have not been able to afford the food, fuel and medicines that have been able to come in. So what can the international community do to ensure that supplies continue to reach people in Yemen and they are able to stave off the famine that still affects over 8 million people?

Alistair Burt: We are working hard to ensure that commercial and humanitarian access to Yemen remains unhindered. It is vital that both commercial and humanitarian aid gets through. The hon. Gentleman is right to raise this, and the UK is working hard to make sure that process continues to deal with the humanitarian crisis in Yemen.

Stephen Twigg (Liverpool, West Derby) (Lab/Co-op): UNICEF's report this week highlights the appalling impact on children of the conflict in Yemen. Will the Minister examine the proposal from War Child that at least 1% of humanitarian funding should be devoted to mental health and psycho-social support?

Alistair Burt: I will be very happy to see that proposal; I have not seen it yet. Looking after psychological and mental health used to be seen as some kind of benevolent add-on in terms of aid and support. Bearing in mind the crisis and trauma that so many youngsters go through, it is very important that it is brought right up front and the UK is a firm advocate of that. I will certainly look at the report.

Chris Law (Dundee West) (SNP): As we all know, there are no winners in war, and in comments to *The Daily Telegraph* before Christmas the Secretary of State correctly said that Saudi Arabia has "no excuses" for blocking food and fuel shipments to Yemen. Is it not therefore sheer hypocrisy and simply inexcusable that her Government are providing billions of pounds-worth of arms sales to Saudi Arabia when 7 million Yemeni people are facing the worst famine in decades?

Alistair Burt: My right hon. Friend the Secretary of State for International Development made a significant contribution to humanitarian access by visiting Djibouti and Riyadh just before 20 December, and the resulting decision has improved humanitarian access there. Arms sales are strictly controlled, as the House well knows. We will continue our support for the coalition, which is fighting a serious insurgency and armed support from outside Yemen directed against it, but we will be firm in our determination to see an end to the conflict, which is the only thing that will resolve the humanitarian crisis.

Topical Questions

T1. [903340] **Stephen Gethins** (North East Fife) (SNP): If she will make a statement on her departmental responsibilities.

The Secretary of State for International Development (Penny Mordaunt): Yesterday I launched the UK's new action plan on women, peace and security, alongside the Foreign and Commonwealth Office and the Ministry of Defence. Empowering women and girls and placing them at the heart of our efforts to prevent and resolve conflict helps to bring a lasting peace and a safer, more prosperous world. This is good for developing countries and for the UK.

Stephen Gethins: We obviously work closely with our EU partners on the delivery of international aid. As the Secretary of State makes her plans for working with the EU after we leave, is she working on the assumption that Turkey will be a member state?

Penny Mordaunt: I am not anticipating that will happen. I have been clear that we will work with all our European partners. We will be much more focused on the things that matter to us and our strategic priorities as we do so, but we will continue to work hand in hand with many countries in Europe.

T8. [903347] **Robert Halfon** (Harlow) (Con): British taxpayers can be proud that their money goes to the salaries of Palestinian teachers, but does the Secretary of State share my obvious concern that some of those teachers are working at one of the more than 30 Palestinian Authority schools named after terrorists who have murdered Israelis or at one of the three named after Nazi collaborators?

Alistair Burt: As the House knows, we constantly challenge the Palestinian Authority in relation to anything that might encourage or glorify violence. I can assure the House that we ensure that no payments are made to those who have those connections. We do all we can to encourage the Authority to understand that naming places after those who have been involved in terrorism does not contribute to the peace process.

T2. [903341] **Jim Shannon** (Strangford) (DUP): Will the Secretary of State conduct an independent review of DFID aid delivery mechanisms in Iraq in order to evaluate reports that UK aid is not reaching vulnerable religious minorities?

Alistair Burt: We look very seriously at any such allegations. There is a constant review in the Department to ensure that some of the challenges that come in on religious discrimination are evidenced. I challenge the agencies as well, and we will continue to do this. We do not have evidence of significant discrimination, but we are always on the lookout for it.

Sir Henry Bellingham (North West Norfolk) (Con): Does the Secretary of State agree that DFID money spent on repairing catastrophic hurricane damage in the UK overseas territories, which often hits the poorest the hardest of all, should always qualify as legitimate overseas aid?

Penny Mordaunt: I do agree with my hon. Friend. The rules that we are constrained by have not prevented us from coming up with the funds needed to help those areas hit by Hurricanes Irma and Maria. This is also a lesson that we should continue to invest in our defence capabilities, because we were very reliant on our armed forces to get into those places.

T3. [903342] **Ruth Cadbury** (Brentford and Isleworth) (Lab): Yesterday, officials from Myanmar and Bangladesh agreed details for the repatriation of the Rohingya, but reports suggest that the Rohingya will have no guarantee of citizenship on their return, that they could be forced to return against their will, and that they will be vetted individually as potential terrorists. Before giving the UK Government's support, what will the Minister do, beyond taking the two Governments at their word, to verify that repatriation for the Rohingya will be safe, voluntary and—

Mr Speaker: Order. We have got the gist of it.

Penny Mordaunt: I think the hon. Lady for her question because it affords me the opportunity to remind the House what these people have fled. They should have a say in what happens to them, and we absolutely agree

that those returns must be voluntary, safe, dignified and sustainable, but those conditions are far from being met.

Sir William Cash (Stone) (Con): Would I be right in assuming that my right hon. Friend will use my International Development (Gender Equality) Act 2014, which imposes a statutory obligation on every penny of her Department's budget, to protect women and children in all matters in Myanmar and Bangladesh?

Penny Mordaunt: I absolutely will do that. Yesterday, as has already been mentioned, we launched further policy to strengthen our humanitarian efforts in that respect, and particularly towards women and children. We have also drawn on our defence capabilities to build capacity in the Bangladesh police force to keep everyone in the camps safe.

T4. [903343] **Imran Hussain** (Bradford East) (Lab): Many of my Rohingya constituents have family in the refugee camps in Bangladesh who are fleeing persecution—*[Interruption.]*

Mr Speaker: Order. The hon. Gentleman is asking about the conditions of life for occupants of refugee camps. I know there is an air of expectation, but I just remind colleagues that we are discussing some of the poorest, most vulnerable and most marginalised people on the face of the planet. I ask for due respect.

Imran Hussain: Thank you, Mr Speaker. Many of my Rohingya constituents have family in the refugee camps in Bangladesh who are fleeing persecution and who wish to join their family in the UK, as they are entitled to do. They continue to face obstacles and unnecessary bureaucracy, however, so what are the Government doing in the refugee camps to help to reunite families?

Penny Mordaunt: If any hon. Member of this House has individual cases, I would be very happy to look at them. A huge amount of effort is going into not just trying to reunite families but enabling people who have fled for their lives to identify who they are—many of them have lost documents. A very good, methodical programme is doing that, but I would be happy to discuss any cases that hon. Members have.

Michael Fabricant (Lichfield) (Con): In relation to the work undertaken by the Department to combat modern slavery, will the Secretary of State take this opportunity to praise our former colleagues Anthony Steen and Sir John Randall for the work they have done?

Penny Mordaunt: I am very happy to do that. They have made a huge contribution to an agenda that is one of our Prime Minister's priorities. We are stepping up our efforts to ask other nations to lean in and follow suit.

T5. [903344] **Stuart C. McDonald** (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): What is the Department doing to help end preventable child deaths from pneumonia by 2030?

Penny Mordaunt: I am keen that the myriad health and vaccination programmes funded by my Department yield more than the sum of their parts. We can also use these programmes to set up sustainable healthcare systems in those countries. One of my priorities is to join up the programmes to yield primary care services in the countries with which we work.

Jeremy Lefroy (Stafford) (Con): Will my right hon. Friend lead an international effort to support developing countries in creating jobs and livelihoods for young people?

Penny Mordaunt: I know my hon. Friend wants us to set up a dedicated fund for that cause, and I am looking at options for what we might do. He is right that we need to create more jobs to enable countries to collect taxes and set up public services, and he will see much more of that under my tenure.

T6. [903345] **Mrs Emma Lewell-Buck (South Shields) (Lab):** Recognising that Yemen is gripped by the world's worst humanitarian crisis, Norway recently suspended its arms sales to Saudi Arabia. Why won't the UK?

Alistair Burt: Again, as the House knows, arms sales are very carefully controlled. Every case is looked at, and serious scrutiny is provided both by this House and through the law. The coalition, which is backed by the United Nations, is dealing with an insurgency in Yemen, and it faces serious challenges from rockets fired towards its own territories. We are working to apply the law rigidly.

Tom Pursglove (Corby) (Con): This Government have rightly been at the forefront of the international fight against modern slavery. Does my right hon. Friend believe that we can spread around the world some of the best practice learned here?

Penny Mordaunt: My hon. Friend is right. In addition to the leadership we have shown and the work my Department does, there is more we can do to harness the power of technology to prevent people from falling victim to slavery and trafficking.

Several hon. Members *rose*—

Mr Speaker: One short sentence please, Patrick Grady.

T7. [903346] **Patrick Grady (Glasgow North) (SNP):** What are the UK Government doing to address the civil rights situation in Honduras, where Jesuit priests and others are being intimidated for questioning the validity of recent elections? If DFID cannot intervene in this, will the Secretary of State raise it with the Foreign Secretary?

Mr Speaker: There were a couple of semicolons in there!

Penny Mordaunt: I speak regularly with the Foreign Secretary about all these issues, and I would be happy to discuss that one. As we look at the footprint we have across this world and wish to do more to engage with more of the world, it is extremely important that we have that oversight of what is happening on the ground. We wish to help developing nations—not just their economies, but their human rights and civil society.

PRIME MINISTER

The Prime Minister was asked—

Engagements

Q1. [903348] **Catherine McKinnell (Newcastle upon Tyne North) (Lab):** If she will list her official engagements for Wednesday 17 January.

The Prime Minister (Mrs Theresa May): This morning, I had meetings with ministerial colleagues and others. In addition to my duties in this House, I shall have further such meetings later today.

Catherine McKinnell: The Government must take responsibility for their role in the mess now left by Carillion. Thousands of staff face unemployment, and small and medium-sized suppliers face going bust, but I am concerned for the 1,400 Carillion apprentices, some of whom I have met locally. It is not good enough to pass the buck to CITB—the Construction Industry Training Board—so will the Prime Minister guarantee today that every one of those apprentices will be able to complete their training and will be paid?

The Prime Minister: I recognise that this has been a difficult time for a number of people, who are concerned about their jobs, public services and their pensions. I want, first, to provide reassurance to all employees working on public services for Carillion that they should continue to turn up to work, confident in the knowledge that they will be paid for the work they are providing. But of course the Government are not running Carillion; the Government are actually a customer of Carillion, and our focus has been on ensuring that we are providing the public services—that they are continuing to be provided uninterrupted; on reassuring workers in those public services that they will get paid; on reassuring the pensioners and making sure the support is there for them—

Ian Lavery (Wansbeck) (Lab) What about the apprentices?

The Prime Minister: Yes, I am coming on to the apprentices, but it is important that government is undertaking its role to ensure that the services it provides are continuing to be provided. I assure the hon. Lady that we are aware of the issues around apprentices, which is why the Minister with responsibility for that will be looking very carefully at what action can be taken.

Q5. [903352] **Simon Hoare (North Dorset) (Con):** What better way to start the Year of Engineering than by seeing manufacturing output at its highest level in a decade and productivity on the up? May I invite my right hon. Friend to commit her Government to securing and supporting UK manufacturing and the important exports it delivers?

The Prime Minister: I am very happy to give my hon. Friend that commitment from the Government. He is absolutely right: it is very pleasing to see the figures the Office for National Statistics produced last week, which showed that production has now grown for eight months—

the longest streak since 1994—and manufacturing output is at its highest since February 2008. And earlier this month, we saw that productivity growth has had its best quarter since 2011. That shows that our economy remains strong and that we are continuing to deliver secure, better-paid jobs. We will continue to do that and support our manufacturing sector.

Jeremy Corbyn (Islington North) (Lab): In the last six months, the Government have awarded more than £2 billion-worth of contracts to Carillion. They did so even after the share price was in freefall and the company had issued profit warnings. Why did the Government do that?

The Prime Minister: It might be helpful if I just set out for the right hon. Gentleman that a company's profit warning means it believes it will not make as much profit as it had expected to make. If the Government pulled out of contracts, or indeed private sector companies pulled out of contracts, whenever a profit warning was issued, that would be the best way to ensure that companies failed and jobs were lost. It would also raise real issues for the Government about providing continuing, uninterrupted public services. Yes, we did recognise that it was a severe profit warning, which is why we took action in relation to the contracts that we issued. We ensured that all but one of those contracts was a joint venture. What does that mean? It means that another company is available to step in and take over the contract. I say to the right hon. Gentleman that this was not just about the Government issuing contracts; actually, we see that the Labour-run Welsh Government issued a contract after the profit warning last July, and only last week a public sector body announced that Carillion was its preferred bidder. Was that the Government? No—it was Labour-run Leeds City Council.

Jeremy Corbyn: For the record, Leeds has not signed a contract with Carillion. It is the Government who have been handing out contracts. It is the Government's responsibility to ensure that Carillion is properly managed.

Between July and the end of last year, Carillion's share price fell by 90% and three profit warnings were issued. Unbelievably, the Government awarded some contracts even after the third profit warning. It looks like the Government were either handing Carillion public contracts to keep the company afloat, which clearly has not worked, or were just deeply negligent of the crisis that was coming down the line.

The Prime Minister: I am very happy to answer questions when the right hon. Gentleman asks one. He did not.

Jeremy Corbyn: I asked the Government whether or not they had been negligent. They clearly have been very negligent. *[Interruption.]* Tory MPs might shout, but the reality is that as of today more than 20,000 Carillion workers are very worried about their future. For many of them, the only recourse tonight is to phone a DWP hotline.

The frailties were well known: hedge funds had been betting against Carillion since 2015, and the state-owned Royal Bank of Scotland was making provision against Carillion last year. The Government are supposed to protect public money through Crown representatives, who are supposed to monitor these powerful corporations

that get huge public contracts. This is a question that the Prime Minister needs to answer: why did the position of Crown representative to Carillion remain vacant during the crucial period August to November, when the profit warnings were being issued, the share price was in freefall, and many people were very worried?

The Prime Minister: I am afraid I have to say to the right hon. Gentleman that of course—

Emily Thornberry (Islington South and Finsbury) (Lab): Just answer the question!

The Prime Minister: I will indeed answer the question, but I know that the shadow Foreign Secretary has herself praised Carillion in the past for its work.

To answer the right hon. Gentleman, there is obviously now a Crown representative who has been fully involved in the Government's response. Before the appointment of the Crown representative to replace the one who had previously been in place, the Government chief commercial officer and the Cabinet Office director of markets and suppliers took over those responsibilities, so it was not the case that there was nobody from the Government looking at these issues. That is standard procedure, and it ensured that there was oversight of Carillion's contracts with the Government during the appointment process for the Crown representative.

Jeremy Corbyn: Well, they clearly were not looking very well. Carillion went into liquidation with debts that we now understand to be £1.29 billion and a pension deficit of £600 million. At the same time, the company was paying out ever-increasing shareholder dividends and wildly excessive bonuses to directors. From today, 8,000 Carillion workers on private sector contracts will no longer be paid, but the chief executive will be paid for another 10 months—one rule for the super-rich, another for everybody else. Will the Prime Minister assure the House today that not a single penny more will go to the chief executive or the directors of this company?

The Prime Minister: First, I say to the right hon. Gentleman that this is obviously a situation that is changing as decisions are being taken, but my understanding is that a number of facilities management contractors have now come to an agreement with the official receiver that means that their workers will continue to be paid. It is important to say that the official receiver is doing its job and working with those companies.

The right hon. Gentleman raises the issue of bonuses, and people are of course concerned about the issue and are rightly asking questions about it. That is why we are ensuring that the official receiver's investigation into the company's business dealings is fast-tracked and that it looks into not just the conduct of current directors, but previous directors and their actions. In reviewing payments to executives, where those payments are unlawful or unjustified, the official receiver has the powers to take action to recover those payments. It is important that the official receiver is able to do its job.

What is also important is that the Government's job is to ensure that public services continue to be provided, and that is what we are doing. The right hon. Gentleman said earlier that it was the Government's job to ensure

that Carillion was properly managed, but we were a customer of Carillion, not the manager of Carillion—a very important difference. It is also important that we have protected taxpayers from an unacceptable bail-out of a private company.

Jeremy Corbyn: When Carillion went into liquidation, many contractors were still unpaid. The company was a notorious late payer, taking 120 days to pay and placing a huge burden on small companies. That is four times longer than the 30 days in the prompt payment code that Carillion itself had signed up to. Why did the Government allow a major Government contractor to get away with that? Will the Prime Minister commit to Labour's policy that abiding by the prompt payment code should be a basic requirement for all future Government contracts?

The Prime Minister: Of course we look at the behaviour of companies that we contract with in relation to payments. The question of prompt payments has been brought up in this House for as long as I have been in this House, and work is always being done on it, but the right hon. Gentleman has raised an important point about the impact of Carillion's liquidation on small companies. That is why the Business Secretary and the City Minister held a roundtable with the banks this morning to discuss credit lines to small and medium-sized enterprises and to make it clear that SMEs are not responsible for Carillion's collapse. The Business Secretary has also held further roundtables today with representatives of small businesses, construction trade associations and trade unions—workers' unions—to ensure that we are on top of the potential effects on the wider supply chain. It is right that we look at those very carefully and that we take action. It is also right that, through the Department for Work and Pensions, we put in place support for any workers who find themselves no longer employed as a result of this.

Jeremy Corbyn: It is a bit late for one subcontractor. Flora-tec, which was owed £800,000 by Carillion, has already had to make some of its staff redundant because of the collapse. This is not one isolated case of Government negligence and corporate failure; it is a broken system. Under this Government, Virgin and Stagecoach can spectacularly mismanage the east coast main line and be let off a £2 billion payment, Capita and Atos can continue to wreck lives through damaging disability assessments of many people with disabilities and win more taxpayer-funded contracts, and G4S can promise to provide security for the Olympics but fail to do so, and the Army had to step in to save the day. These corporations need to be shown the door. We need our public services to be provided by public employees with a public service ethos and a strong public oversight. As the ruins of Carillion lie around her, will the Prime Minister act to end this costly racket of the relationship between Government and some of these companies?

The Prime Minister: I might first remind the right hon. Gentleman that a third of the Carillion contracts with the Government were let by the Labour Government. What we want is to provide good-quality public services delivered at best value to the taxpayer. We are making sure in this case that public services continue to be provided, that the workers in those public services are

supported and that taxpayers are protected. What Labour opposes is not just a role for private companies in public services but the private sector as a whole. The vast majority of people in this country in employment are employed by the private sector, but the shadow Chancellor calls businesses the real enemy. Labour wants the highest taxes in our peace-time history, and Labour policies would cause a run on the pound. This is a Labour party that has turned its back on investment, on growth and on jobs—a Labour party that will always put politics before people.

Q13. [903360] **Paul Scully** (Sutton and Cheam) (Con): I thank the Prime Minister for visiting Cheam on Saturday where she heard from local residents about the poor services provided by the complacent Lib-Dem council. People should not have to settle for second best. Does she agree that we need to unlock the potential of Sutton, and indeed of London, on 3 May by giving residents across London the opportunity to get great services and value for money by voting Conservative?

The Prime Minister: I was very happy to join my hon. Friend on the doorsteps in Cheam and to hear from people about the issues to do with Liberal Democrat services in Sutton and Cheam, particularly those around rubbish bins. I believe that there are now up to six bins per household. I am beginning to think that the council is trying to go for one bin for every Liberal Democrat Member of Parliament. He is absolutely right: the evidence is that Conservatives deliver better services at less cost to the council tax payer. While we are talking about costs to the council tax payer, only last week the then shadow Fire Minister announced that Labour policy was to put up council tax on every average house and typical home by £320. People should know that a vote for Labour is a vote to pay more.

Ian Blackford (Ross, Skye and Lochaber) (SNP): Can the Prime Minister tell the House what official advice she has had on the impact of the UK economy from leaving the EU single market and when she requested any such advice?

The Prime Minister: Of course, as we go through the Brexit negotiations, we are constantly looking at the impact that decisions that are taken will have on our economy. What we want to ensure is that we maintain good access—a good comprehensive free trade agreement—with the European Union and also, as we leave the European Union, that we get good free trade agreements with other parts of the world.

Ian Blackford: Nineteen months after the EU referendum, the Prime Minister has not a shred of economic analysis on the impact of leaving the single market. On Monday, the Scottish Government published their second analysis paper revealing some horrifying facts: leaving the single market will cost each Scottish citizen up to £2,300 a year. How many jobs have to be lost and how much of a financial hit will families have to take before the Prime Minister recognises the folly of leaving the single market?

The Prime Minister: The right hon. Gentleman asks me for economic analysis. Well, I will give him some economic analysis. We saw the figures this morning for GDP growth in Scotland. In the third quarter, GDP in

Scotland grew by 0.2%. In the rest of the United Kingdom, it grew by 0.4%. Over the past year, GDP in Scotland—under a Scottish National party Government in Scotland—grew by 0.6%. In the United Kingdom as a whole, it grew by 1.7%. My economic analysis is that 1.7% is higher than 0.6%; you're better off with a Conservative Government than an SNP one.

Q14. [903361] **Sir Henry Bellingham** (North West Norfolk) (Con): Will the Prime Minister look at the case of my late constituent, Ann Banyard, who was badly injured by a fleeing shoplifter? She recently died, partly because of those injuries, at the young age of 70. Her claim to the Criminal Injuries Compensation Authority has been delayed and the family fear that it may lapse completely. Will the Prime Minister join me and our local paper, the *Lynn News*, in supporting this case, and will she make it clear that the rights of victims should always be at the heart of our criminal policy?

The Prime Minister: My hon. Friend is right to put the case for the rights of victims, and he is absolutely right that we should always remember victims. I am very sorry to hear the case of his late constituent, Ann Banyard, and I know that the whole House will join me in offering condolences to her family in this tragic case. As my hon. Friend knows, the Criminal Injuries Compensation Authority administers the criminal injuries compensation scheme and applies the rules independently of the Government, but I am sure that the Justice Secretary would be happy to meet my hon. Friend to discuss the case.

Q2. [903349] **Mr Tanmanjeet Singh Dhesi** (Slough) (Lab): After the internationally embarrassing news of the Tory council leader from my neighbouring Royal Borough of Windsor and Maidenhead and his deplorable attitude to the homeless regarding the royal wedding, and the recent put-downs to the Prime Minister and our Government by President Trump, will the Prime Minister confirm whether she actually wants an invite to be extended for the royal wedding and a state visit to the “very stable genius” from the United States who, by the way, seems to be copying all the buzzwords from this not so “strong and stable” Government?

The Prime Minister: The hon. Gentleman knows that we have a special and enduring relationship with the United States. An invitation for a state visit has been extended to President Trump, although I have to say that I am not responsible for invitations to the royal wedding. The hon. Gentleman referenced the Royal Borough of Windsor and Maidenhead Council. He should be aware that it has taken a number of actions to support vulnerable residents, including those who are homeless, with the establishment of an emergency night shelter that is open 365 days a year; a day service attached to that, providing support services to vulnerable residents; and a comprehensive seven-day-a-week service for the homeless or those at risk of homelessness. The council also applied the severe weather emergency protocol and offered accommodation to, I think, 32 homeless people on the streets, of whom 21 took up the accommodation and 11 did not.

Q15. [903362] **Scott Mann** (North Cornwall) (Con): Cancer can strike anyone, no matter where they live in the UK. The Sunrise Appeal in Cornwall has raised

£3 million since the year 2000 to fund equipment and buildings for cancer care, but proposals by the NHS could see radiotherapy services move from Cornwall to Devon. This would mean many constituents having to travel hundreds of miles to access treatment many times a week. These proposals are unacceptable to my constituents and the vast majority of people in Cornwall. Does the Prime Minister agree that travel times should be taken into account when making these decisions, and will she join me in encouraging the people of Cornwall to respond to the NHS consultation?

The Prime Minister: My hon. Friend raises an important point. We want to ensure that patients get the best cancer services and that they get access to treatment in a timely fashion. Of course, the length of time it takes patients to travel to that treatment is an important issue. We are establishing radiotherapy networks, which will review access issues and service provision on a regular basis and address any shortcomings in the area. That is backed up by £130 million for new and upgraded radiotherapy machines. My hon. Friend is absolutely right that these decisions should be taken primarily at a local level, and I join him in encouraging the people of Cornwall to respond to the consultation.

Q3. [903350] **Jeff Smith** (Manchester, Withington) (Lab): Last week, my constituent Carol's son had a mental health crisis. He was admitted to the nearest available psychiatric adult bed—in West Sussex, a 450-mile round trip from his home and family in Manchester. The lack of mental health beds is a national crisis and scandal, so when will Prime Minister turn her warm words on mental health into action to solve the crisis?

The Prime Minister: Obviously I am sorry to hear of the experience of the hon. Gentleman's constituent. We are turning our words on putting a priority on mental health into action. Is there more for us to do? Yes. That is why we are continuing to put an emphasis on this. We do see more people being able to access mental health services every day. We have increased the number of people having access to therapies. We have increased the funding that is available for mental health. There is more for us to do, but we are putting more money in and we are taking more action on mental health than any previous Government.

Sir Desmond Swayne (New Forest West) (Con) *rose*—
[*Interruption.*]

Mr Speaker: Order. The right hon. Gentleman is extremely alert, and I am alert to what he is going to say.

Sir Desmond Swayne: A question keeps me awake at night: how will companies be encouraged to follow the Prime Minister's lead in the way that Iceland has done?

The Prime Minister: I am very pleased to say that this week Iceland has made a commitment to be plastic-free. We have seen other companies make commitments to ensure that any plastics they use are recyclable over a number of years. I am very happy to join my right hon. Friend in saying that we will be encouraging companies to follow Iceland's lead. We will also be consulting on how the tax system or the introduction of charges could further reduce the amount of waste we create. We are

launching a new plastics innovation fund, backed up by additional funding that the Government are investing in research and development to ensure that we really do reduce the amount of plastic that is used and leave the environment of this land in a better state than we found it.

Mr Speaker: We can all learn about brevity, myself included, from the right hon. Gentleman.

Q4. [903351] David Linden (Glasgow East) (SNP): Margo Laird has profound mental health difficulties. She was put on to universal credit in January 2016 and subsequently received a 276-day sanction. A judge recently ruled that that sanction was wrong, and it has been overturned. Will the Prime Minister agree to look into Margo Laird's case, but above all, will she apologise to Margo?

The Prime Minister: Obviously I am sorry to hear of the case that the hon. Gentleman has set out. I am very happy to ensure that that case is properly looked into.

Andrea Jenkyns (Morley and Outwood) (Con): Following Transport for the North's announcement on Northern Powerhouse Rail, will the Prime Minister confirm her Government's commitment to investing in northern transport infrastructure and ensuring that the northern powerhouse materialises?

The Prime Minister: I am very happy to give that commitment to the northern powerhouse and to giving the great cities across the north the transport infrastructure that they need to be able to develop the northern powerhouse. We are spending a record £13 billion to transform transport across the north. We have made Transport for the North the first ever statutory sub-national transport body and backed that up with £260 million of Government funding. It has published its draft strategic plan for consultation. I would hope that all Members with an interest in this issue engage in that consultation and make sure that their views and their constituents' views are heard.

Q6. [903353] Carol Monaghan (Glasgow North West) (SNP): His Holiness Pope Francis has this week condemned hostility to migrants, saying that communities across Europe must open themselves without prejudice to the rich diversity of immigrants. As a committed Christian, would the Prime Minister agree with Pope Francis that hostility to migrants is a sin?

The Prime Minister: This country has a fine record, over not just decades but centuries, of welcoming refugees and ensuring that people can come to this country and make their home in this country, and that is what we will continue to do.

Zac Goldsmith (Richmond Park) (Con): John Worboys is likely to be one of the worst sex attackers our country has ever known. When he was in court, he denied his guilt; he was continuing to deny his guilt up until two years ago; he dismissed his crimes as "banter"; and only last year he was deemed too dangerous to be put into open release conditions. The short sentence he has served is an insult to his victims and shows a contempt for justice. Does the Prime Minister agree that the

decision must now be judicially reviewed and that the police should immediately reassess those cases which were not tried in court?

The Prime Minister: I thank my hon. Friend for raising this. This case has rightly raised deep concern among the public, but also among Members across this House. As my hon. Friend will know, the Parole Board is rightly independent of Government, and even in sensitive cases such as this, we must ensure that that independence is maintained and we do not prejudice decisions. It has decided to approve John Worboys's release, with stringent licence conditions, but my right hon. Friend the Justice Secretary has made it clear that he is taking legal advice on the possibility of a judicial review of that decision. It is also the case that the Justice Secretary has said he will be conducting a review to look at options for change and at the issue of the transparency of decisions by the Parole Board. Public protection is our top priority. I think people are often concerned when they see decisions of the Parole Board being taken and they are not aware of the reasons behind them. There may be limits to what can be done, but I think it is right that we look into this case and question the issue of transparency.

Q7. [903354] Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP): A constituent of mine has informed me that she was repeatedly raped and beaten by her ex-partner, requiring an injunction. Much to her horror, her bank would not close their joint account unless she attended with the perpetrator. When banks are left to their own discretion, women's lives are put at risk. Will the Prime Minister ensure policy to protect survivors is included in the pending domestic violence Bill?

The Prime Minister: The hon. Lady clearly raises a very distressing case. We want to ensure that we give proper support to all those who have been subject to domestic violence or to abuse of the kind to which the hon. Lady has referred. The Home Secretary will be issuing a consultation shortly on the proposed domestic violence legislation and that will be an opportunity for issues such as this to be raised.

Damien Moore (Southport) (Con): A brutal attack occurred in my constituency over the weekend in which Cassie Hayes, a young woman, tragically died. Will the Prime Minister extend her sympathies to the family of Cassie and pay tribute to the hard work of the emergency services who attended the scene?

The Prime Minister: My hon. Friend told me about this very distressing case last night. It is a horrific case. I extend my sympathies, and I am sure the whole House extends its sympathies and condolences, to Cassie's family and friends following her tragic death. I also congratulate the emergency services on the action that they took. From the description that my hon. Friend gave me last night, I think we should also have some thought and care for all those who, sadly, were witnesses to this particular incident—through no fault of their own, other than happening to be in a particular premises at a particular time.

Q8. [903355] **David Simpson** (Upper Bann) (DUP): The Prime Minister will be aware that Northern Ireland has not had a Government now for over a year, and decisions need to be taken to protect our health service, education and local communities. Does she agree that, in the absence of a Government being formed, it is imperative that her Government take the decision to appoint direct rule Ministers as soon as possible, so that a budget can be put forward to deal with this urgent problem?

The Prime Minister: We are committed to re-establishing a fully functioning, inclusive devolved Administration that works for everyone in Northern Ireland. I do not underestimate the challenges that remain involved here, but we still believe that a way forward can be found and an agreement can be reached. I would say it is imperative, therefore, that the parties re-engage in intensive discussions aimed at resolving the outstanding issues, so that the Assembly can meet and an Executive can be formed. We do recognise, however, that we have a responsibility to ensure political stability and good governance in Northern Ireland. Obviously, as I say, our priority is ensuring that we can work with the parties to re-establish the devolved Government in Northern Ireland, but we recognise the need to ensure that Northern Ireland can continue to operate and that public services can continue to be provided.

Derek Thomas (St Ives) (Con): I thank the Prime Minister for her response to my hon. Friend the Member for North Cornwall (Scott Mann). NHS England and this Government are investing a further £130 million in radiotherapy treatment for rare and less common cancers, but will she confirm, and reassure my constituents, that there is no need for existing good radiotherapy services in the Sunrise centre to be moved in order to deliver cancer treatment for rare cancers?

The Prime Minister: As I said in response to the question from my hon. Friend the Member for North Cornwall (Scott Mann), we recognise the importance of ensuring that people have access to the treatments that they require, and we recognise the issues that people sometimes face in relation to travelling to the centres where those services are available. This is primarily a decision to be taken at local level and, as I did earlier, I encourage people to take part in the consultation and to respond to it so that local views can truly be heard and taken into account.

Q9. [903356] **Nic Dakin** (Scunthorpe) (Lab): My constituent, Chris Robinson, has to wait 52 weeks for her pain relief treatment, instead of the 18 weeks that a properly funded national health service would deliver. How much longer will it take for the Prime Minister to sort things out?

The Prime Minister: We are putting more money, as the hon. Gentleman knows, into the national health service. In the autumn Budget, the Chancellor of the Exchequer put a further £2.8 billion into the national health service, but if we are looking at the issues of treatment across the national health service, we have to be very clear that, while Labour's answer is always just more money, it is about ensuring that all hospitals across the NHS operate and act in accordance with best practice. We have world-class hospitals in our NHS—we want to ensure that they are all world class.

Huw Merriman (Bexhill and Battle) (Con): I understand that London has been mentioned as a potential host for the Bayeux tapestry. Given that visitors to London who wish to see two sides chucking things at each other are well catered for in the Public Gallery, may I ask the Prime Minister to put in a very good word for Battle abbey in East Sussex, where viewers could not only see the tapestry but look through the window and see the rolling East Sussex countryside where sadly the Normans gave the Saxons six of the best?

The Prime Minister: It is very significant that the Bayeux tapestry is going to come to the United Kingdom and that people will be able to see it. I hear the bid that my hon. Friend has put in, but from a sedentary position on the Front Bench my right hon. Friend the Home Secretary, who represents Hastings, put in a bid on that particular issue. I am sure that we will look very carefully at that to ensure that the maximum number of people can have the benefit of seeing the tapestry.

Q10. [903357] **Alex Norris** (Nottingham North) (Lab/Co-op): The Prime Minister pledged to consign slavery to the history books. However, the National Audit Office says that the Home Office has not set out how a reduction would be measured; it does not set clear anti-slavery activity; it does not know what activity is going on across Government; and it does not monitor business compliance with the Modern Slavery Act 2015. Is the Prime Minister satisfied with that analysis of her flagship policy, and what action will the Government take?

The Prime Minister: It is this Government, and I in my former role of Home Secretary, who introduced the Modern Slavery Act. It is this Government who improved the response to victims and the response of the police in catching perpetrators. More cases have been brought to prosecution, and more victims are willing and able to come forward, and have the confidence to do so. Have we dealt with the problem? Of course there are still problems out there, but we want to ensure, as my right hon. Friend the International Development Secretary said in International Development questions, not just that we take action in the United Kingdom but that we work with countries where women are trafficked into this country and with other countries to eliminate modern slavery across the world, and that is exactly what we are doing.

Victoria Prentis (Banbury) (Con): Members across the House have sung for Syrians. Last week, in Idlib, a clinic and kindergarten that we support were bombed by Syrian Government destroyers. Will the Prime Minister join me in paying tribute to the bravery of the staff of the Hands Up Foundation who continue to work there and in reassuring ordinary Syrians that in the seventh year of this terrible war we have not forgotten them?

The Prime Minister: My hon. Friend has been a great champion of charities working in Syria, particularly Singing for Syrians, and I am very happy to join her in praising the bravery of all those working for the Hands Up Foundation as well as others working for other charities in the region doing valuable and important work. We continue to make every effort to achieve our goals in Syria, which of course include defeating the

scourge of Daesh but also ensuring that we achieve a political settlement that ends the suffering and provides stability for all Syrians and the wider region. We also continue to provide significant humanitarian assistance—£2.46 billion to date.

Q11. [903358] **Imran Hussain** (Bradford East) (Lab): Can the Prime Minister tell me why the failed Wakefield Cities Academy Trust was allowed to take over schools in Bradford, even though concerns about it were raised as far back as 2015, and will she give me an assurance today that the hundreds of thousands of pounds taken from schools in my constituency, which is one of the poorest in the country, will be returned immediately?

The Prime Minister: We of course have a priority to ensure that children across the country, whether in the north or the south, receive a great education. Of course, seven of our 12 opportunity areas that are providing that support are in the north or the midlands. That is the frontline of our approach to tackling inequality in education outcomes. The hon. Gentleman is concerned about northern schools. We are taking forward recommendations on the northern powerhouse schools strategy. We are putting record levels of funding into our schools and have announced increased funding over the next two years.

Neil O'Brien (Harborough) (Con): In Market Harborough, I and local charities will be holding a meeting to discuss how we can fight the problem of loneliness in our community. At the national level, what is the Prime Minister doing to implement the important recommendations of the Jo Cox Commission on Loneliness?

The Prime Minister: My hon. Friend raises an important issue. He is absolutely right that for too many people loneliness is the sad reality of modern life, and we know that loneliness has an impact not only on mental health, but on physical health. Later today I will be pleased to host a reception at No. 10 Downing Street for the Jo Cox Foundation to look at the issue. I think that the work that Jo Cox started, which has been continued by my hon. Friend the Member for South Ribble (Seema Kennedy) and the hon. Member for Leeds West (Rachel Reeves), is very important. I am pleased to say that the Government have appointed a Minister for loneliness. This is an important step forward. Of course there is more to do, but it shows that we recognise the importance of the issue. I pay tribute to all Members of the House who have championed the issue.

Q12. [903359] **Stephen Timms** (East Ham) (Lab): Universal credit was meant to remove benefit traps, but the Department for Education wants to base eligibility for free school meals on an income threshold, so if a family earning just below the threshold gets a small pay rise or

an increase in hours, they will immediately lose the benefit of the free school meals and end up much worse off. It is a far worse benefit trap than anything in the old benefits system. Surely one Department should not be torpedoing the Government's aim of getting rid of benefit traps in that way.

The Prime Minister: As the right hon. Gentleman knows, we believe that universal credit is a better system because it is simpler than the benefits system it replaces, it encourages people to get into work, and it ensures that the more they earn, the more they keep. Our proposals mean that once universal credit has been fully rolled out, 50,000 more children will be eligible for free school meals than were under the old system.

Alberto Costa (South Leicestershire) (Con): May I welcome the great speech that the Prime Minister made on the environment last Thursday? It is right that she, and indeed the Conservative party, support companies that promote sustainable growth, but does she also agree that any commercial development must now take into account the needs of the environment?

The Prime Minister: I thank my hon. Friend for his comments on the speech, which was about the 25-year environment plan that the Government have published. It is an important step that we have taken to ensure that we leave our environment in a better state than we found it. I agree that all too often people see economic growth and environmental protection as opposites; they are not. It is absolutely possible for us to ensure that we protect our environment while producing economic growth, not least because of the innovative technologies that we can develop to ensure that environmental protection.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): Diolch yn fawr, Llywydd. The people of Wales have been taking back control since 1999, but the European Union (Withdrawal) Bill will put our powers back under lock and key in Westminster. My colleague Steffan Lewis AM is today proposing a Welsh continuity Bill to ensure that our powers are at liberty. When this Plaid Cymru Bill wins a majority in our Assembly, will the Prime Minister support it and respect Wales's sovereignty?

The Prime Minister: The hon. Lady's portrayal of what is happening in the EU (Withdrawal) Bill is simply wrong. We are working with the devolved Administrations to deal with the issues that have been raised about clause 11 and the question of powers that need to remain at UK level to secure our internal market, and extra powers will be devolved to the devolved Administrations. We continue to work with the devolved Administrations on this and we will be bringing forward amendments in the House of Lords to clause 11. We want to ensure that it meets the needs of the UK and of the devolved Administrations.

Points of Order

12.51 pm

Clive Lewis (Norwich South) (Lab): On a point of order, Mr Speaker. I hope to get your advice on an exceptionally serious issue, which has been brought to me by a whistleblower in my constituency, relating to the East of England Ambulance Service. It has been put to me that the service became critically overstretched as a result of high demand on 19 December. At that point, senior operational managers wanted to move to REAP4, which is the highest state of emergency, and seek mutual aid, most likely from the armed forces. However, that decision was not taken until 31 December, some 12 days later. Even then, aid was not requested by senior management.

I have been informed that, during that period, 20 people died in incidents when ambulances arrived late. If that is true, it raises serious questions for the trust and the Government as to why REAP4 was not declared and no aid was sought; what potentially avoidable deaths resulted from those decisions; and, above all, how we can avoid that ever happening again. Given that this is, quite literally, a matter of life and death, can you advise me, Mr Speaker, on how I may urgently seek answers to those questions from the Secretary of State for Health and Social Care?

Mr Speaker: I am grateful to the hon. Gentleman for his point of order and for his characteristic courtesy in giving me advance notice of his intention to raise it. The answer is twofold. First, he should undertake the short journey from the Chamber to the Table Office in order to table such questions—there may be many—to which he seeks answers from the Secretary of State for Health and Social Care. The hon. Gentleman may already be working on these matters now; if not, I am sure he will apply hot, wet towels over his head as he prepares his line of questioning.

Secondly, the hon. Gentleman may seek to consult his colleagues on the Opposition Front Bench if he wishes a party view to be taken on this matter and the issue to be pursued not only from the Back Bench, but by his fellow Members of the Front Bench. Meanwhile, he has aired his concern, and it will have been heard on the Treasury Bench.

Martin Docherty-Hughes (West Dunbartonshire) (SNP): On a point of order, Mr Speaker. It has come to my attention via a story by Peter Geoghegan on the website *The Ferret* that the Under-Secretary of State for Exiting the European Union, the hon. Member for Wycombe (Mr Baker), whom I have informed that I will be mentioning him in the House, may be in breach of the rules concerning the Register of Members' Financial Interests.

The hon. Member is listed on the website of the Cobden Centre as a co-founder; and he is listed by Companies House as a director in papers that were last updated only in September. Of most interest to the House would be the centre's stance on Brexit. Although there is no question that the hon. Member has a pecuniary interest in the organisation, it would seem to me that the directorship of the company contravenes paragraph 55(b) of the guide to the rules on the registration of Members' financial interests, namely:

"Any other interest, if the Member considers that it might reasonably be thought by others to influence his or her actions or words as a Member in the same way as a financial interest."

Let me emphasise the next part:

"This might include an unpaid employment or directorship".

I seek your counsel, Mr Speaker—

Mr Speaker: Order. I am immensely grateful—I cannot tell the hon. Gentleman how grateful I am to him—but I do not think that any further words from him are required. I shall give a response, and then I shall invite the hon. Gentleman concerned to respond, if he wishes.

I am grateful to the hon. Member for West Dunbartonshire (Martin Docherty-Hughes), of course, for raising this concern, but let us be absolutely clear—I say this for the benefit of Members of the House and those attending to our proceedings—that responsibility for registration or declaration rests with the Member concerned, not with the Chair. If another Member—or, indeed, anyone else, for that matter—has reason to believe that a Member has failed to register or to declare an interest, that person should write to the Parliamentary Commissioner for Standards for an investigation in accordance with procedures approved by the House. Whether a Minister has breached the ministerial code is, of course, a matter for the Prime Minister.

As the hon. Gentleman has raised his point—if I may say so, in some painstaking detail—it seems only fair to offer the hon. Member concerned, the Minister at the Department for Exiting the European Union, the opportunity to reply if he so wishes. I must emphasise that I do not want a precedent to be set here. He is under absolutely no obligation to respond on the Floor of the House, but if he wishes to do so, let us give him the opportunity.

The Parliamentary Under-Secretary of State for Exiting the European Union (Mr Steve Baker): Further to that point of order, Mr Speaker. I am happy to tell the House that I resigned my trusteeship of the Cobden Centre within days of taking up my post in DExEU, knowing that with the centre's interest in free trade, in particular, that might be considered relevant. I resigned, if my memory serves me, on 17 June. I very much regret that an administrative error was made by others after my departure, and I have asked them to correct it.

Mr Speaker: I am grateful to the hon. Gentleman. That response was clear. If others wish to continue discussing the matter, they can do so, but they should not do so in this Chamber. I am deeply obliged to the hon. Gentleman for what he has said.

Margaret Greenwood (Wirral West) (Lab): On a point of order, Mr Speaker. During a debate on the NHS winter crisis last Wednesday, the Under-Secretary of State for Health, the hon. Member for Winchester (Steve Brine), misquoted what I said in the course of the debate. I tried to intervene to correct the matter, but he would not take my intervention. He said that I had said that the NHS is a political organisation. I said no such thing. What I did say was that the NHS is a political entity. Had he taken my intervention, I would have explained that the very existence of the NHS, which of course was created by a Labour Government, and the

[Margaret Greenwood]

way in which it operates are reliant on the political decisions made in this Parliament. I feel that the Minister owes me an apology, and I also feel that he owes an apology to this House. I wonder whether you could advise, Mr Speaker, on how such apologies may be secured.

Mr Speaker: I am very grateful to the hon. Lady for giving me advance notice of her intention to raise this matter. I will just inquire of her whether she has given notice of this to the Minister concerned.

Margaret Greenwood: I have not.

Mr Speaker: The hon. Lady should have given notice to the Minister concerned, but I will not dwell on that point; it speaks for itself. Nevertheless, I would say to the hon. Lady that if the Minister feels, having heard what she has said, that he has been inaccurate, it is open to him, and would normally be expected of him, to correct the record. Meanwhile, the hon. Lady has made her view of the matter clear, and it is on the record.

I hope that the hon. Lady will not take it amiss if I say that, notwithstanding the importance of the matter that she raises—not least to her—it is not uncommon for Members of this House to be, or to feel that they have been, misquoted or misrepresented. Some of us have some decades' experience of this. I very gently counsel the hon. Lady, while perfectly legitimately pursuing the matter, if she so wishes, not to allow the matter to disrupt her sleep pattern.

Private Landlords (Registration)

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

12.58 pm

Phil Wilson (Sedgefield) (Lab): I beg to move,

That leave be given to bring in a Bill to require all private landlords in England to be registered; and for connected purposes.

Over the years, one of the key issues consistently raised with me by my constituents has been the role played by some private landlords and their tenants in the local community. Let me say up front that the majority of private landlords are responsible. As always, there are those who do not fall into that category—private landlords who do not care about their tenants or who they rent to, or the communities in which their properties are placed; all they are interested in is the rent they can secure, and nothing else.

The whole policy area surrounding the regulation of private landlords is frustrating. It is failing to solve the problems faced by local communities, local authorities are stretched beyond their ever-shrinking budgets, and local people feel neglected. I now believe it is time to consolidate regulation on private landlords, underpinned by a mandatory licensing scheme to help to remedy some of the disquiet felt by people in Sedgefield and throughout the country.

Once, Durham's economy was based on coal: 100,000 miners worked down 100 collieries and, with their families, lived in tight-knit communities. Many of the colliery villages thrived in that economy—villages such as Ferryhill, Fishburn, Chilton, the Trimdons, Wheatley Hill, Wingate, Thornley and West Cornforth. They all had and have one architectural characteristic in common: row upon row of back-to-back colliery terraces. Now, years after the end of the coalmining era, they have become the preserve of private landlords, and in some areas a hotspot for neglect and crime.

Some residents who have lived in the local area for years and remember earlier times can tell better than most how it has changed. To help to resolve the problem, selective licensing schemes have been introduced in the county, with some success, but they can be administratively burdensome and very staff intensive. The council's accreditation scheme is voluntary and attracts only the good landlords. A mandatory registration scheme would place the onus on the landlord. In 2008, the Labour Government ordered a review of the private rented sector. In response to the review, in May 2009 the Government outlined their intention to introduce a national mandatory register of the private landlord sector, but the general election intervened and the coalition Government decided not to take the proposal forward.

By the time of the 2011 census, the number of private rented homes in the county had increased by 78% to nearly 16,000 properties, or 14% of the housing stock. Half of that stock consists of typical colliery terraced housing, which is difficult to sell and difficult to let. Also, there are about 4,000 long-term empty homes in Durham. They are empty for different reasons: some are inherited, some are part of the estates of deceased persons with no living relatives, and some are left empty because the owners have moved on and cannot sell their property; while other properties are bought by investors and left empty through choice. Under current legislation,

properties can stand empty for as long as the owners like, and their only duty is to ensure that accessible windows and doors are secure. This leads some properties to become an attraction for antisocial behaviour, arson and fly-tipping. The county council informs me that it sometimes takes weeks or even months to track down the owner of a property so that a problem can be addressed.

I have been working on this issue with the police and crime commissioner for Durham, Ron Hogg. The police are concerned about the effect that a high concentration of private landlords has on areas of high deprivation. Ron Hogg's office has provided me with data from the Office for National Statistics showing that nationally there is a link between the prevalence of private landlords in areas of high deprivation and levels of crime. In Wheatley Hill in my constituency—one of the most deprived communities in the county, where the number of people who are economically inactive due to long-term sickness or a disability is almost three times the national average—43% of households in an area of the village that is of concern to the local authority and agencies are private lets, of which 30% are standing empty. The crime figures for the village are equally startling: in 2017 there were 122 crimes per 1,000 head of population, whereas the average for County Durham is only 77 per 1,000 head of population.

The lack of information on private landlords leads to an increased workload for the police. In one incident, a property in County Durham was being used for drug taking. The police had the previous landlord's details and later discovered the details of the new landlord, but did not have a contact number. Letters were written to him, but it took a fixed penalty notice from environmental health to make him contact the council. The tenants who had caused the problems had moved on by this time due to rats in the property, but the house had also been trashed. Had the landlord's information been available at the start, the issue could have been resolved quickly, instead of dragging on for seven months. In another incident, a police constable reported that he had attended an empty private rented property after an arson. It was in the process of being burgled. Two arrests were made. Local letting agents and the council were contacted, but no one knew who the landlord was. Those arrested were released under investigation because the matter could not be recorded as a crime without an injured party. If the landlord's details had been known, charges could have been brought.

Ron Hogg has said about the private landlord sector:

"Not only are large numbers of properties unfit for habitation...but the lack of control over the market is resulting in the breakdown of many of our communities and in many cases resulting in increases in crime and disorder.

He goes on:

"This is costly to local communities and costly to the state—too much police time is being spent dealing with problems that could be avoided if it were possible to identify the landlords and provide enforcement at an earlier stage."

Mr Hogg says:

"Only a mandatory private landlord registration scheme, administered by local authorities and funded by private landlords and fines from enforcement, can create a situation where this can be brought under control."

Chief Constable Simon Cole of Leicestershire police, who is the National Police Chiefs Council portfolio lead for antisocial behaviour, has said that

"it would be helpful to local policing if local authorities had to have a register of private landlords so that they can fulfil their responsibilities in protecting vulnerable people."

Chief Constable Mike Barton of Durham constabulary has said:

"A mandatory register would save time and public money for the whole range of organisations delivering services in areas where antisocial behaviour is common... It would mean that police and our partners...would be much better placed to nip problems in the bud rather than being unable to carry out enforcement on unidentifiable landlords, often based hundreds of miles away. I am sorry to say that, too often, such people couldn't care less about the misery their indifference causes to decent hard working families".

I, those who work in local government, the police and, more importantly, the communities we serve want attention to be paid to this issue, which has been neglected, or at best addressed with piecemeal legislation from those who believe a light touch is best. Light touch is not good enough if you have to live with the consequences of inadequate resources to chase people who do not care.

How would a mandatory registration scheme work? Under such a scheme, to rent out property a landlord would have to register, pay a fee and adhere to a strict code of compliance. The code should require all landlords to manage their properties to ensure they are fit to live in, with tenancies managed in such a way that any issues are addressed immediately. The scheme should be administered by individual local authorities with appropriate budgets attached. Revenue would be raised by a registration fee, with tough fines imposed for failing to adhere to the code. Tenants' rights should be enshrined in law, and fit-for-habitation certification procedures introduced. A mandatory scheme should make data sharing between statutory agencies easier. That would bring in revenue to the Exchequer by ensuring that all such incomes were registered for tax purposes, and enable statutory agencies, the police and HMRC to co-operate more effectively to tackle landlords who are not prepared to play by the rules. The benefits would be improved quality of life in our communities, reduced demand on policing, reduced demand and cost to local authorities, and potentially increased revenue to the Exchequer. This would be a self-funding scheme administered locally.

Before some people start mentioning red tape, I point out that the Immigration Acts 2014 and 2016 require private landlords to check the immigration status of their tenants. Non-compliance can lead to a fine of up to £3,000. It would seem that national schemes can be implemented when we want them to be.

I believe that a mandatory scheme would look after the best interests of private landlords, their tenants and the communities in which they are located. The people of Wheatley Hill and similar communities deserve the security such an initiative would offer.

1.8 pm

Sir Christopher Chope (Christchurch) (Con): Let me say at the outset that I understand that the hon. Member for Sedgfield (Phil Wilson) has issues in his constituency, about which he has spoken eloquently. However, I believe that his Bill is a totally disproportionate response to a local matter. I have always been of the opinion that any Member of this House who wishes to introduce a Bill should be able to do so—I have presented a fair number

[*Sir Christopher Chope*]

of my own, so I will not oppose the hon. Gentleman's request to be given leave to bring in a Bill—but I wish to put on record the fact that I will not support his Bill.

There is great pressure on this House to pass ever more regulation. That regulation needs to be necessary, effective and proportionate, and having heard the hon. Gentleman's speech, I believe that his Bill fails all three tests. I speak as the chair of the all-party parliamentary group for the private rented sector, which is sponsored by the Residential Landlords Association. Among the APPG's distinguished vice-chairs is the hon. Member for Westminster North (Ms Buck), whose private Member's Bill comes before the House on Friday. That Bill is strongly supported by the Residential Landlords Association. I wish to impress on the hon. Gentleman that while the RLA is perfectly rational in its approach to this issue and shares his dismay at there being so many bad landlords, it recognises that by far the majority in this country are responsible and good landlords, and that the last thing they need is another stealth tax placed upon them, which is what he is proposing.

I share the view articulated by the Secretary of State for Housing, Communities and Local Government when he said that

“public safety is paramount and I am determined to do everything possible to protect tenants. That is why government will support new legislation that requires all landlords to ensure properties are safe and give tenants the right to take legal action if landlords fail in their duties.”

Let us deal with the substance of the matter and ensure that where there are bad landlords, every facility is made available to ensure that tenants can get proper redress against them. At the moment—let us not dispute this—responsibility is given to local authorities to enforce the legislation already on the statute book. That responsibility is to enforce housing standards in rented homes. As a result of a freedom of information request, the RLA found that in 2016-17, among the 296 councils in England and Wales that responded, there were just 467 prosecutions of landlords. This averages out at just over 1.5 per council. In the same year, councils received 105,359 complaints regarding landlords. That is an indication that, although the responsibility lies with councils, they are not fulfilling it.

The hon. Gentleman's Bill would impose on councils the additional burden of maintaining a register of landlords and then carrying out enforcement against those who have not signed it. The inevitable consequence of his proposal is that once again the responsible landlord—the person who lets a house to family members or lodgers,

or who brings into use a family home that would otherwise be empty—would end up being penalised and brought before the courts, but there would be no impact on bad landlords, whom I assume, on the basis of his definition, would include those thousands of people who are illegally sub-letting social housing, despite that already being a criminal act that is subject to criminal sanctions. Why do we not deal with that? Why do we not enforce existing laws against bad landlords and those who are illegally sub-letting social housing?

Another reason to oppose the hon. Gentleman's proposal is that it would have a disproportionate impact on the law-abiding. Ultimately, it would be another deterrent to people letting their properties. Labour Members often refer to the slogan “property is theft” and try to create an atmosphere in which every private landlord is regarded as scum. I am just trying to redress the balance and make it clear to those who wish to legislate against bad landlords that we already have an enormous amount of relevant legislation on the statute book. It might well be that the Bill being debated on Friday will be an additional part of that legislation, but setting up an expensive, bureaucratic registration system is the last thing we need.

Question put (Standing Order No. 23) and agreed to.

Ordered.

That Phil Wilson, Anna Turley, Bridget Phillipson, Grahame Morris, Graham P Jones, Mr Kevan Jones, Stephen Timms, Ian Austin, Gareth Snell, Liz Kendall, Toby Perkins and Conor McGinn present the Bill.

Phil Wilson accordingly presented the Bill.

Bill read the First time; to be read a Second time on Friday 27 April, and to be printed (Bill 152).

Helen Goodman (Bishop Auckland) (Lab): On a point of order, Mr Speaker. I understand that the hon. Member for Christchurch (Sir Christopher Chope) felt very strongly about the ten-minute rule Bill that my hon. Friend the Member for Sedgefield (Phil Wilson) just presented, but given that he did not call for a vote or oppose the Bill, was it in order for him to make a speech criticising it?

Mr Speaker: Yes, it was perfectly orderly. The truth is that although the hon. Gentleman did not then seek to divide the House, he was, even though he politely and gently indicated otherwise, opposing the Bill. The technical position is very clear: he was opposing the Bill—he was expressing his opposition to it. Possibly in the interests of time, however, or for other reasons—it is not my responsibility to fathom his motives—he did not seek to divide the House. His behaviour, as usual, was orderly.

European Union (Withdrawal) Bill

[2ND ALLOCATED DAY]

Further consideration of Bill, as amended in the Committee

New Clause 1

RETAINING ENHANCED PROTECTION

“(1) A Minister may use regulations provided for by an Act of Parliament other than this Act to amend, repeal or modify retained EU law if, and only if, the use of the regulation is necessary to maintain or enhance rights and protections.

(2) The procedure in subsection (3) applies if a Minister of the Crown proposes to use regulations provided for by Acts of Parliament other than this Act to amend, repeal or modify retained EU law in the following areas—

- (a) employment entitlement, rights and protection,
- (b) equality entitlements, rights and protection,
- (c) health and safety entitlement, rights and protection,
- (d) consumer standards, or
- (e) environmental standards and protection.

(3) A Minister of the Crown must—

- (a) produce an explanatory document which must explain why using the regulation is necessary to maintain or enhance rights and protections,
- (b) consult for a period of no less than 12 weeks after the publication of the explanatory document with—
 - (i) organisations, and persons who are likely to be affected by the proposals, including representative bodies;
 - (ii) the Law Commission, the Scottish Law Commission or the Northern Ireland Law Commission in such cases as the Minister considers appropriate; and
 - (iii) where the proposals relate to the functions of one or more statutory bodies, those bodies or persons appearing to the Minister to be representative of those bodies,
- (c) give details of any representations received under the consultation provided including Ministerial responses.

(4) Any regulations to which this section applies may be made only if they have been approved by a resolution of each House of Parliament.”—(*Matthew Pennycook.*)

This new clause would ensure that important EU-derived employment and other rights can be amended only by primary legislation, subordinate legislation made under this Act, or subordinate legislation which has been approved through an enhanced scrutiny procedure.

Brought up, and read the First time.

1.16 pm

Matthew Pennycook (Greenwich and Woolwich) (Lab): I beg to move, That the clause be read a Second time.

Mr Speaker: With this it will be convenient to discuss the following:

New clause 2—*Meaning of Withdrawal Agreement*—

“It shall be the objective of Her Majesty’s Government to ensure that the arrangements for the UK’s withdrawal from the EU which comprise the “withdrawal agreement” specified in subsection (1) of section 14 shall include full, comprehensive and sufficient detail as if it were a legal instrument capable of acceptance and deposit as an international trade agreement at the World Trade Organisation, with detailed agreements on the following aspects of the future relationship between the United Kingdom and European Union including—

- (a) geographical scope of application,
- (b) regulatory cooperation,
- (c) national security,

- (d) cross-border trade in services,
- (e) market access,
- (f) tariff arrangements,
- (g) tariff rate quotas on all products,
- (h) customs duties on imports,
- (i) duties, taxes and charges on exports,
- (j) fees and charges,
- (k) import and export restrictions,
- (l) provisions concerning anti-dumping and countervailing measures,
- (m) transparency,
- (n) sanitary and phytosanitary measures,
- (o) trade conditions,
- (p) customs valuation,
- (q) subsidies,
- (r) dispute settlement and mediation,
- (s) establishment of investments,
- (t) non-discriminatory treatment,
- (u) expropriation,
- (v) enforcement of awards,
- (w) mutual recognition of professional qualifications,
- (x) cross-border financial services,
- (y) prudential regulatory alignment,
- (z) maritime transport services,
- (aa) telecommunications,
- (bb) electronic commerce,
- (cc) competition policy,
- (dd) state enterprises and monopolies,
- (ee) government procurement,
- (ff) intellectual property,
- (gg) trade and sustainable development and the environment,
- (hh) trade and labour standards and employment conditions and
- (ii) taxation.”

This new clause would make it the objective of HM Government that the withdrawal agreement sought prior to exit day should include proposals setting out the full details expected of a comprehensive international trade agreement.

New clause 3—*Republic of Ireland and Northern Ireland*—

“(1) Nothing in the provisions made under section 8 or section 9 of this Act shall authorise any regulations which—

- (a) breach any of the obligations of Her Majesty’s Government made under the Belfast Agreement implemented in the Northern Ireland Act 1998 (which made new provision for the government of Northern Ireland for the purpose of implementing the agreement reached at multi-party talks on Northern Ireland), or
- (b) create hard border arrangements between Northern Ireland and the Republic of Ireland, or
- (c) undermine the full alignment of the United Kingdom with the rules of the European Union Internal Market and the Customs Union which support North-South cooperation, the all-island economy and the protection of the Belfast Agreement.

(2) Subsection (1)(c) shall apply unless Her Majesty’s Government, the Government of the Republic of Ireland and the European Union agree alternative specific solutions which can continue to address the unique circumstances of the island of Ireland, the obligations of the Belfast Agreement and the avoidance of a hard border arrangement between Northern Ireland and the Republic of Ireland.”

This new clause would ensure that the aspects of the Phase 1 agreement between the UK and the EU regarding the Republic of Ireland and Northern Ireland are brought into UK law.

New clause 4—Financial Settlement—

“The Chancellor of the Exchequer shall publish, within one month of Royal Assent of this Act, the full details of the methodology agreed between Her Majesty’s Government and the European Union as set out in the “Joint Report from the Negotiators on Progress During Phase 1” which was published on 8 December 2017.”

This new clause would ensure that the agreed methodology for calculating the financial settlement between the UK and the EU set out in the Joint Report from the Negotiators of 8 December 2017 are published and brought into the public domain.

New clause 5—Trade in Services—

“It shall be the objective of Her Majesty’s Government, in negotiating a withdrawal agreement, to secure the same rights, freedoms and access available to UK businesses trading in services as exists through the United Kingdom’s membership of the European Union, as if section 1 of this Act were not brought into effect.”

This new clause would ensure that the negotiating objectives of Ministers would be to secure the same benefits for service sector trading businesses after exit day as are available under the existing Single Market and Customs Union arrangements by virtue of membership of the European Union.

New clause 6—Alteration to the notification under Article 50(2) of the Treaty on the European Union—

“Her Majesty’s Government shall publish a summary of the legal advice it has received in respect of the ability of the United Kingdom to extend, alter or revoke the notification, under Article 50(2) of the Treaty on the European Union, of the United Kingdom’s intention to withdraw from the EU.”

This new clause would require Ministers to place in the public domain a summary of the legal advice they have received concerning the options available for the United Kingdom in respect of the notification made under Article 50 of the Treaty on the European Union.

New clause 10—Governance and institutional arrangements—

“(1) Before exit day a Minister of the Crown must make provision that all powers and functions relating to any right, freedom, or protection, that any person might reasonably expect to exercise, that were exercisable by EU entities or other public authorities anywhere in the United Kingdom before exit day, and which do not cease to have effect as a result of the withdrawal agreement (“relevant powers and functions”) will—

- (a) continue to be carried out by an EU entity or public authority;
- (b) be carried out by an appropriate existing or newly established entity or public authority in the United Kingdom; or
- (c) be carried out by an appropriate international entity or public authority.

(2) For the purposes of this section, relevant powers and functions relating to the UK exercisable by an EU entity or public authority include, but are not limited to—

- (a) monitoring and measuring compliance with legal requirements;
- (b) reviewing and reporting on compliance with legal requirements;
- (c) enforcement of legal requirements;
- (d) setting standards or targets;
- (e) co-ordinating action;
- (f) publicising information.

(3) Responsibility for any functions or obligations arising from retained EU law for which no specific provision has been made immediately after commencement of this Act will belong to the relevant Minister until such a time as specific provision for those functions or obligations has been made.”

This new clause would ensure that substantive rights and protections cannot be removed by the “back door”, and that the institutions and agencies that protect EU derived rights and protections are replaced to a sufficient standard so those rights and protections will still be enjoyed in practice.

New clause 11—Meaningful vote on deal or no deal—

“(1) The Prime Minister must publish and lay before both Houses of Parliament an assessment of the impact on the economy of the United Kingdom, and on each nation, province or region of the United Kingdom, of any unratified agreement between the United Kingdom and the EU under Article 50(2) of the Treaty on European Union which sets out the arrangements for the United Kingdom’s withdrawal from the EU.

(2) Any agreement between the United Kingdom and the EU under Article 50(2) of the Treaty on European Union which sets out the arrangements for the United Kingdom’s withdrawal from the EU may not be ratified unless—

- (a) subsection (1) has been complied with,
- (b) the House of Lords has considered a motion relating to the unratified agreement,
- (c) the House of Commons has approved the unratified agreement by resolution,
- (d) the statute mentioned in section 9 (approving the final terms of withdrawal of the United Kingdom from the European Union) has been passed, and
- (e) any other legislative provision to enable ratification has been passed or made.

(3) If no agreement has been reached by 31 December 2018 between the United Kingdom and the EU under Article 50(2) of the Treaty on European Union setting out the arrangements for the United Kingdom’s withdrawal from the EU, the Prime Minister must publish and lay before both Houses of Parliament within one month an assessment of the impact on the economy of the United Kingdom, and on each nation, province or region of the United Kingdom, of leaving the EU under Article 50(3) of the Treaty on European Union without an agreement.

(4) If no agreement has been reached by 31 January 2019 between the United Kingdom and the EU under Article 50(2) of the Treaty on European Union setting out the arrangements for the United Kingdom’s withdrawal from the EU,

- (a) a Minister of the Crown must propose a motion in the House of Lords relating to the lack of an agreement, and
- (b) a Minister of the Crown must propose a motion in the House of Commons approving the intention of the United Kingdom to leave the EU under Article 50(3) of the Treaty on European Union without a withdrawal agreement.

(5) Unless the House of Commons approves by resolution after 31 January 2019 the intention of the United Kingdom to leave the EU under Article 50(3) of the Treaty on European Union without a withdrawal agreement, the Prime Minister must either—

- (a) reach an agreement before exit day between the United Kingdom and the EU under Article 50(2) of the Treaty on European Union which sets out the arrangements for the United Kingdom’s withdrawal from the EU, or
- (b) request the European Council for an extension of negotiation under Article 50(3) of the Treaty on European Union, or
- (c) rescind the notice of intention under Article 50(2) of the Treaty on European Union to withdraw from the EU given in accordance with the European Union (Notice of Withdrawal) Act 2017 and request the European Council to accept that rescission.’

This New Clause would ensure that the Government assesses the impact of either an agreement or no deal on the UK economy and regions before a meaningful vote, and that if Parliament does not agree to the agreement or to no deal, then the Government must request a revocation or extension of Article 50.

New clause 12—Environmental protection after EU exit—

“(1) Before any exit day, the Secretary of State must publish a report detailing all EU environmental protections, powers and functions.

- (2) The report pursuant to subsection (1) shall specify—
- all environmental legal protections which derive from EU law;
 - the powers and functions relating to environmental protection or improvement exercised by EU institutions;
 - the empowering provisions in EU law relating to those functions; and
 - any loss of environmental protection, or the monitoring and enforcement of environmental protections, which may arise as a result of the UK's exit from the EU.

(3) Before any exit day the Secretary of State must publish proposals for primary legislation (the “Draft Environmental Protection Bill”).

(4) The Draft Environmental Protection Bill must include provisions which would—

- ensure that the level of environmental protection provided by EU law on the day this Act receives Royal Assent is maintained or enhanced;
- make provision to remedy any loss of environmental protection, or the monitoring and enforcement of environmental protections, established in the report pursuant to subsection (1);
- create a statutory corporation (to be called “the Environmental Protection Agency”) with operational independence from Ministers of the Crown to monitor environmental targets previously set by EU law relating to environmental protection and other such environmental targets that may be set by Ministers of the Crown and international treaties to which the United Kingdom is party;
- require the statutory corporation in (4)(c) to report to Parliament every year on progress in meeting those targets and to make recommendations for remedial action where appropriate;
- allow the statutory corporation in (4)(c) to publish additional reports identifying action or omissions on the part of Ministers of the Crown that is likely to result in targets not being met; and
- extend to the whole of the United Kingdom.

(5) The Secretary of State must publish annual reports to Parliament on how environmental protections and the monitoring and enforcement of environmental protections have been affected by the United Kingdom's exit from the EU.

(6) Before publishing a report pursuant to subsection (5) the Secretary of State must hold a public consultation on the effect of leaving the EU on environmental protection.

(7) The Secretary of State must publish and lay before each House of Parliament the first report pursuant to subsection (5) no later than 29 March 2020 and each subsequent report must be published no later than the period of one year after the publication of the previous report.”

This new clause would require the Secretary of State to produce a report on the loss of environmental protection as a result of the UK's exit from the EU, and to prepare an Environmental Protection Bill to make up for any loss of environmental protections, and the monitoring and enforcement of environmental protections. It would also require the Secretary of State to produce annual reports which make an assessment of the impact of the UK's withdrawal from the EU on UK environmental protection.

New clause 14—Maintaining individual rights and protections—

“(1) When making any agreement under subsection (2), the Secretary of State shall take steps to ensure that UK citizens enjoy standards of rights and protections equivalent to those enjoyed by citizens of the EU under EU law.

(2) This section applies to—

- any agreement between the United Kingdom and the EU which prepares for, or implements, the UK's withdrawal from the EU;
- any international trade agreement—

(i) between the UK and the EU, or

(ii) between the UK and another signatory which seeks to replicate in full or in part the provisions of an international trade agreement between the EU and the other signatory.

(3) In relation to any agreement under subsection (2), the Secretary of State will maintain the highest standards of transparency.”

This new clause creates a duty for the Government to ensure that individual rights and protections are maintained to a level equivalent to (although not necessarily the same as) those in the EU when making agreements with the EU or international trade agreements.

New clause 15—Non-regression of equality law—

“(1) Any EU withdrawal related legislation must be accompanied by a statement made by a Minister of the Crown certifying that in the Minister's opinion the legislation does not remove or reduce protection under or by virtue of the Equality Acts 2006 and 2010.

(2) In subsection (1) “EU withdrawal related legislation” means—

- any statutory instrument under this Act;
- any statutory instrument made by a Minister of the Crown wholly or partly in connection with the United Kingdom's withdrawal from the EU; and
- any Bill presented to Parliament by a Minister of the Crown which is wholly or partly connected to the United Kingdom's withdrawal from the EU.”

This new clause would ensure that legislation in connection with withdrawal from the EU does not reduce protections provided by equality law.

New clause 17—Effect of losing access to EU single market and customs union—

“(1) The Prime Minister must publish and lay before both Houses of Parliament an assessment of the impact on the economy of the United Kingdom, and on each nation, province or region of the United Kingdom, of any unratified agreement (“the Agreement”) between the United Kingdom and the EU under Article 50(2) of the Treaty on European Union which sets out the arrangements for the United Kingdom's withdrawal from the EU.

(2) The assessment in subsection (1) must so far as practicable analyse the expected difference in outcomes between the Agreement and continued participation in the EU single market and customs union.

(3) The assessment in subsection (1) must be prepared by the Treasury and must include separate analyses from the National Audit Office, the Office of Budget Responsibility, the Government Actuary's Department, and the finance directorates of each of the devolved Administrations of the methodology and conclusions of the Treasury assessment.

(4) A statute of the kind mentioned in section 9 (approving the final terms of withdrawal of the United Kingdom from the European Union) may not come into effect until the Prime Minister's assessment under subsection (1) has been—

- debated by each House of Parliament, and
- approved by resolution of the House of Commons.”

This purpose of this New Clause is to ensure that the alternative of remaining in the EU single market and customs union is formally considered by Parliament on the basis of an independently validated economic assessment before any statute approving the final terms of withdrawal takes effect.

New clause 18—Consultation on environmental governance and principles—

“(1) Within one month of Royal Assent, the Secretary of State must consult on and bring forward proposals to—

- provide that all powers and functions relating to the environment or environmental protection that were exercisable by EU entities or other public authorities

anywhere in the United Kingdom before exit day which do not cease to have effect as a result of the withdrawal agreement are fully carried out.

- (b) introduce primary legislation to establish a new independent environmental regulator with the purpose of, responsibility for, and appropriate powers to oversee the implementation of, compliance with and enforcement of environmental law and principles by relevant public authorities.
- (c) incorporate EU environmental principles in primary legislation as a basis for relevant decision-making by UK public bodies and public authorities.
- (d) establish a process for the publication of a national environmental policy statement or statements describing how the environmental principles will be interpreted and applied.

(2) EU Environmental principles include but are not limited to—

- (a) the precautionary principle;
- (b) the principle that preventive action should be taken to avert environmental damage;
- (c) the principle that environmental damage should as a priority be rectified at source;
- (d) the polluter pays principle;
- (e) the principle that environmental protection requirements must be integrated into the definition and implementation of policies and activities, in particular with a view to promoting sustainable development;

(3) In carrying out a consultation under this section, the Government must—

- (a) consult with the devolved authorities;
- (b) be open to responses for at least two months; and
- (c) consider the resources and legal powers that the proposed regulator under (1)(b) will need in order to properly carry out its functions.”

This new clause enshrines the Government's stated intentions in respect of the environmental principles and the establishment of a new independent environmental regulator. It sets out the minimum standards for consultation on these matters.

New clause 20—*Citizens' Jury on Brexit Negotiations*—

“(1) A citizens' jury shall be established to enable UK citizens to be consulted on the progress of negotiations between the UK and the EU on the withdrawal of the UK from the EU, and the approach outlined in UK Government White Papers.

(2) The citizens' jury shall in total be composed of exactly 1501 persons.

(3) Members of the citizens' jury shall be randomly selected by means of eligibility from UK citizens on the current electoral register as registered on the date of this Act receiving royal assent, with allocation across the 9 UK Government Regions, Scotland, Wales and Northern Ireland weighted by population, and a stratification plan, with the aim of securing a group of people who are broadly representative demographically of the UK electorate across characteristics including whether they voted Leave or Remain.

(4) The jury will be broken down into individual sittings for each of the 9 UK Government Regions in England, as well as Scotland, Wales and Northern Ireland.

(5) The sittings will be for no more than 72 hours at a time, facilitated by independent facilitators, and if required, by electing fore-people from within their number.

(6) Membership of the jury will be subject to the same regulations and exceptions as a regular jury, but membership can be declined without penalty.

(7) The citizens' jury will be able to require Ministerial and official representatives of the UK Government and the Devolved Administrations to give testimony to them to inform their work, and to have the power to invite other witnesses to give evidence as required.

(8) The citizens' jury shall publish reports setting out their conclusions on the negotiations and UK Government White Papers.

(9) The first report from the citizens' jury shall be published within two months of this Act receiving Royal Assent, and subsequent reports shall be published at intervals of no more than two months.

(10) Costs incurred by the citizens' jury shall be met by the Exchequer.”

New clause 21—*Environmental protection and improvement: continuation of powers and functions*—

“(1) The Secretary of State must establish and maintain a publicly accessible register of EU environmental powers and functions.

(2) The register produced pursuant to subsection (1) shall specify—

- (a) the specific powers and functions relating to environmental protection or improvement exercised by EU institutions;
- (b) the EU institution previously responsible for exercising those powers and functions; and
- (c) the empowering provision in EU law relating to those powers and functions.

(3) The register produced pursuant to subsection (1) shall include the following functions—

- (a) monitoring and measuring compliance with legal requirements;
- (b) reviewing and reporting on compliance with legal requirements;
- (c) enforcement of legal requirements;
- (d) setting standards or targets;
- (e) co-ordinating action; and
- (f) publicising information including regarding compliance with environmental standards.

(4) Within one month of Royal Assent, the Secretary of State must—

- (a) publish and lay before Parliament a statement identifying those powers and functions identified in the public register established under subsection (1) that will continue to be exercised by EU institutions or, alternatively, the existing or proposed new public authorities to which these powers and functions will be transferred; and
- (b) make Regulations containing provisions to ensure that all relevant powers and functions relating to environmental protection or improvement exercisable by EU institutions anywhere in the United Kingdom before exit day continue on and after exit day.”

This new clause would ensure oversight of the transfer of functions from EU institutions to domestic institutions, by requiring the Government to establish a publicly accessible register of environmental governance functions and powers exercised by EU institutions, and to make regulations that ensure that all relevant environmental powers and functions are continued.

New clause 22—*Dealing with deficiencies arising from withdrawal – further provisions*—

“(1) This section applies where there is a deficiency in retained EU law on and after exit day in respect of which regulations have not been made under section 7.

(2) A deficiency includes, but is not limited to, retained EU law which—

- (a) contains anything which has no practical application in relation to the United Kingdom or any part of it or is otherwise redundant or substantially redundant;
- (b) confers functions on, or in relation to, EU entities which no longer have functions in that respect under EU law in relation to the United Kingdom or any part of it;

(c) makes provision for, or in connection with, reciprocal arrangements between—

- (i) the United Kingdom or any part of it or a public authority in the United Kingdom, and
- (ii) the EU, an EU entity, a member State or a public authority in a member State,

which no longer exist or are no longer appropriate.

(d) makes provision for, or in connection with, other arrangements which—

- (i) involve the EU, an EU entity, a member State or a public authority in a member State, or
- (ii) are otherwise dependent upon the United Kingdom's membership of the EU,

and which no longer exist or are no longer appropriate

(e) makes provision for, or in connection with, any reciprocal or other arrangements not falling within paragraph (c) or (d) which no longer exist, or are no longer appropriate, as a result of the United Kingdom ceasing to be a party to any of the EU Treaties,

(f) does not contain any functions or restrictions which—

- (i) were in an EU directive and in force immediately before exit day (including any power to make EU tertiary legislation), and
- (ii) it is appropriate to retain, or

(g) contains EU references which are no longer appropriate.

(3) A deficiency within the meaning of subsection (1) includes any failure or other deficiency arising from the United Kingdom's withdrawal from the EU together with the operation of any provision, or the interaction between any provisions, made by or under this Act, but does not include any modification of EU law which is adopted or notified, comes into force or applies only on or after exit day.

(4) Where this section applies, the retained EU law in respect of which the deficiency arises is to be interpreted in accordance with subsections (5) to (9).

(5) The retained EU law does not allow, prevent, require or otherwise apply to acts or omissions outside the United Kingdom.

(6) An EU reference is not to be treated, by reason of the UK having ceased to be a member State, as preventing or restricting the application of retained EU law within the United Kingdom or to persons or things associated with the United Kingdom.

(7) Functions conferred on the EU or an EU entity are to be treated as functions of the Secretary of State.

(8) Any provision which requires or would, apart from subsection (7), require a UK body to—

- (a) consult, notify, co-operate with, or perform any other act in relation to an EU body, or

- (b) take account of an EU interest,

is to be treated as empowering the UK body to do so in such manner and to such extent as it considers appropriate.

(9) In subsection (8)—

“a UK body” means the United Kingdom or a public authority in the United Kingdom;

“an EU body” means the EU, an EU entity (other than the European Court), a member State or a public authority in a member State;

“an EU interest” means an interest of an EU body or any other interest principally arising in or connected with the EU (including that of consistency between the United Kingdom and the EU);

“requires” includes reference to a pre-condition to the exercise of any power, right or function;

(10) This section ceases to have effect after the end of the period of two years beginning with exit day.”

This new clause provides a scheme for interpretation as a backstop where the transposition necessary to avoid deficiencies has not been effected by regulations made under Clause 7.

Amendment 2, in clause 7, page 5, line 6, leave out subsections (1) to (6) and insert—

“(1) A Minister of the Crown may by regulations make such provision as the Minister considers necessary to prevent, remedy or mitigate—

- (a) any failure of retained EU law to operate effectively, or

- (b) any other deficiency in retained EU law,

arising from the withdrawal of the United Kingdom from the EU.

(2) Deficiencies in retained EU law are where the Minister considers that retained EU law—

- (a) contains anything which has no practical application in relation to the United Kingdom or any part of it or is otherwise redundant or substantially redundant,

- (b) confers functions on, or in relation to, EU entities which no longer have functions in that respect under EU law in relation to the United Kingdom or any part of it,

(c) makes provision for, or in connection with, reciprocal arrangements between—

- (i) the United Kingdom or any part of it or a public authority in the United Kingdom, and

- (ii) the EU, an EU entity, a member State or a public authority in a member State, which no longer exist or are no longer appropriate,

(d) makes provision for, or in connection with, other arrangements which—

- (i) involve the EU, an EU entity, a member State or a public authority in a member State, or

- (ii) are otherwise dependent upon the United Kingdom's membership of the EU, and which no longer exist or are no longer appropriate,

(e) makes provision for, or in connection with, any reciprocal or other arrangements not falling within paragraph (c) or (d) which no longer exist, or are no longer appropriate, as a result of the United Kingdom ceasing to be a party to any of the EU Treaties,

(f) does not contain any functions or restrictions which—

- (i) were in an EU directive and in force immediately before exit day (including any power to make EU tertiary legislation), and

- (ii) it is appropriate to retain, or

(g) contains EU references which are no longer appropriate.

(3) But retained EU law is not deficient merely because it does not contain any modification of EU law which is adopted or notified, comes into force or only applies on or after exit day.

(4) Regulations under this section may make any provision that could be made by an Act of Parliament.

(5) Regulations under this section may provide for—

- (a) functions of EU entities or public authorities in member States (including making an instrument of a legislative character or providing funding) to be exercisable instead by a public authority (whether or not newly established or established for the purpose) in the United Kingdom,

- (b) the establishment of public authorities in the United Kingdom to carry out functions provided for by regulations under this section.

(6) Regulations to which subsection (5) apply must ensure that the functions of such EU entities or public authorities are exercised with equivalent scope, purpose and effect by public authorities in the United Kingdom.

(7) But regulations under this section may not—

- (a) impose or increase taxation,

- (b) make retrospective provision,

- (c) create a relevant criminal offence,

- (d) be made to implement the withdrawal agreement,

- (e) amend, repeal or revoke the Human Rights Act 1998 or any subordinate legislation made under it,
- (f) amend or repeal the Northern Ireland Act 1998 (unless the regulations are made by virtue of paragraph 13(b) of Schedule 7 to this Act or are amending or repealing paragraph 38 of Schedule 3 to the Northern Ireland Act 1998 or any provision of that Act which modifies another enactment),
- (g) contain any provision the effect of which is that, in comparison with the position immediately before the exit date—
 - (i) any right conferred on a person by retained EU law is either removed or made less favourable,
 - (ii) any standard laid by retained EU law is lowered, or
 - (iii) any remedy, procedure or method of enforcement, in relation to any rights or standards conferred by retained EU law, is made less effective, or
- (h) amend, repeal or revoke the Equality Act 2010 or any subordinate legislation made under that Act.”

This amendment restricts the Clause 7 powers so as to ensure they are only used as far as is necessary for the purposes of the Bill, that they do not abolish enforcement functions and that they do not reduce rights or protections.

Amendment 9, page 6, line 16, at end insert—

- “(da) amend, repeal or revoke any retained EU law which implements a provision listed in Schedule [Exceptions for Directives etc.]”

This amendment, which is linked to NSI, would except EU Directives relating to workers’ rights from the power to make regulations to remedy deficiencies in retained EU law.

Amendment 56, page 6, line 23, at end insert—

“(6A) Within three months of this Act receiving Royal Assent, and every three months thereafter, a report must be laid before each House of Parliament listing—

- (a) all deficiencies which Ministers of the Crown have identified would arise in retained EU law after exit day but which they do not intend to prevent, remedy or mitigate in advance using the powers under subsection (1);
- (b) the reasons for each decision not to prevent, remedy or mitigate such deficiencies, and
- (c) an assessment of the consequences of that decision.”

This amendment (linked with Amendment 55 provides for Parliamentary scrutiny of any decision not to use clause 7 powers to save retained EU law from being unable to operate effectively.

Amendment 59, in clause 9, page 7, line 16, at end insert—

“(5) No regulations may be made under this section until the Secretary of State has signed an agreement with the European Union guaranteeing that the United Kingdom will remain a permanent member of the EU single market and customs union.”

This amendment would mean the UK would confirm its continued membership of the single market and customs union before Ministers of the Crown carry out any actions under Clause 9 of the Bill.

Amendment 10, in clause 14, page 10, line 40, leave out from “means” to the end of line 41 and insert

“the time specified by an Act of Parliament approving the final terms of withdrawal of the United Kingdom from the EU;”.

This amendment would require exit day to be specified in a separate bill on the terms of withdrawal.

Amendment 39, page 11, line 37, at end insert

“and the arrangements for a status quo transitional period which encompasses—

- (a) a “bridging period” to allow new agreements to be reached satisfactorily between the United Kingdom and the European Union lasting as long as necessary for a full trade agreement to be ratified, and

- (b) an “adaptation period” to allow the phasing in of new requirements over time to provide for the implementation of changes to new agreements in an orderly and efficient manner.”

This amendment ensures that the meaning of “withdrawal agreement” is also taken to include a detailed transitional period with two distinct aspects, firstly allowing for a “bridging period” during which new agreements are concluded and secondly allowing for an “adaptation period” to give business and other organisations a period to adjust to those new arrangements.

Amendment 1, page 11, line 40, at end insert—

“(2A) Subsection (2B) applies if any “exit day” appointed in this Act is not in accordance with any transitional arrangements agreed under Article 50 of the Treaty of the European Union.

(2B) A Minister of the Crown may by regulations—

- (a) amend the definition of “exit day” in the relevant sections to ensure that the day and time specified are in accordance with any transitional arrangements agreed under Article 50 of the Treaty of the European Union, and
- (b) amend subsection (2) in consequence of any such amendment.

(2C) Regulations under subsection (2B) are subject to the affirmative procedure.”

This amendment ensures that the Bill can facilitate transitional arrangements within the single market and customs union.

New schedule 1—*Exceptions for directives etc.*—

“The power to make regulations under subsection (1) of Clause 7 shall not apply to provisions listed in the Table.

ARTICLE 157 Treaty on the Functioning of the European Union (Equal pay for male and female workers)

COUNCIL DIRECTIVE NO 79/7/EEC of 19 December 1978 on the progressive implementation of the principle of equal treatment for men and women in matters of social security

COUNCIL DIRECTIVE NO 91/533/EEC of 14 October 1991 on an employer’s obligation to inform employees of the conditions applicable to the contract or employment relationship

COUNCIL DIRECTIVE NO 92/85/EEC of 19 October 1992 on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding (tenth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC)

COUNCIL DIRECTIVE NO 94/33/EC of 22 June 1994 on the protection of young people at work

COUNCIL DIRECTIVE NO 94/45/EC of 22 September 1994 on the establishment of a European Works Council or a procedure in Community-scale undertakings and Community-scale groups of undertakings for the purposes of informing and consulting employees

COUNCIL DIRECTIVE NO 96/34/EC of 3 June 1996 on the framework agreement on parental leave concluded by UNICE, CEEP and the ETUC

COUNCIL DIRECTIVE NO 96/71/EC of 16 December 1996 concerning the posting of workers in the framework of the provision of services

COUNCIL DIRECTIVE NO 97/74/EC of 15 December 1997 extending, to the United Kingdom of Great Britain and Northern Ireland, Directive 94/45/EC on the establishment of a European Works Council or a procedure in Community-scale undertakings and Community-scale groups of undertakings for the purposes of informing and consulting employees

COUNCIL DIRECTIVE NO 97/75/EC of 15 December 1997 amending and extending, to the United Kingdom of Great Britain and Northern Ireland, Directive 96/34/EC on the framework agreement on parental leave concluded by UNICE, CEEP and the ETUC

COUNCIL DIRECTIVE NO 97/81/EC of 15 December 1997 concerning the Framework Agreement on part-time work concluded by UNICE, CEEP and the ETUC

COUNCIL DIRECTIVE NO 98/23/EC of 7 April 1998 on the extension of Directive 97/81/EC on the framework agreement on part-time work concluded by UNICE, CEEP and the ETUC to the United Kingdom of Great Britain and Northern Ireland

COUNCIL DIRECTIVE NO 98/59/EC of 20 July 1998 on the approximation of the laws of the Member States relating to collective redundancies

COUNCIL DIRECTIVE NO 99/70/EC of 28 June 1999 concerning the framework agreement on fixed-term work concluded by ETUC, UNICE and CEEP

COUNCIL DIRECTIVE NO 99/63/EC of 21 June 1999 concerning the Agreement on the organisation of working time of seafarers concluded by the European Community Ship-owners' Association (ECSA) and the Federation of Transport Workers' Unions in the European Union (FST)

COUNCIL DIRECTIVE 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin

COUNCIL DIRECTIVE NO 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation

COUNCIL DIRECTIVE 2001/23/EC of 12 March 2001 on the approximation of the laws of the Member States relating to the safeguarding of employees' rights in the event of transfers of undertakings, businesses or parts of undertakings or businesses

COUNCIL DIRECTIVE 2001/86/EC of 8 October 2001 supplementing the Statute for a European company with regard to the involvement of employees

DIRECTIVE 2002/14/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 11 March 2002 establishing a general framework for informing and consulting employees in the European Community

DIRECTIVE 2002/15/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 11 March 2002 on the organisation of the working time of persons performing mobile road transport activities

DIRECTIVE 2003/41/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 3 June 2003 on the activities and supervision of institutions for occupational retirement provision

COUNCIL DIRECTIVE 2003/72/EC of 22 July 2003 supplementing the Statute for a European Cooperative Society with regard to the involvement of employees

DIRECTIVE 2003/88/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 4 November 2003 concerning certain aspects of the organisation of working time

DIRECTIVE 2005/56/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 26 October 2005 on cross-border mergers of limited liability companies

DIRECTIVE 2006/54/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (recast)

DIRECTIVE 2008/94 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 22 October 2008 on the protection of employees in the event of the insolvency of their employer

DIRECTIVE 2008/104/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 19 November 2008 on temporary agency work

DIRECTIVE 2009/38/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 6 May 2009 on the establishment of a European Works Council or a procedure in Community-scale undertakings and Community-scale groups of companies for the purposes of informing and consulting employees

COUNCIL DIRECTIVE 2010/18/EU of 8 March 2010 implementing the revised Framework Agreement on parental leave concluded by BUSINESSSEUROPE, UEAPME, CEEP and ETUC

DIRECTIVE 2010/41/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 7 July 2010 on the application of the principle of equal treatment between men and women engaged in an activity in a self-employed capacity

DIRECTIVE 2014/67/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 15 May 2014 on the enforcement of Directive 96/71/EC concerning the posting of workers in the framework of the provision of services and amending Regulation (EU) No 1024/2012 on administrative cooperation through the Internal Market Information System ("the IMI Regulation")."

This new schedule, which is linked to Amendment 9, lists the EU Directives relating to workers' rights which would be excepted from the power to make regulations to remedy deficiencies in retained EU law.

Government amendment 33.

Amendment 58, in schedule 7, page 48, line 7, at end insert—

"12A Any power to make regulations under this Act may not be exercised by a Minister of the Crown until 14 days after the Minister has circulated a draft of the regulations to the citizens' jury appointed under section (*Citizens' jury on Brexit negotiations*)."

The intention of this Amendment is to provide for a citizens' jury to be consulted before regulations are made under this Act.

Government amendments 35 and 36.

Matthew Pennycook: I rise to speak to new clause 1 and amendments 2 and 1, which stand in my name and those of my right hon. and hon. Friends. As you are aware, Mr Speaker, this remaining group contains a significant number of important issues, and while I want to spend time talking to each of our three amendments, I am conscious that time is limited, so I will endeavour to keep my remarks as brief as possible.

As my hon. Friend the Member for Sheffield Central (Paul Blomfield) reminded the House yesterday, as far back as last March the Opposition set out six ways in which the Bill required improvement. The first was that it be drafted in such a way as to enable transitional arrangements after 29 March 2019 on the same basic terms as now—including being in a customs union with the EU and within the single market. The second was that the sweeping delegated powers in the Bill be circumscribed. The third was that it needed to contain clear and robust protection and enforcement mechanisms for all EU-derived rights, entitlements, protections and standards. Sadly, despite some small steps in the right direction, the Government have largely failed to respond in any meaningful way to the concerns we raised in relation to these three areas. The purpose of new clause 1 and amendments 2 and 1 is to press the Government once again to do something about each of them.

I turn first to new clause 1, the purpose of which is to ensure that retained EU law enjoys a form of enhanced protection from subordinate legislation contained in other Acts of Parliament. This is a highly technical matter but a crucial one for the rights and protections our constituents enjoy. Mr Speaker, you were not in the Chamber at the time, but hon. Members who were present will recall that the House debated clauses 2, 3 and 4 in great detail on day two of Committee, and I certainly do not intend to cover the same ground again today. As we heard again yesterday, however, there are very real problems that flow from the ambiguous and uncertain status of retained EU law—a problem to which we believe new clause 13, tabled by the right hon.

[Matthew Pennycook]

and learned Member for Beaconsfield (Mr Grieve), provides a pragmatic solution, or at the very least a sensible starting point for a conversation about how the status of this new category of law could be more clearly defined.

Leaving to one side the issues relating to the status of retained EU law—issues that I have no doubt the other place will return to at some length—there is another, related concern, and that is the vulnerability of this new category of law to subordinate legislation and what that means in practical terms for the rights, entitlements, protections and standards our constituents currently enjoy. I want to be very clear as to the argument I am making at this point, because when I first did so on day two of Committee, the debate was prone to veer off on to other related but distinct issues.

The concern I am highlighting does not relate to the issue of how Parliament is to scrutinise and, where necessary, approve the hundreds of statutory instruments that will flow from clause 7, as well as clauses 8, 9 and 17. We welcomed the Government's acceptance of the amendments tabled by the hon. Member for Broxbourne (Mr Walker) and other members of the Procedure Committee, although we still believe that they do not go far enough, particularly in relation to the new sifting committee's inability to request that Ministers revoke and remake specific statutory instruments.

Nor does the argument that I am advancing concern how the powers contained in this Bill might be used to amend, modify or repeal retained EU law. The specific issue that I am highlighting, and what new clause 1 seeks to address, is our serious concern that the Bill as drafted leaves retained EU law vulnerable to amendment, modification or repeal by subordinate legislation contained in numerous other Acts of Parliament.

Melanie Onn (Great Grimsby) (Lab): Is it not the case that workers' rights have no privileged status under the Bill? Once the Bill becomes an Act, those rights can be picked off by secondary legislation. If the Government wish to prevent workers from receiving proper holiday pay or to cap awards for discrimination, they will be easily able to do so.

Matthew Pennycook: That is absolutely true. The Government would be able to do that by using subordinate legislation in other Acts of Parliament. That applies not just to workers' rights, but to other areas of law such as the environment and consumer rights. That category of law will lose its underpinnings following our departure from the EU.

Wrenched away from the enhanced protection enjoyed as a result of our EU membership, retained EU law—and we should bear in mind that that category of law might be with us for decades—will in many cases enjoy the lowest possible legislative status, and consequently the wide range of rights and protections that flow from it will be more vulnerable than they were before. The Opposition have repeatedly emphasised that Brexit must not lead to any watering down or weakening of EU-derived rights, particularly rights and standards in areas such as employment, equality, health and safety, consumers and the environment. That is why we tabled new clause 58 in Committee. Setting out the reasons why the Government were opposed to new clause 58, the Solicitor General argued that it would

“fetter powers across the statute book that Parliament has already delegated.”

Furthermore:

“Relying only on powers set out in this Bill to amend retained EU law would be insufficient”.—[*Official Report*, 15 November 2017; Vol. 631, c. 418.]

In keeping with the constructive approach that we have taken towards the Bill throughout this process, we have engaged seriously with the Solicitor General's argument, and new clause 1 is the result. Like new clause 58, it seeks to give retained EU law a level of enhanced protection, thus avoiding a situation in which laws falling within the new category might enjoy the lowest possible legislative status. It also accepts the defence put forward by the Solicitor General, and provides a mechanism whereby a Minister may use regulations provided for in other Acts of Parliament to amend, repeal or modify retained EU law, but only in cases in which it is necessary to maintain or enhance rights and protections, and only after consultation. In short, it concedes that there are many instances in which the use of subordinate legislation contained in other Acts of Parliament might be necessary, but seeks to reconcile its use with a presumption of enhanced protection.

Since the referendum, Ministers have repeatedly stated that the Government do not wish to see any rights and protections diminished as a result of our departure from the EU. That is also what the public expect, but it requires a level of protection that the Bill as it stands does not provide. We hope that the Government will engage seriously with the new clause and accept it, but we intend to press it to a vote if they do not.

Chris Stephens (Glasgow South West) (SNP): Is it not important for the public to be reassured about workers' rights, given reports in the media of Cabinet discussions about scrapping the working time directive?

Matthew Pennycook: I think most of our constituents assume that the guarantees that they currently enjoy will continue. They will not know that many of these rights flow from and are underpinned by EU law, but they would expect them to be transposed in a way that would provide the same level of protection rather than the lowest possible legislative status. This is an issue to which we shall have to return, and one that the other place will no doubt tackle.

Amendment 2 seeks to further circumscribe the correcting powers contained in clause 7. Throughout this process, we have been at pains to argue that, to the extent that relatively wide delegated powers in the Bill are necessary, they should not be granted casually, and that when they are granted they should be limited whenever that is possible and practical. It is clear from their tabling of amendments 14 and 15, and consequential amendments, that the Government accept that there are shortcomings in the drafting of clause 7. We welcome the fact that the deficiencies identified in clause 7(2) will now form an exhaustive rather than an illustrative list—with the caveat, I should add, that the further deficiencies can be added at a later date. In effect, the list as drafted will be exhaustive unless Ministers subsequently decide that it is not. That is not perfect, but it does represent some progress.

Nevertheless, even with the incorporation of Government amendments 14 and 15, the correcting powers provided for which clause 7 provides are still too potent and too

widely drawn. Suggestions on day six of the Committee stage that the clause ought to stipulate that the correcting power should be used only when necessary have been ignored, as have concerns that the Bill as drafted does not guarantee that the powers and functions of entities such as the European Commission and other EU agencies will continue to operate with equivalent scope, purpose and effect after exit day. Concerns that the Bill as drafted could be used for a purpose other than that which was intended—specifically, that it has the potential to diminish rights and protections—have likewise been ignored.

On day six, the Government had the chance to justify the drafting of the clause in detail and to address each of those concerns, but they did not do so adequately. They were also given an enormous menu of options, in amendments tabled by Back Benchers in all parties, whereby the powers in the clause—and, indeed, similar powers elsewhere in the Bill—might be constrained. Amendments 14 and 15 represent the totality of their response. As I have said, they are a step in the right direction, but on their own they are not enough. That is why we tabled amendment 2, which addresses comprehensively the range of flaws contained in clause 7 so that the correcting power is reasonably and proportionately circumscribed. If the Government do not indicate that they have taken those concerns on board and are prepared to act on them, we will press the amendment to a vote.

Amendment 1 seeks to ensure that the Bill can facilitate transitional arrangements after 29 March 2019 on the same basic terms as now. The Opposition have argued for some time that we need a time-limited transitional period between our exit from the EU and the future relationship that we build with our European partners. We believe that, to provide maximum certainty and stability, that transitional period should be based on the same basic terms as now. That includes our being in a customs union with the EU and in the single market, both of which will entail the continued jurisdiction of the European Court of Justice for the period that is agreed. Our view is shared widely by businesses and trade unions, but for a long time it was considered to be anathema to the Prime Minister and senior members of her Cabinet.

Melanie Onn: I thank my hon. Friend for being so generous with his time. There are many cases, such as *Marshalls Clay Products Ltd v. Caulfield and Gibson v. East Riding of Yorkshire Council*, in which domestic courts have reached incorrect decisions on workers' rights. If the European Court of Justice will no longer be the adjudicator after the transitional period, what will?

Matthew Pennycook: After the transitional period, the ECJ would not be the adjudicator. That would be dealt with as a matter of retained law. My hon. Friend has reinforced a point that I made earlier. We need a level of enhanced protection and the courts need clarity on how to interpret this new category of law, because if they do not have that clarity and certainty, they will be more vulnerable.

Sir William Cash (Stone) (Con): I hope shortly to be able to make a brief speech on that very subject, dealing with the question of whether or not there should be a

power for the courts to disapply Acts of Parliament in relation to the matters to which the hon. Gentleman has referred.

Matthew Pennycook: I am not sure that that warranted an intervention, but I await the hon. Gentleman's contribution with bated breath.

Geraint Davies (Swansea West) (Lab/Co-op): Further to the point made by my hon. Friend the Member for Great Grimsby (Melanie Onn), does my hon. Friend agree that either the institutions and agencies that currently enforce EU rights, privileges and protections should be maintained as EU agencies, or a transitional arrangement should involve agencies and institutions that will protect people's rights in respect of, for instance, work, the environment and consumer issues?

Matthew Pennycook: I certainly believe that, when it is appropriate and when the country will derive benefit, we should continue to participate in EU agencies. The important point, however, is that when the functions and powers of EU agencies are transferred to either an existing or a new body, the purpose, scope and effect of the rights and protections that flow from those agencies should continue. That is one of the issues that clause 7 fails to address.

Returning to my earlier train of thought, all of this was why the Prime Minister's Florence speech of last year was so welcome. It made it clear that Government policy was to seek, semantics about implementation versus transition aside, a time-limited period in which the UK and the EU would continue to have access to one another's markets on current terms, and with Britain continuing to take part in existing security measures.

Crucially, the Prime Minister made it clear that this bridging arrangement would take place on the basis of "the existing structure of EU rules and regulations."

That quite clearly implied the acceptance of the jurisdiction of the ECJ, as confirmed by the Prime Minister in an answer to the hon. Member for North East Somerset (Mr Rees-Mogg) in the weeks following the speech, when she stated:

"that may mean that we start off with the ECJ still governing the rules we are part of".—[*Official Report*, 9 October 2017; Vol. 629, c. 53.]

It is also set out in black and white in the phase 1 agreement.

1.30 pm

Chuka Umunna (Streatham) (Lab): With regard to the issue of transition or implementation, as the Government call it, does my hon. Friend agree that while it is of course necessary in particular to give time for our businesses to prepare, transition or implementation is no safe harbour if this Government are determined to pursue the extreme break from our relationship with the EU which have set out with their red lines? That is no safe harbour to jumping off a cliff; it just delays it, in fact.

Matthew Pennycook: I absolutely agree; and the unpicking of, or wheeling back from, some of the progress we felt had been made in the Florence speech is one of our concerns.

[Matthew Pennycook]

The Bill before us was drafted before the Florence speech, but rather than amend the Bill to reflect the evolution of Government policy outlined by the Prime Minister in that speech, the Government chose instead to fashion a legislative straitjacket for themselves in the form of enshrining “exit day” for all purposes in the Bill as 11 pm on 29 March 2019. Let us be clear: bringing forward amendments to stipulate that exit day for all purposes of the Bill had nothing to do with leaving the EU. The article 50 notification made our departure from the EU on 29 March 2019 a legal certainty, so, for the purposes of the Bill, exit day could be left in the hands of Parliament.

Peter Grant (Glenrothes) (SNP): The hon. Gentleman just used the phrase “legal certainty” in referring to our departure from the EU on 29 March 2019. Does that mean that he has seen legal advice that article 50 cannot be revoked? Is the Labour Front-Bench position that it is impossible, as opposed to politically inexpedient, to consider revoking article 50?

Matthew Pennycook: The hon. Gentleman tempts me down an avenue that has nothing to do with the point I am making, which is that it remains unclear why the Government tabled three exit day amendments to their own Bill which have sown further confusion. We do not know why they did that—whether it was driven by Tory party management considerations or some other reason. The effect of those Government amendments would have been to end the jurisdiction of the ECJ on 29 March 2019, thereby preventing agreement on a transitional period on current terms.

The Government clearly soon realised their mistake and to save face enlisted the right hon. Member for West Dorset (Sir Oliver Letwin), who is not in his place, to table amendments to loosen the legislative straitjacket they themselves had created. But his amendments, which the Government have accepted, only provide a limited form of flexibility. Ministers may now amend the definition of exit day in clause 14 for the purposes of the Bill if the date when the treaties cease to apply to the UK is different from 29 March 2019. However, there is good reason to argue that that power might not be sufficient to facilitate transitional arrangements after 29 March 2019 on the same basic terms as now. If it is not—this might end up being the most bizarre aspect of the Bill’s curious parliamentary process—the Government will find themselves in the ludicrous position of having to amend this Bill when they bring forward the withdrawal agreement and implementation Bill later this year.

Mr Dominic Grieve (Beaconsfield) (Con): I think that is a virtual certainty in any event. On the basis of the Bill that the Government have promised the House for the end of this year, it seems to me that it will be a substitute for the arrangements under the existing European Communities Act, so I think that must be what is going to happen.

Matthew Pennycook: I agree, but what I would say—and why I would urge Members to support this amendment—is that it need not require the amendment of this Bill to allow the facilitation of transitional arrangements on the same terms in addition to the provisions that the right hon. and learned Gentleman is right to say will be needed in that further Act of Parliament.

We still believe that it should be Parliament, not Ministers, that decides exit day for the various purposes in the Bill. Our amendment 1 helpfully bolsters the position set out by the Prime Minister in the Florence speech by ensuring that this Bill can facilitate transitional arrangements on the same terms as now.

Given that this is, of course, Government policy, it is a wonder that the Government did not bring forward such an amendment themselves. They did not do so because they cannot agree on what the transition means. There can be no clearer evidence for that than the recent appointment of the hon. Member for Fareham (Suella Fernandes) to the Department for Exiting the European Union team, given her past form in seeking to actively undermine the policy position set out in the Florence speech by encouraging her colleagues to sign a European Research Group letter to the Prime Minister objecting to crucial aspects of it. It is ironic that those Tory MPs who voted for amendment 7 back in December are viewed by many as having betrayed the Government, while those who actively undermine stated Government policy appear to get promoted in quick succession.

Amendment 1 is simply an attempt to restore some common sense to the question of exit day for the purposes of this Bill. It would ensure that this Bill can facilitate any transitional arrangements agreed as part of the article 50 negotiations and that we avoid the ludicrous situation of potentially having to come back to amend this Bill in order to do so. It is in line with stated Government policy, and we therefore look forward to the Government not only accepting it, but welcoming it.

The Opposition have made it clear from the outset that a Bill of this kind is necessary to disentangle ourselves from the European Union’s legal structures and to ensure that we have a functioning statute book on the day we leave. But as we argued on Second Reading in September last year, this Bill is a fundamentally flawed piece of legislation. Sadly, despite the small number of welcome concessions, and the implications for the legislation of the defeat the Government suffered at the hands of amendment 7 and the right hon. and learned Member for Beaconsfield (Mr Grieve) on 12 December, it remains a fundamentally flawed Bill. Those flaws still need to be addressed either by this House today or in the other place, and on that basis I urge all hon. Members to support new clause 1 and amendments 2 and 1.

Mr Kenneth Clarke (Rushcliffe) (Con): I am glad to see my right hon. Friend the Member for New Forest West (Sir Desmond Swayne) in his place behind me, where I always welcome him. When I arrived, I inquired whether he had had a cup of coffee before today’s long proceedings, and I undertake to try to have no soporific effects on those Members who have survived to the eighth day of this Committee and Report stage.

I do not intend to follow entirely the hon. Member for Greenwich and Woolwich (Matthew Pennycook), although I listened to many of the points he made with considerable sympathy; I am quite sure that clause 7 will require more work when it gets to another place, and I also have considerable sympathy with what he said about the confusion now surrounding exit day and the ability to proceed to what I am sure is the obvious transition arrangement we are going to have to have for

quite a long time, which will be on precisely the same terms that we have at the moment, so far as access to the market is concerned.

I will turn my attention, however, to the Bill's impact on the economy, following from new clause 17, which is in this selection and strikes me as excellent, and several more of the same kind. In our eight days, the House has not had anything like adequate opportunities to consider this absolutely vital policy implication of what we are embarked upon as we seek to leave the EU. I do not share the view that the Bill needs to be treated in this House or the other place as a mere technical or necessary Bill of legal transition; we have the opportunity to put into the Bill some of the essential aspects of our future economic relationship and to allow the House to express a view and put into statute things that we wish, and instruct in line with our constitution, the Government of the day to follow.

There is undoubtedly going to be some economic cost to this country, regardless of the means by which we eventually leave the European Union. If we have a complete break with no deal, the implications could be very serious indeed. I am one of those who think it rather foolish to try to put precise figures on this. The Scottish National party earlier tried to make precise estimates of what would happen because a think-tank had put out a range of consequences, depending on which options were followed. It was rather reminiscent of the arguments put forward by the then Chancellor of the Exchequer when he tried to help the remain side during the referendum campaign. They were really rather fanciful figures.

Peter Grant *rose*—

Mr Clarke: As I have mentioned the SNP, I will give way to the hon. Gentleman.

Peter Grant: Clearly, any forecast or projection is going to be approximate, and I do not think that anyone is claiming that the Scottish Government's figures are precise. But would the right hon. and learned Gentleman prefer to defend a position that was backed up by approximations and forecasts that may or may not be accurate, or would he prefer to be in the Government's position of defending a position backed up by no impact analysis whatever?

Mr Clarke: I shall turn to that in a moment, but I agree with the hon. Gentleman entirely. I was not making a criticism of the think-tank, which has done its best, but we all know from experience that all economic forecasting should be taken with a slight grain of salt. It is utterly beyond the capacity of either the Treasury or the most expert outside groups to predict with absolute confidence what the precise consequences will be.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): Will the right hon. and learned Gentleman give way?

Mr Clarke: I would like to move on. I was merely making a passing remark about the unwisdom of trying to put a figure on this, but I will give way.

Stephen Doughty: I am grateful to the right hon. and learned Gentleman. I wonder, given that he is talking about the impact on the economy, whether he has heard the remarks by Christophe Bondy, the legal counsel to

the Canadian Government during the Comprehensive Economic and Trade Agreement negotiations. He has described Brexit as being like trying to

“blow up a bridge without bankrupting yourself”

at the same time. He has also said that the Canadian deal and our coming out of the single market and customs union are very different.

Mr Clarke: I agree with that second point strongly, and I will consider the implications of the quote.

The point I am trying to make is that, whatever the basis on which we come out, there are bound to be adverse effects on the British economy if we create new barriers between ourselves and the biggest free market in the world. No other Government would remotely contemplate moving out of such a completely open and free market and deliberately raising barriers by way of tariffs, customs processes or regulatory divergences between themselves and such a hugely valuable market. It is particularly valuable to us not only because it is a huge market but because it is on our doorstep. We have played a major part in creating this totally open trade.

If we proceed to a deal in which we withdraw, we will inevitably find ourselves, to some degree or other, taking an economic blow and probably making future generations less prosperous than they would otherwise have been. It is important that we all realise that, which is why it is a great pity that the House is not being given the information necessary to make a really informed judgment, as the hon. Member for Glenrothes (Peter Grant) has just said, or being allowed any opportunity to guide the Government and hold them to account for the course on which they are set on these economic and trading implications.

Sir William Cash: In his assessment, has my right hon. and learned Friend taken into account the fact that services within the European Union have never been completed under the single market? Furthermore, our deficit in the past year with the other 27 member states has gone up by another £10 billion, while our surplus in our trading with the rest of the world has grown exponentially by another £6 billion or £7 billion, so I really rather doubt his conclusions.

Mr Clarke: I entirely agree with my hon. Friend's first point. For as long as I can remember, it has been the policy of Conservative Governments, some of which I have served in—indeed, it is a policy in which I have been involved from time to time—to press for the single market to be extended to cover all services. Until the referendum almost 18 months ago, we were still actively engaged in canvassing for that and trying to push it forward inside the EU. We are also making considerable progress towards a digital single market across Europe, which will be very important. The other member states are likely to go on and complete that quite soon.

1.45 pm

On my hon. Friend's second point, I think he is referring to the economic doctrine that used to be known as mercantilism, of which President Donald Trump is extremely fond. I regret to say that it is a great fallacy that a free market trading arrangement is valuable only to the party to it that has a surplus in trade for the time being and that it is a handicap to the party that, for the time being, happens to have a deficit. However, I do

not think that this is the occasion on which we should debate this matter at length. He and I are both guilty of debating these things at length.

I do not accept my hon. Friend's argument. For example, if we are going to solve our problems when we leave Europe by having a free trade deal with the United States, which I find wholly unlikely, one of the things that Donald Trump will eventually notice is that we have a large bilateral trade surplus with his country. That is why the only interest we will get from America is in how it can open up our market, mainly to its food products, with which our farmers will find it very difficult to compete. We will also discover that Donald Trump has decided that all trade agreements involve regulatory convergence. We will either have the same regulations or something that we as part of the EU were trying to negotiate with the Americans—namely, mutual recognition of regulations.

When our Secretary of State for International Trade came back from his preliminary excursion to offer the Americans this great opportunity to throw open their markets to us without conditions as never before, he found that one of the first things he had to do was try to persuade the British public to see the advantages of chlorinated chicken. He could have gone on to talk about hormone-treated beef and genetically modified crops. As it happens, I have no strong objection to those things—I have eaten in America and I have survived—but I am not sure that that would be an easy sell to the British public or to the House of Commons. Indeed, I think it would be a very difficult sell to the House of Commons.

The fact remains that the benefit of free trade agreements is that—so long as we are careful not to go into areas where we can see we cannot compete—they can stimulate increased economic activity on both sides of the deal. As for the fact that our trade over recent years with non-EU countries has grown more than our trade with EU countries has done, that is the way in which the globalised economy has worked since the 1990s. We actually do very badly in an awful lot of the strong emerging countries. The Germans completely outperform us in China, for example, but we have got going there. The fact is therefore that every other country will find that their trade with countries that were previously poor and are now rapidly emerging will grow faster than their trade with their traditional markets. That does not alter the fact that our European market is absolutely dominant.

Sir William Cash *rose*—

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

Mr Clarke: My hon. Friend and I have been debating the subject for so long, and I think it would be unwise for the two of us to get bogged down in mercantilism. I will give way to the right hon. Gentleman.

Tom Brake: I want to ask the right hon. and learned Gentleman about the assessment of impact. I think that it is important that we call it an assessment of impact rather than an impact assessment, because the Government can hide behind the formal impact assessment process. On the assessment of impact, would he like to speculate about why the Government are so adamant that Members of Parliament should not be allowed to receive this information?

Mr Clarke: The points I hoped to make in my speech are being put to me by others, which may have the welcome effect of shortening my contribution. I entirely agree with the right hon. Gentleman.

John Redwood (Wokingham) (Con): My right hon. and learned Friend has not given us many numbers so far, and the one he has given us is wrong. We have actually had eight days in Committee and two days on Report, and we had an extensive debate on Second Reading in which many of these larger issues were strongly reviewed. We had very detailed short-term forecasts from the Treasury of what would happen in the year or so immediately after the vote if we voted to leave. We now know they were comprehensively wrong in forecasting a recession, a big rise in unemployment and a big fall in house prices. Why were they so wrong, and what has he learned from that?

Mr Clarke: My defence is that I did not use any of those arguments in the campaigning I took part in during the referendum. The referendum campaign was somewhat taken over by the then Chancellor and the then Prime Minister, both friends of mine and people with whom I politically agree on Europe, and I would not have made the same choice of arguments. I thought at the time that they were spinning the short-term forecasts far too far and, with hindsight following the rather narrow result, they rather discredited the remain campaign. Surprisingly, I am rather in agreement with my right hon. Friend.

My right hon. Friend may not have been here in time to hear me begin by saying that all attempts to produce a precise forecast of any change in economic arrangements are fraught with peril. I would have preferred the referendum to have been fought on arguments about the benefits, in the opinion of those on my side, that membership of the EU has brought to this country in enabling us to develop a powerful political role in the world as one of the leading members of the EU, in helping the bloc to hold its own against America, China, India and the emerging powers and in the considerable economic success that we achieved for most of the 47 years of our membership. There is no doubt that the common market and then particularly the single market have made a considerable contribution to our prosperity.

That enables me to return to the point of my speech, which is the economic consequences and how the House might be enabled to hold the Government to account for the likely economic consequences—properly and cautiously anticipated—when they have a policy on the eventual outcome they are trying to negotiate and then, because it will inevitably change in the real world, when a deal is ultimately negotiated.

I would prefer us to continue in the single market and the customs union. The point has been made, including by me, so I will repeat it in only one sentence, but at no point in the referendum campaign did the leavers say that one of the advantages of leaving is that we will leave the single market and the customs union. Most of them never mentioned it, and the ones who were reported in the national media did not mention it. It was all about Turks coming here to take our jobs and about extra money for the health service. Both sides used equally foolish arguments, or at least the national media only chose to report the foolish arguments. The people I debated with in town halls did not use such nonsense.

Geraint Davies: Does the right hon. and learned Gentleman accept that we are less likely to catch up with the Germans on penetrating the Chinese market if we are out of the EU? We will have our back to the wall, facing tariffs, if we are not in the EU, and the Chinese will be able to bargain harder against a small player with few resources and little trade.

Mr Clarke: That is possible. The idea that the Germans find membership of the European Union a disadvantage in their economic performance in the modern world is, of course, a rather farcical fallacy. If we weaken our attractiveness to inward investment and if we weaken ourselves as a base for trade with the rest of Europe, we will attract less investment and less trade with the wider world, too. I entirely agree that that is a risk.

The Lancaster House speech transformed things by suddenly making the Government's policy particularly dependent, apparently, on leaving the single market, leaving the common market and, incidentally, repudiating the jurisdiction of the European Court of Justice, which I will not go into because I have never been able to work out why the work of those judges, including the excellent British judges we have had on that Court, is particularly criticised. That is another matter.

I have never heard any Government Front Bencher attack the single market in itself or the customs union. When we hear speeches from Ministers about a bespoke new trade agreement, it sounds very much like an unbroken continuation of all the access we have to the rest of Europe under the single market and the customs union. The only objection to the single market, and the Prime Minister once expressed this to me at Prime Minister's questions, is the four freedoms that go with it, including the free movement of labour. I still imagine that other countries would quite like to address the free movement of labour.

I think free movement of labour does us good—I would not want to get rid of it—but we do not need to run it in quite the lax way we have been running it for the last 20 years. The only other objection to a customs union, and I do not regard it as an adequate reason—staying in the customs union would solve the Northern Ireland and Irish Republic problem practically overnight—is that it stops the Secretary of State for International Trade going out and negotiating marvellous new trading arrangements with all sorts of places. Negotiating such arrangements would, of course, produce a hole in the common customs barrier that the customs union creates.

If anything, I am afraid the world is more protectionist than it used to be. The last great attempt by those of us who believe in a rules-based order in the global system was the Doha round, in which we tried to get the WTO rules to move on from their present rudimentary condition after what was then the triumph of the Uruguay round. The Doha round went on for years and years, and eventually it went into the sand. It was never completed to the satisfaction of anyone who agrees that there are benefits to all societies from having properly regulated and protected free trade.

I have already addressed the idea that, when we are no longer negotiating as a member of the EU, Trump's America will be more likely than Obama's America to throw open its doors to unfettered access to whichever goods and services we wish to send. The Brazilians are ambiguous. The EU has everything to gain from dealing

with Brazil, but the difficulties are that Brazil insists on exporting food products on a grand scale and the internal economy of Brazil does not naturally lend itself to free trade. Mercosur, as a group, is almost incapable of agreeing on any common position.

I will not go on but, much though some in the present Administration would wish otherwise, I do not think India is yet ready for free trade agreements with countries such as Britain. I wish I could feel more confident it were otherwise, but I think the Lok Sabha will daunt anyone who tries to take on the various pressures in India in order to have a free trade agreement. I have been to India myself to try to get it to open up to legal services, with considerable support from a lot of Indian businesses that would like some of our countries to provide international quality services in Delhi so that they do not have to come to London to get their advice, but protectionism in every aspect of Indian society is not to be understated. We are not going to get far. I will not go on about China, as I said I would not go country by country.

This is all an absolute illusion. I would prefer to stay where we are, but apparently we are moving out. We are demanding a bespoke arrangement but, as yet, we have not been clear what that bespoke arrangement is, which is a considerable difficulty. This has been debated already and we have got some concessions, although they are not yet good enough, but when we finally reach a stage where the British Government intend to ratify a proposed deal, it is perfectly obvious to me from all our past constitutional conventions that they should come to Parliament to get its approval for that ratification. There was a key vote in 1972 when we joined the European Union. There was approval in principle of the deal that was proposed, which attracted Jenkinsite support to give the then Government a majority over their imperialist rebels, who were voting against it. But we started legislating in 1972 only when we had the approval of the House of Commons, by quite a comfortable majority, to ratify on the terms that were presented and explained. The same should happen here.

2 pm

Given my strictures about the referendum debate, and some of the others we have had, I think that the more we can do to make sure we have an informed debate on whatever trade, investment and other deal is proposed with the EU, the more likely we are to uphold the duty we all have in this House to apply our judgment of the national interest, to think a little of the future as well as the short-term politics and to decide whether or not this vital consent of Parliament is to be given.

Justine Greening (Putney) (Con): My right hon. and learned Friend has made a very important point. I represent a very young constituency in London. The bottom line, looking ahead, is that, if Brexit does not work for young people in our country, in the end it will not be sustainable and when they take their place here, they will seek to improve or undo what we have done and make it work for them. So we absolutely have a duty in this House to look ahead and ensure that whatever we get is sustainable and works for them.

Mr Clarke: I entirely agree with my right hon. Friend on that. One extraordinary thing about the division of opinion is that I have never known it to be so much on generational lines. There are some zealot young leavers

[Mr Kenneth Clarke]

and there are one or two, like me, old fogey, very sound remainers, but otherwise the public have not usually been divided so fiercely on generational grounds. In my limited experience—I do spend a lot of time in London’s House of Commons—I would have thought places such as Richmond and Putney would underline that very heavily. My experience of young, ambitious, professional business and other people in London has been that for the first time in my life I have had complete strangers from that category walk up to me in the streets just to thank me for taking part in this campaign. [Interruption.] I see that other Members have exactly the same experience. I am sure the silent people who walk by deplore my views, but this just brings home to me how divided the nation is and, curiously, it is on generational grounds. Therefore, unless something happens, the pro-remain sentiment is likely to increase as a proportion of the country as we go on. But if we leave and are then forced by events to start going back again, I cannot think of a more chaotic situation. That is why we need the information to make a proper assessment when eventually the Government, as they will have to and are entitled to, come back to this House to present the proposed deal—not a deal they have already done and signed up to—for approval.

The Government have vast amounts of material on this subject and vast access to resources, and they have no reason for excluding the House of Commons totally. I am talking not about their negotiating position, because of course they will exclude us from that, but about the basis of the objective, independent advice they have received. That is why I thought it was wise for the House of Commons to pass the motion, which the Government allowed it to do, asking them to produce papers, after Ministers had rightly said that there were all these impact assessments and so on. I bow to the Select Committee, to which we rightly transferred responsibility for looking at that and considering the matter, but I agree with the intervention I took from the hon. Member for Glenrothes.

The Government escaped from that position by suddenly taking the most narrow interpretation of the words “impact assessment”. Apparently, civil servants, who are always capable of coming up with helpful advice, said, “Strictly speaking, Minister, in Whitehall, ‘impact assessment’ means this.” That is not quite how we set it out, so that was refused. Then this was all edited, probably with large parts of it rewritten. What we do not have is what we undoubtedly require: an impact assessment, by whatever description, using the advice that comes to the Government from the Treasury, the central Bank, the Office for Budget Responsibility and any consultants they have taken in, of the basis on which this deal is being proposed and what the best advice they can obtain about its impact is. I am astonished that we have got so far into the proceedings and the debate on our future relationships with Europe and we still do not seem to be any nearer to persuading the Government ever to divulge any of this. I do not think we should wait for the 20-year or 30-year rule before we are allowed to see on what basis the Government were proceeding. As I began by saying, I agree with new clause 17 that we should specify that proper, full information is shared by the Government with this House before they come for our approval.

Anna Soubry (Broxtowe) (Con): As ever, my right hon. and learned Friend is making an exceptionally important speech and doing so eloquently. As he will know, a group from the all-party group on EU relations has just been over to Brussels, where we spoke to a number of people. Many of those conversations will remain between us, as we agreed. Does he agree that it could well be argued that the Government made a mistake in rushing into saying no to the customs union and to the single market without fully understanding the implications, not just for our economy, but in terms of how this has meant that a range of options has now been taken off the table by the UK Government, when the EU has made it very clear that all options remain on the table as far as it is concerned?

Mr Clarke: My right hon. Friend and I have many friends in common. I am delighted that she went over to see Michel Barnier and others, whom I saw in slightly different company shortly before. I agree entirely with what she says, and I would add that the people she was meeting, people like Michel Barnier, are not Anglophobes. They are not just seeking to strike points off the UK. Every person of any common sense on either side of the channel knows that the minimum of disruption to trade between our countries is, for the reasons I was arguing with my hon. Friend the Member for Stone (Sir William Cash) a little time ago, of mutual benefit to those countries. They are looking to negotiate a serious, grown-up agreement that preserves, so far as is possible, the benefits of our present arrangement.

It will be extremely difficult. There is no getting away from the fact that the 27 countries will all have to be in agreement with whatever the eventual deal is and will all submit to their Parliaments a vote to approve that deal, and it is going to be very difficult to get them to agree. They will not surrender the basic tenets of the EU in order to leave us all the benefits of the single market without any of the obligations. Not only will they not agree that the British taxpayer should stop paying a penny towards the costs of market access so that the taxpayers of Germany, the Netherlands and other rich countries pay more to make up for our refusal to pay our share, but they will not let us get out of all the political implications of membership of the EU simply to have solely the trading benefits.

We saw this recently with the members of the European economic area and their perfectly comfortable arrangement. The Norwegians had to go into the EEA because they had negotiated a perfectly sensible arrangement to become full members of the EU—I had many happy discussions with my then opposite number, the Norwegian Finance Minister, who was looking forward to joining the EU—but then held a referendum. They got into the same mess that we have got into, so they put quite a good alternative together, which I still find quite attractive.

The fact is that what we get will be unsatisfactory compared with complete membership of the single market and customs union. Like my right hon. Friend the Member for Broxtowe (Anna Soubry), I do not think that anybody realised at the time quite what was involved in respect of what seemed a speech likely to be valuable politically in getting good write-ups in the right-wing press. We are now trying to get out of that and to slip back a little to get a more sensible arrangement. The House needs to know what expert advice the Government

have on the implications of any deal, and new clause 17 provides a mechanism by which we can legally oblige the Government to produce it.

Several hon. Members *rose*—

Mr Speaker: Has the right hon. and learned Gentleman concluded his speech?

Mr Clarke: I have, and everybody still seems to be awake!

Mr Speaker: Everybody is awake; we have been listening to the right hon. and learned Gentleman with rapt attention.

Mr Chris Leslie (Nottingham East) (Lab/Co-op): I congratulate the right hon. and learned Member for Rushcliffe (Mr Clarke) on warming up the debate so well. In a way, Mr Speaker, I feel sorry for you in the Chair, because it is perfectly ridiculous that the programme order is such that we have to conclude our series of debates at 4.30 pm when so many issues have not been properly aired on Report. I said that during yesterday's debate on the programme motion, and I hope that Members in the other place will bear that in mind when they consider the Bill.

I tabled amendments on six issues that I did not think had been adequately covered in Committee. Being a dutiful Member, I felt it my responsibility to table amendments to cover those issues, but I must rush through them, because otherwise I will not exactly be flavour of the month with many of my colleagues.

Chris Stephens: Hear, hear!

Mr Leslie: Don't say "Hear, hear" in that way.

New clause 5 addresses a massive topic. It simply says, almost in the words of the Secretary of State for Exiting the European Union, that after we have left the EU, we should have the exact same benefits for the service industries in our country—including financial, legal and professional services—as we have now. The service sector accounts for some 80% of the British economy. During our consideration of the Bill, we have not yet really debated the implications for the service sector. It is often easier to talk about the trade in goods, because goods are tangible—they are physical, and we can imagine them crossing borders, going through ports and so forth—but in many ways we excel in our service sector, so new clause 5 would simply put into the Bill the commitment that Ministers have previously given that they would seek the exact same benefits.

Hilary Benn (Leeds Central) (Lab) *rose*—

Mr Leslie: I do not have much time to go into new clause 5 and I shall try not to take too many interventions, but how can I resist my right hon. Friend?

Hilary Benn: Does my hon. Friend agree that on the question of services, never mind goods, this is probably going to be the first negotiation in human history in which a Government have gone into the process knowing that they will come out with a worse deal than the one currently enjoyed? The reason for that is the red lines that the Government have set for themselves. Does not that demonstrate what a profound error this has been,

especially when we now know that the decisions on those red lines were taken without any assessment at all of their economic impact?

Mr Leslie: Absolutely; I could not have put it better myself. We currently have, in the shape of the single market, one of the finest free trade agreements available to any country anywhere in the world. It is frictionless and tariff-free and, of course, it offers great opportunities for those in the UK service sector to sell their services to 500 million customers. There was nothing about departing from the single market on the referendum ballot paper, so this is a ridiculous red line that the Government should not have put in place. I take this opportunity to gently ask my right hon. and hon. Friends on the Opposition Front Bench please not to acquiesce to the red lines. The fact that the Government have set them does not necessarily mean that they are correct. I want the Labour party to fight for permanent access to and membership of the single market, and I will not stop making that point.

New clause 2 might look a bit lengthy, but it sets out what we should hope to expect to see in the withdrawal agreement that is currently being negotiated by the Prime Minister and the European Commission. I think that a lot of people expected, having passed phase 1, that this was going to be the moment to talk about trade and the sort of deal we were going to get. That is not where we are in the negotiation. We have entered a period of talks about talks—that is simply where we are in this phase 2 arrangement. The article 50 process specifies that, after we have buttoned down a transition arrangement—I shall come to that in a minute—we can perhaps hope to get a framework for our future relationship. That could easily be a single side of A4 with very warm words saying, "Let's all work together," and we would then be supposed to depart on our one-way journey without knowing for sure where we were heading.

2.15 pm

I have put into new clause 2 the sort of basic headings that we would expect to see in a pretty basic trade agreement. If the withdrawal agreement is to be acceptable to me, those things need to be spelled out, because I could not recommend an agreement to my constituents unless we had buttoned down some degree of certainty with our EU counterparts so that we knew what we were to be getting.

Mr Grieve: The issue of the withdrawal agreement was supposed to be resolved last December, as part of phase 1 of the negotiations. Does the hon. Gentleman agree that it is abundantly clear that there are massive potential pitfalls, particularly in respect of the relationship with the Irish Republic, in the translation of what appears on the face of it to have been a mutually convenient fudge into what will in fact be a binding treaty obligation?

Mr Leslie: That is absolutely right, and the right hon. and learned Gentleman neatly and helpfully moves me on to my new clause 3, which deals with the question of the Irish hard border. I think that many people read the phase 1 agreement in an optimistic light. In many ways, those words were all things to all people. The can was kicked down the road, but there will have to be a translation into some sort of legal text by the time we

[Mr Leslie]

get to the withdrawal agreement. Heaven help us when the two sides to the negotiations have to start talking in specific terms.

The Prime Minister had a slightly different view from the Republic of Ireland of what the phase 1 agreement meant. She reported back to the House that it was simply to be restricted to the issues listed in the Belfast agreement, which does not, of course, include trade in goods, to mention just one small policy area. There are massive questions about the border between Northern Ireland and the Republic of Ireland. People in that area share reciprocal healthcare, as well as environmental factors such as rivers, streams and lakes. They have a shared energy market and shared fisheries, food and plant arrangements. All those are shared because of the very geography of what are two distinct countries, so trying to fudge the issue just will not work, particularly if the UK is a third party.

Lady Hermon (North Down) (Ind): Is not it essential that at some stage in these Brexit negotiations the Government legislate to protect the fundamental principles of the Good Friday agreement—the Belfast agreement? Those principles include freedom from discrimination, equality under the law and parity of esteem. They are fundamental principles—I could go on listing them, but I will not—so is it not essential that the Government protect them?

Mr Leslie: I believe that that is essential. I completely agree with the hon. Lady, which was why I took the exact words from the phase 1 agreement to create the text of new clause 3. If the Government really mean to commit to there being no hard border, they should enshrine that commitment in the Bill. That is the test for the Government—it is what they have to prove if they really believe that this was not just some mealy mouthed commitment to get them through a particular difficulty in the short term.

Ian Murray (Edinburgh South) (Lab): My hon. Friend has spoken about the island of Ireland on many occasions during our scrutiny of the Bill. Could not this complicated issue be easily resolved, and does not the resolution lie in the customs union and the single market?

Mr Leslie: That is indeed the case, but the Prime Minister said, “Oh no, that’s a red line.” The difficulty is that Prime Ministers can get into stubborn positions. Are they going to have to back down? How do they deal with these things? It would be a measure of the Prime Minister’s status and stature were she to say, “On reflection, I have looked at this issue and it cannot be solved.” I know that the Under-Secretary of State for Exiting the European Union, the hon. Member for Fareham (Suella Fernandes), will be encouraging the Prime Minister to do that, because she has that way about her. The Prime Minister should change her mind and say, “Things have changed.”

Stephen Doughty: My hon. Friend is obviously making some absolutely excellent points, but the crucial thing is how all this matters practically for people and businesses. I wonder whether he saw yesterday’s concerning announcement about the opening of a new ferry route between Spain and the Republic of Ireland. The port of

Cork expressly said that it was doing that to avoid having to come through all the Brexit uncertainty that was being created in the United Kingdom.

Mr Leslie: I did indeed see that. Think of all the distorting arrangements that will pop up.

Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): Will the hon. Gentleman give way?

Mr Leslie: If the hon. Gentleman will allow me, I must make some progress, because I have to talk about new clause 4, which relates to the divorce bill—the payment or the settlement. The Prime Minister said that the amount would be somewhere between £35 billion and £39 billion. When the Under-Secretary of State for Exiting the European Union, the hon. Member for Fareham, was on “Question Time”, she said that that was absolute nonsense and would never happen, but it turns out that £39 billion equates to over £700 for every adult in the UK. That is how much we are talking about. That is £700 a head for all the men and women in her constituency who voted for her and all those who did not vote. Strangely, that did not feature on the side of the red bus, and the notion of £350 million a week for the NHS has disappeared into thin air. We do not want to catch that particular bus ever again.

I am glad that the right hon. Member for Loughborough (Nicky Morgan), who chairs the Treasury Committee, has written to the Comptroller and Auditor General of the National Audit Office to ask him to examine the reasonableness of the sum. The phase 1 agreement said that a methodology had been agreed between the two sides to calculate the sum, but that has not been made available as far as I can see. I hope that the NAO will have that methodology, and that it will go through the agreement with a fine-toothed comb to find the exact figure that our constituents will end up paying.

Amendment 39 seeks to tease out what is happening on the question of transition, for which there are all sorts of metaphors. My hon. Friend the Member for Streatham (Chuka Umunna) talked about there being no safe harbour, but the metaphor I like to give is that, if we have a cliff edge, transition is about our having a plank going a few feet out from the cliff edge: it would perhaps give us a bit of extra time, but it would not obviate the precipitousness of the fall that could affect the country—it simply defers when that will happen. The European Union side is absolutely clear that if we are going to have a transition, it will need to be on exactly the same arrangements that we have now, minus having Britain around the table with a say on the rules. That was why I tabled amendment 39. The Government have to get on with securing a transition, and the Chancellor was right to talk about it as a diminishing asset.

The arrangements had better be visible and available for businesses to see by the time we get to Easter and the March European Council meeting, because they need to know what will happen. Otherwise, quite naturally, they are going to have to make contingency plans to protect their business thereafter. I was talking to the American Chamber of Commerce to the European Union, which has come up with the sort of transition deal that it believes that many of its firms that work and invest here, employing many of our constituents, want to see. It thinks that a transition needs to have two

distinct aspects. First, there needs to be a bridging period during which we can settle all the rules, finish all the negotiations, and establish the treaties and procedure. That will definitely take more than 21 months, and I saw that the chief executive of the EEF was completely scathing yesterday about how little could be achieved in the period currently envisaged. Secondly, there needs to be an adaptation period—a phasing in of the new rules. We need to start getting into exactly what the transition will involve, and that was why I tabled amendment 39.

My final point is about new clause 6, on which I will seek the views of the House if I get the opportunity. It relates to what will happen if unforeseen circumstances arise in the process. What will right hon. and hon. Members do if the Government come back with an unacceptable deal? We need to know what our options are. We have asked the Prime Minister on many occasions about the article 50 process. It is a notification process, and she sent the letter in, but when we ask whether the process can be extended, altered or revoked, she says that that is not the Government's policy. That, of course, is not the question we are asking. We are asking whether the process can be extended. What is the legal advice? The Government have obviously taken legal advice, and I suspect that it says that the UK, if it so chose and the circumstances arose, could unilaterally revoke article 50. We would of course have to do that before exit day, because if we chose to do so after exit day, we would be looking to apply to rejoin the EU under article 49, which would mean our losing many of the benefits in our current deal. We in the House of Commons need to know the options available to us.

Liz Kendall (Leicester West) (Lab): On that point in particular, does my hon. Friend agree that all the new clauses and amendments are about trying to get greater openness and honesty about the pros, cons and trade-offs of the choices we face as a country? It is vital that that information is available not just to this House, but to the public. It is our job as Members of Parliament to put it before the country, because these huge decisions have big consequences, but we have had to drag the Government every step of the way towards putting such information before the country.

Mr Leslie: My hon. Friend is absolutely correct. It is important that our constituents know that nothing is inevitable. One parliamentary decision cannot bind a successor Parliament, because Parliament has the capability to do a number of things. Although the article 50 notice signalling the Government's intention has been sent in, it is not a binding commitment.

Sir William Cash *rose*—

Mr Leslie: It might be my intention to give way to the hon. Gentleman, but I might change my mind by the time I get there. I can walk towards a Division Lobby while thinking that it is my intention to vote for a particular issue, but I might change my mind at the last minute. We are all able to change our minds. That is the nature of life, and we can all do the same in a dynamic democracy and Parliament.

Article 50 says that treaties shall cease to apply from “the date of... the withdrawal agreement or, failing that, two years after the notification”,

but we will have left only after those events. Article 50 is of course silent on what happens during the two-year interim period before the agreement. We are still full members of the European Union, prior to the withdrawal agreement or the expiry of the two-year period, so it stands to reason that we should continue to act as such. The framers of article 50, who include Lord Kerr, said that a “request readmission after negotiation” clause was not necessary because that was taken as read. That is how the 1969 Vienna convention on the law of treaties operates, and it is accepted by many jurisdictions around the world. Article 68 of the Vienna convention states:

“A notification or instrument... may be revoked at any time before it takes effect.”

That is the widely understood nature of such treaties.

Sir William Cash: I just thought that I would draw the hon. Gentleman's attention to the European Union (Notification of Withdrawal) Act 2017. I do not think that he voted for it, but 499 other Members did, and it passed the House of Lords, so I would have thought that that would be quite a difficult problem for him to overcome.

Mr Leslie: No Parliament can bind its successor, and that Act was passed in a different Parliament. It may not be necessary for the UK to consider extending or revoking the article 50 process, but it might prove necessary. MPs and the public have a right to know that such options are available. Nothing is inevitable about this whole process. Choices and options are available to this country, and the Government should publish their legal advice and a summary of that advice. There is ample precedent for doing that. Indeed, when the right hon. and learned Member for Beaconsfield (Mr Grieve) was Attorney General, he published summaries of legal advice. The measure does not even ask for a breach of the confidentiality between client and legal adviser, but this House is entitled to a summary. We need to know and the public need to know, which is why I want to press new clause 6 to a Division, if I get the opportunity.

Robert Neill (Bromley and Chislehurst) (Con): There will be a change of tone, because the speeches so far have been understandably wide ranging, and mine will be much more narrow and technically focused and also much shorter. I say by way of preface that it is both strange and regrettable that the analysis of my right hon. and learned Friend the Member for Rushcliffe (Mr Clarke) was not adopted by the remain campaign, because we might have been saved a great deal of trouble if it had been. Frankly, he speaks passionately and well, and I prefer the economic analysis as to risks and/or benefits of someone who was one of the most distinguished post-war Chancellors to that of those who have not had the opportunity to hold those exalted positions and whose view of the matter sometimes seems a little more based on articles of faith than on practical experience.

2.30 pm

That said, I want to turn specifically to new clause 22, which is in my name. It is relevant to what has gone before. At the end of the day, we all accept that because of the decision that was made, we must find a way forward now that gives the best possible arrangements for our business and our jobs. In particular, I want to

concentrate on the requirement that business has for maximum certainty in relation to the treatment of any deficiencies in the retained EU law, and it is dealt with in clause 7 at some length. It is particularly important for all businesses, but especially for the City of London and for the financial services sector, which, as has been rightly observed, is about 80% of our economy. In the course of the Committee stage, I moved a number of probing amendments, and this is a probing amendment, too, which seeks greater clarity from Government about exactly how we deal with some of the nuts and bolts of those matters.

The clause 7 scheme of course sets out a means for dealing with this deficiency by means of statutory instruments—I understand that. I previously proposed a fall-back scheme as an alternative scheme of interpretation to deal with deficiencies. In doing so, I had the advantage of advice from the City of London Corporation, the Financial Markets Law Committee and the International Regulatory Strategy Group, probably as great a body of expertise on financial regulatory law and process that can be found anywhere in a square mile—if I can put it that way—and not something that one would wish to see lightly ignored.

I am glad to say that in the course of those discussions, Ministers—the Minister on the Bench today, my hon. Friend the Member for Wycombe (Mr Baker), and my hon. and learned Friend the Solicitor General—were most constructive in their response. I accept that the Government are genuinely seeking to tackle this matter and to minimise the need for dealing with it by means of regulation as far as possible. For that simple reason, it looks as if there could be 800 to 1,000 pieces of secondary legislation needed. With the best will in the world, it is a massive task, so what I have done now is to return with a much narrower new clause, which will deal only with the default position in those circumstances where, for whatever reason, it was not possible to deal with potential deficiencies by means of regulation under clause 7. Therefore, it is even more of a stopgap, but there is still a sentiment among people in the business sector that things inevitably crop up that are sometimes time-sensitive—perhaps in the course of ongoing litigation or in the interpretation of a significant commercial contract where it may not be possible to wait for the process of secondary legislation to go through. It is that important but narrow point that my measure is designed to deal with.

The Parliamentary Under-Secretary of State for Exiting the European Union (Mr Steve Baker): My hon. Friend gives us a salutary reminder that it is important that we make all the appropriate corrections before exit day, and the Government do want to make all of those corrections and to ensure that the law is accessible for all. I can confirm to him that Government Departments and the centre of Government are listening to industry, including the City, as part of our planning. We have put in place procedures and tools to ensure that we prioritise the most important corrections and so that nothing is missed out. On top of that, as the Bill provides for, we have put in place an urgent procedure in case of last-minute developments to which he refers.

Robert Neill: I am very grateful to the Minister for that helpful intervention. I am conscious, as I said, that the Solicitor General and other Ministers have done

work on this, and that will shorten what I have to say. I hope that the Minister might meet me in due course to discuss the way in which the urgent procedure will operate so that we can get more detail. That is what I was seeking to achieve—to make sure that we have a means of dealing with something when a decision needs to be made pretty much in real time under these circumstances. That reassurance that the Government will find the means of doing that enables me to confirm that I shall not be pressing the matter. It does of course apply to situations in which, for whatever reason, something has been overlooked in the transition process, or in which something has cropped up that could not reasonably have been foreseen by means of the best endeavours. Against that background, I welcome the Minister's clarification on that matter. I gather from his nod that he is happy to discuss the matter further with me, so I need not trouble the House any longer.

Several hon. Members *rose*—

Mr Speaker: Order. A considerable number of Members are seeking to catch my eye, and colleagues will be conscious that these proceedings must conclude at 4.30 and that it is reasonable to allow the Minister some considerable time to respond to the points made. Therefore, a certain self-denying ordinance is required if I am to enable everybody to contribute. The hon. Member for Glenrothes (Peter Grant) speaks for his party from the Front Bench and, of course, must be afforded a decent opportunity, but I know that he will want to tailor his contribution to take account of the interests of others.

Peter Grant: With the consent of the House, I rise to speak to amendment 59 in the name of my right hon. Friend the Member for Ross, Skye and Lochaber (Ian Blackford) and other right hon. and hon. Members, and to amendments 9 and 56 and new schedule 1.

Before I speak in more detail about amendment 59, may I commend the hon. Member for Nottingham East (Mr Leslie) for the amendments that he submitted? What he has done is to remind us of what a complete sham this entire process has been. Almost 90% to 95% of the way through these eight hours of debate, the Government who had promised, day after day after day, to listen to the debate and to take appropriate effective action still have not corrected some of the glaring deficiencies in their own Bill, the most serious of which, perhaps, is the fact that we still do not have any statutory guarantee that the Northern Ireland peace process, the Belfast agreement and all that that implies, will be protected in law. If the Government cannot be trusted to bring forward amendments to correct such a desperate deficiency in their own legislation, how can they expect this House to trust them with the draconian and unprecedented powers to use ministerial directive to correct deficiencies in domestic legislation after we have left?

Amendment 59 seeks to ensure that the withdrawal agreement can only be implemented when we also have an agreement to remain in the EU single market and customs union. Let us be honest: everybody knows that, on a free vote of this House, there would be a substantial majority in favour of remaining in the single market and the customs union. My plea this evening will be for all of those who know that that is in the best interests of their constituents to set aside the demands of the party Whips and to go through the Lobby in support of this amendment. We can win this vote this

evening if all those who know that it deserves to win are able to set aside the demands of the Whips and vote for it. We can take a decision tonight that will keep us away from the cliff edge, not just for two years but for very much longer.

I am very grateful to colleagues from the Liberal Democrats, Plaid Cymru and the Green party who have signed this amendment. Although there have been no signatures from Labour Members, either from the Front Bench or the Back Benches, I appeal to all of them to support this amendment today.

Let me first deal with the question of the constitutional or democratic legitimacy of the amendment. One of the very disturbing aspects of the referendum debate, which has continued all the way through the process since then, has been the degree of hostility and open hatred that has been created against anyone who speaks, or even thinks, against the wisdom of the Government, the newspaper editor, the blogger or whoever. I have a good bad example: just a day or two ago, a group of MPs who had the temerity to go over to Europe to meet Michel Barnier were denounced as traitors—treachery with a smiling face—by one well known blogger. Apart from the fact that such inflammatory and violent language has no place in any supposedly respectful debate, I want to remind the House of some facts of our membership of the single market—facts that I appreciate will be very uncomfortable to some Members, but that are still utterly incontrovertible.

It is a matter of fact that the people of the United Kingdom have never voted in a referendum about membership of the single market or the customs union. This House had the opportunity when the European Union Referendum Bill was on its way through Parliament. We could have decided to ask questions about the customs union and the single market, but the House and the Government chose not to. Having chosen not to ask the question, none of us—including me—has any right to decide that we know what the answer would have been.

It is a matter of fact that it is possible to be in the single market and the customs union without being a member of the European Union. Hon. Members will have different views as to whether it would be wise, appropriate or in our best interests to do so, and they have every right to debate the benefits of membership of the single market and the customs union. But anyone who insists that it cannot happen is not engaging in debate; they are engaging in fiction. We have had far too much fiction in this debate already—from both sides, it has to be said—as the right hon. and learned Member for Rushcliffe (Mr Clarke) mentioned earlier. The decision to leave the single market was a unilateral political decision taken by the Prime Minister without any prior consultation with the people or with Parliament. It cannot, under any circumstances, be described as an inevitable consequence of the vote to leave the European Union.

Finally, it is a matter of fact that when the Conservative party fought on a manifesto that said it wanted to stay in the single market, it won an overall majority of seats in this place—the only time in the last 25 years that it has managed such an achievement. It is also a fact that the Conservatives lost that overall majority two years later, when they stood on a manifesto saying that they wanted to take us out of the single market. Nobody can

claim that that is clear evidence of a popular democratic mandate to stay in the single market, but it certainly blows to smithereens any nonsense that there is any mandate for us to leave.

I am conscious of the need for brevity from me as well as from others, so I will not go into the full and detailed argument for staying in the single market, as that would take us from now to Brexit day, if not beyond. However, the right hon. and learned Member for Rushcliffe referred to the latest analysis produced by the Scottish Government, entitled “Scotland’s Place in Europe: People, Jobs and Investment”. I certainly accept his caveats that we cannot be sure that the forecasts and projections in it are accurate. They are certainly not intended to be precise or definitive.

Angus Brendan MacNeil: I have found some media chat saying that the Scottish Government’s analysis of staying in the single market was alarmist, giving the figure of a 2.5% loss in growth. That is actually less than the figure put out by the UK Treasury for the loss of growth of just being in the single market, with no deal and the Canadian-style option far worse still.

Peter Grant: I am grateful to my hon. Friend for that intervention, but I should put it on the record that I do not use Her Majesty’s Treasury figures as the touchstone for reliability or honesty; that is just a personal gripe of mine.

“Scotland’s Place in Europe: People, Jobs and Investment” is available in summary form and in all its 58-page glory. As a bonus, the back page contains the full text of the United Kingdom’s impact assessment of leaving the European Union. The one that I have is actually the Chinese version for those who understand Chinese.

Among the likely—perhaps very likely—consequences, the Fraser of Allander Institute has forecast that GDP in Scotland could fall by £8 billion over a 10-year period; that the real value of wages in the pockets of the people of Scotland could fall by 7%, including those who cannot afford to live on the wages they have just now, never mind on 7% less; and that 80,000 jobs in Scotland could be at risk. The updated document published this week indicates that the cost of leaving without a deal would be of the order of £2,300 for every citizen in Scotland. Our economic output could fall by 8.5%. That has to be the recession to end all recessions.

Exports from Scotland to the European Union currently run at £12.3 billion a year. If we add other exports that we can only carry out because we have free trade agreements as part of our EU membership, that figure increases to a fraction under £16 billion. Some 56% of Scotland’s current international exports are either to the European Union or to countries with which we already have a free trade agreement, and that could increase to somewhere close to 90% by the time we actually leave the single market and the customs union. How much of that is absolutely, unconditionally guaranteed still to be available after we leave? Right now, the answer is nil or very close to nil. That is the economic cost that we could well be subjected to if we leave the single market and the customs union.

I have not even mentioned the horrific social cost. We saw another heart-rending story today of a lady from Spain who has given 15 years’ service to the NHS, but

[Peter Grant]

who has given up and gone back to Spain. Somebody actually queried, “Why is that newsworthy?” Well, given the current recruitment crisis in the NHS, if even just one more well-trained professional leaves, I think it is a bit more newsworthy than somebody leaving a jungle because 250,000 people phoned Channel 4 and asked for them to be thrown out.

2.45 pm

It is established that the Government—almost unbelievably and certainly incompetently—have got us this far without undertaking a proper impact assessment to advise themselves of what might happen to ordinary people in these islands when we leave, particularly if we leave without remaining members of the single market and the customs union. The Government tried to hide their own incompetence by refusing to let the public, and initially refusing to let Parliament, see the assessments that they had not done. They said that publishing even the little work that had been done would be disastrous to the negotiations and give too much of an advantage to the negotiating partners or enemies, as I have heard them described by Tory Members. It would hand over information to the EU that needed to be kept top secret and that the EU could never have got for itself.

Among these jealously guarded state secrets, we find in paragraph 6 of the “Electricity and Renewables Sector Report”, the astonishing revelation that

“Electricity is a fundamental part of modern society. Residential and industrial users rely on its use to ensure basic and vital needs such as lighting, heating or refrigeration are met on a daily basis.”

I am glad that I saw that in the Government’s impact assessment, because I did not know that before and neither did the EU. In the “Defence Sector Report”, we discover that

“The Government is a key supporter of the defence sector”.

And in the “Gambling Sectoral Report”, the EU’s very own James Bonds can now discover that gambling legislation in Northern Ireland is devolved, when there is a Northern Ireland Assembly to exercise those powers, and that a lot of gambling services in the UK are actually owned by companies registered offshore.

Those are the kinds of facts that the Government try to keep from us. They were eventually forced to disclose those facts, but we can only wonder what else the Government know but are refusing to tell us. They do not trust this Parliament or the people of these islands with this information, yet they expect us to trust them to have unfettered rights to decide the future of these islands and the 60 million people who live here.

Mr John Hayes (South Holland and The Deepings) (Con): Since the hon. Gentleman raises public trust and legitimacy, would he acknowledge that the extension of that argument is that, were we to say to the British people that their express will in a binary choice to leave the European Union were to be frustrated through obfuscation, prevarication, delay and confusion, the trust between this House and the people would be broken in a way that would be very hard to mend, to the cost of not only everyone here, but our whole system, for a very long time indeed?

Peter Grant: For the avoidance of doubt, I will repeat what I have said in this place before: I think we have to accept the views of the people of England and Wales who have expressed a wish to leave the European Union. Unless the people of those nations give a contrary view at some future point, that view has to be respected.

Some 62% of my people voted to stay in the EU. I want to hear just a single word from this Government that indicates they are prepared to change anything in their chaotic Brexit plan to recognise the sovereign will of the people of Scotland and, indeed, the majority of people in Northern Ireland who also voted to remain. Half the member states of this Union voted to remain in the EU, and there has been no recognition whatever of that fact from the UK Government so far. They have even shown their contempt: having promised to table amendments to correct yet another deficiency in the Bill on the impact on the devolved nations, they then changed their minds and are going to leave it to the other place, where nobody is elected or has any democratic mandate to do anything.

The Government’s woeful handling of Brexit from day one demonstrates that they are so incompetent that they do not even trust themselves to know what is a state secret and what is very common knowledge. It would be wrong for this House to hand over to a competent, cohesive Government the draconian powers contained in the Bill. It would be criminally negligent to hand them over to a Government so disorganised that they could not even appoint their own party chairman without announcing the appointment of the wrong person.

While the SNP’s main purpose has been to scrutinise and seek to improve the proposal from the Government, it has to be said—it hurts me greatly to do so—that the performance of Her Majesty’s official Opposition to date has left a great deal to be desired. We are seeing signs of improvement, which I warmly welcome, on membership of the single market and the customs union. The right hon. and learned Member for Holborn and St Pancras (Keir Starmer) has very helpfully tweeted recently reminders of the six red lines that his party had set out last year. The hon. Member for Greenwich and Woolwich (Matthew Pennycook) referred to them earlier.

The second of those red lines is whether the deal delivers the “exact same benefits” as we currently have as members of the single market and customs union. The only way that that red line can be satisfied is if we remain in the single market and the customs union. I hope that in the intervening period since he sent that tweet, the right hon. and learned Gentleman and his colleagues have managed to persuade the Leader of the Opposition that it is time to get down off the fence and to stop doing the Tories’ work for them and time for every Labour MP in this House to go through the Lobby to vote for this amendment to keep our place in the single market.

Angus Brendan MacNeil: My hon. Friend talks about the principal Opposition party—by number, that is. Is he aware that in the past year, for five months they supported the single market, for five months they were against the single market, for two months they were uncertain, and sadly there were only two months—July and August—where they had a consistent policy without alternating every other month?

Peter Grant: As I said, I have been disappointed in the performance of the official Opposition up until now. I think we are seeing some signs of cohesion, and quite a number of speakers have been very firm in favouring the single market, as indeed we have heard across the House.

I do not want to point out mistakes that have been made in the past or score political points. There is a time and a place for that. The situation that we will face within the next couple of hours is so important and could have such devastating consequences for all our constituents that how about, just for a couple of hours, we forget the mistakes that each other has made and look at the catastrophic mistake that we may be about to make if we allow the Bill to go through without amendment 59 or something similar being passed? This may be the last chance we have to keep ourselves away from the cliff edge. I say to all those in this House, regardless of their party allegiance, who know that the single market and the customs union is where we have to be, please come through the Lobby with us tonight to vote to make sure that that happens.

Sir William Cash: The European Scrutiny Committee, of which I have the honour to be Chairman, has been holding inquiries into the fundamental constitutional implications of the Bill, including clause 5. As is now shown on its website, I have had correspondence with the Prime Minister on its behalf since December. The provisions I refer to would empower the courts, for the first time in our Westminster-based legislative history, to disapply Acts of Parliament. This is no theoretical matter. Indeed, we are advised that such disapplication is likely to apply to a whole range of enactments, including those relating to equality, terrorism, data protection and many other matters.

I raised this massive constitutional issue, as I regard it, in Committee on 14 and 21 November, including by reference to the authoritative statements made by the late Lord Chief Justice Bingham in chapter 12 of his book on the rule of law and the sovereignty of Parliament. Let us bear in mind that he is one of the most authoritative judges in recent generations. He says:

“We live in a society dedicated to the rule of law; in which Parliament has power, subject to limited, self-imposed restraints, to legislate as it wishes; in which Parliament may therefore legislate in a way which infringes the rule of law;”—

I repeat, “infringes the rule of law”—

“and in which the judges, consistently with their constitutional duty to administer justice according to the laws and usages of the realm, cannot fail”—

I repeat, “cannot fail”—

“to give effect to such legislation if it is clearly and unambiguously expressed.”

In that book, he publicly criticised the attitude of Baroness Hale, who is now President of the Supreme Court, and Lord Hope of Craighead for suggesting that the courts have constitutional authority as against an Act of Parliament.

Lord Bingham also specifically approved the analysis of what he described as the “magisterial” authority of Professor Goldsworthy, whom he quoted as follows:

“the principle of parliamentary sovereignty has been recognised as fundamental in this country not because the judges invented it but because it has for centuries been accepted as such by judges and others officially concerned in the operation of our constitutional

system. The judges did not by themselves establish the principle and they cannot, by themselves, change it... What is at stake is the location of ultimate decision-making authority... If the judges were to repudiate the doctrine of parliamentary sovereignty, by refusing to allow Parliament to infringe on unwritten rights, they would be claiming that ultimate authority for themselves.”

He went on to state that they—the judges—would then be transferring the rights of Parliament to themselves as judges. He says:

“It would be a transfer of power initiated by the judges, to protect rights chosen by them, rather than one brought about democratically by parliamentary enactment or popular referendum.”

That is the basic principle.

Members of this House and the House of Lords, including former Law Lords and members of the Supreme Court, are themselves deeply concerned about—

Mr David Jones (Clwyd West) (Con): Lord Neuberger, who is the former President of the Supreme Court, has also expressed concern about the perceived illegitimacy of judges overturning Acts of Parliament. Is my hon. Friend concerned that the power in clause 5 to disapply Acts of Parliament might result in a worrying politicisation of the judiciary that I would have thought would be unwelcome not only to hon. Members but to the judges themselves?

Sir William Cash: I am indeed. I am grateful to my right hon. Friend, who also serves on the European Scrutiny Committee. The provisions I refer to would be express provisions. Therefore, the question of principle is fundamental and will also, no doubt, be taken up in the House of Lords. Furthermore, former Law Lords and members of the Supreme Court have expressed their concerns.

The European Scrutiny Committee’s unanimous view when we met this morning was that Parliament as a whole needs a solution that confirms the principle of parliamentary sovereignty along the lines of declarations of incompatibility under the Human Rights Act 1998, as I indicated in my correspondence with the Prime Minister, whose letter I received on 9 January. To take this forward, may I ask my hon. Friend the Minister to intervene to give me and the House an assurance that when the Bill is in the House of Lords, the Government will constructively engage with the European Scrutiny Committee, with any other Committees of both Houses and with the advice of the Attorney General and the Lord Chancellor to explore and find a proper solution to the constitutional issues I have raised in the national interest?

Mr Baker: I am grateful to my hon. Friend for the case that he has made. The Government are well apprised of the issue that he has brought to the House. It is absolutely right that we respect and uphold parliamentary sovereignty—

Mr Speaker: Order. Before the hon. Gentleman continues, I had—I will not say revelled in the expectation, but had been taking quiet satisfaction in the expectation, that the hon. Member for Stone (Sir William Cash) had in fact completed his speech.

Sir William Cash: I was completing my speech by inviting the intervention that my hon. Friend is now making.

Mr Speaker: That is a moderately eccentric way in which to proceed, but we will allow a brief intervention—and a very brief response, I hope.

Mr Baker: That is why in the Bill we treat retained direct EU legislation as primary legislation for the purposes of the Human Rights Act, and why we have taken the approach we have to challenges based on the general principles. Bearing in mind what my hon. Friend has said—and, indeed, what my right hon. Friend the Member for Clwyd West (Mr Jones) has said—and the view of the Select Committee, which he has just set out, we will of course listen carefully to him and his Committee, and the other individuals he has mentioned, as the Bill continues its passage.

3 pm

Sir William Cash: I am most grateful to my hon. Friend for his response. May I simply say that these are issues of immense constitutional importance? My right hon. and learned Friend the Member for Beaconsfield (Mr Grieve) mentioned that yesterday and we have had debates on it in Committee, and I am most grateful for my hon. Friend's assurance.

Tom Brake: It is always a pleasure to be in the Chamber to hear the right hon. and learned Member for Rushcliffe (Mr Clarke). When I hear his rational, measured comments on the European Union, I wonder whether his memoirs will include a substantial chapter on how his party has been overtaken by the old guard ideologues on the fourth row and, indeed, the new, modern ideologues sitting on the Treasury Bench.

We heard from the right hon. Member for Wokingham (John Redwood), who is no longer in his place, that we have had adequate debating time for this Bill. As a Member who has made speeches often of only three or four minutes' duration during the course of these eight plus two days, I would say that, while I believe people should be able to put the content of what they want to say into a concise speech, it is actually rather difficult to do that in three or four minutes on a subject of this nature. I would therefore challenge anyone who says we have had adequate time to debate this issue.

I support several amendments in this group. I support new clause 18, which would lock in the Government's intentions to respect the environmental principles and to set up an independent environmental regulator, and new clause 21, which would provide continuity on environment powers.

I support new clause 20, which would establish a citizens' jury. I mentioned that in an earlier debate. A citizens' jury has already been held on this subject; it had a balance of 52% people who were leavers to 48% who were remainers. It had some really in-depth discussions on issues such as freedom of movement. Interestingly, they came to the conclusion that they were in favour of freedom of movement, albeit arguing—the right hon. and learned Member for Rushcliffe made this point—that the Government should apply the powers they already have to deal with the issue more effectively. Indeed, if the Government had sought to engage effectively with the other EU countries on the issue, I suspect they would have been able to achieve more than has been achieved.

I support new clause 2, which sets out what should be in the withdrawal agreement, and amendment 59. I thank the SNP for co-ordinating the Opposition parties—unfortunately, minus the official Opposition—in getting support for amendment 59. One of the positive things about the Bill, and there are not many of them, is that the Opposition parties and, on occasion, Conservative Members have worked quite constructively together to try to ensure that the Bill is better than it was at the outset.

I want briefly to mention new clause 11. Again, I welcome the cross-party support that the Liberal Democrats have received, with support from Labour Back Benchers, the SNP, Plaid and the Green party. What does new clause 11 seek to do? It seeks to achieve two things. I intervened earlier on the right hon. and learned Member for Rushcliffe when he was talking about the impact assessments. New clause 11 tries to ensure that the Government have to produce an assessment of the impact on the UK economy and each nation, province and region before we have a so-called meaningful vote. I cannot see any circumstances in which this Parliament and its Members can have a meaningful vote on an agreement or on no deal if we do not have an assessment of the impact.

I must say that departmental responses to my parliamentary questions about this have hidden behind the fact that there is something called an “Impact Assessment” to refuse to make available to Parliament an assessment of the impact. I point out to Departments that, to be grammatically correct, if I had meant the “Impact Assessment”, I would have used a capital I and a capital A, and I would then have received the impact assessments that have been done on Government Bills. However, I did not do so, and in common parlance I was entitled to expect the Government to provide an assessment of the impact, rather than to hide behind the niceties of the ways in which parliamentary Bills are dealt with.

The first purpose of new clause 11 is to force the Government to publish an assessment of the impact. Like the right hon. and learned Member for Rushcliffe, I have serious concerns about the reasons the Government would not want to make such information available. I cannot think of any other circumstances in which we, as a Government and as a Parliament, would be about to take a decision that will have the greatest impact on the economy, our security and our diplomatic profile and stature in the world without any impact assessment provided by the Government. I and other Members have been to see the so-called sectoral analyses—they were under lock and key for no reason whatsoever—and, frankly, there was nothing of any great substance in them that could not have been obtained from going online and googling the various sectors. We need to have this information.

I hope that the Minister who responds may for once be willing, when they respond, to explain why they do not want to make this information available to Members of Parliament. The Solicitor General has heard my comment. I am not sure whether he is going to respond, but I hope he will make a point—either by responding himself, or by getting the Box to provide him with an answer that can be put on the record—of explaining why the Government do not want to share with Members of Parliament an assessment of the

impact that whatever deal they come up with, or indeed no deal, will have. We need that, and I would love to have it put on the record.

The second part of new clause 11 is about ensuring that, if Parliament does not agree to the deal or does not agree to no deal, either article 50 will be extended or—frankly, this is my preferred option—article 50 will be rescinded. Members who have looked at the new clause will see that, as I have said, it has two halves. First, there is the process of securing an assessment of the impact. If an agreement is reached, an assessment of the impact must be available. Equally, if no agreement is reached, such an assessment must be available.

Secondly, the Government would have to put a motion to the House that would allow Parliament to approve the intention to leave the EU without a deal. I guess the House could do that, although I hope we would not do so. If Parliament said no to that, however, other options would kick in requiring the Government to go back, in the very limited time still available, to try to secure a deal before March 2019; to go back to the European Council and request an extension of article 50; or to rescind the notice under article 50. It would clearly be very helpful to have the legal advice that the Government have received. I and many Members believe that the legal advice would have made it very clear that article 50 can be revoked, and the only reason why the Government do not want to make that information available is that it helps their case to pretend that it cannot be revoked.

I am aware, Mr Speaker, that several Members want to speak and there is very little time left. I hope I have put succinctly the reasons not only why I support several of the amendments—if they were pushed to a vote, I would be very happy to support them—but why I intend, subject to your agreement, to press new clause 11 to a vote.

Several hon. Members *rose*—

Mr Speaker: Order. On my reckoning, about 12 people want to speak. I advise the House that it is reasonable for the Minister to have at least 20 minutes to reply to the various points that have been made—*[Interruption.]* Someone chunters from a sedentary position, “No more.” The Minister should certainly be allowed 20 minutes, and Members can do the arithmetic for themselves. I am encouraged, as I call possibly the most courteous Member of the House of Commons, Mr Dominic Grieve.

Mr Grieve: Thank you, Mr Speaker. I shall endeavour to practise courtesy by act rather than by anything else, in being brief.

It is a pleasure again to participate in this afternoon’s debate, which is wide-ranging and has moved away from the rather narrow focus of some of the perfectly sensible amendments that have been tabled and that are designed to explore the undoubted deficiencies in the legislation; for example, the Opposition have put forward sensible proposals in new clause 1. Those are matters that we have looked at for a considerable number of days.

I wanted to focus on an issue that has arisen this afternoon and is a particular concern to me. In doing so I do not want to repeat what my right hon. and learned Friend the Member for Rushcliffe (Mr Clarke) said. I agree with every word he said, and there is no point in my saying it again. There is a separate angle, however,

on which we might pause and reflect. New clause 17 raises the issue of whether we should have continued participation in the single market and customs union.

If we look at the Bill as drafted and at its original intention, particularly now that the pernicious effects of clause 9 have been removed, we can see that it is about the legal order of the United Kingdom after we have left with no deal at all. So an argument can be made that this legislation is perhaps not the most satisfactory place to try to bring in the single market and customs union. However, that raises an entirely legitimate issue. Ultimately, as we trundle on with the legislation it becomes more and more apparent how different it is from the Government’s intention regarding the end product that they want the country to enjoy.

The Prime Minister set out her vision in the Lancaster House and Florence speeches. As I have said before, but it is worth repeating, if she succeeded in achieving everything that she set out, there might well be broad consensus in the House, because we would lose those aspects of EU membership that we do not like and at the same time we would retain all the benefits of EU membership that we—or at least many of us, the vast majority of hon. Members—consider desirable.

The truth is that most of us—again, I suspect—in the House know that that is unlikely to be achieved. We are asking our EU partners to engage in the bending of the rules of the legal order, which is not something that can be readily obtained. We started out on this negotiation with a major fallacy: the EU can somehow be twisted around from matters of self-interest into entirely changing its nature. In fact, it is an international treaty organisation underpinned by law: that is what it is. Having visited Brussels on Monday, it was brought home to me—I already knew it—very clearly that that is indeed the nature of the entity with which we are dealing. Unless we are realistic about that we cannot hope to secure a reasonable outcome to our negotiations.

What troubles me particularly is the timing of all this. The reality is that the EU, for very good reasons, wants order. It is a legal order, and it wishes order to exist, even when countries are leaving it. The point was made to us that ultimately it would negotiate according to our red lines and, if we decide to put red lines down that make it impossible to reach the sort of agreement that the Prime Minister wants, we will not secure that agreement—it is very simple. On top of that—I would like to add this point to the one made by my right hon. and learned Friend the Member for Rushcliffe—all of this is likely to come to a head at a very late stage indeed for rational judgments by the House about what is in the national interest.

3.15 pm

Some of my right hon. and hon. Friends seem positively to relish the prospect of the negotiations collapsing and our leaving the EU with absolutely no deal at all. I believe that that would probably be the single most catastrophic act perpetrated by any Government on this country in modern history, so I do not intend to allow that to happen. I simply make this point to my friends on the Front Bench, who have the difficult task of taking this project forward. On the point that is raised in new clause 17, this may not be the right place to amend the legislation, which is not particularly germane to it but, my goodness, it is a relevant point. At what

point can the House and, indeed, the public have a proper understanding of what the Government have succeeded in negotiating? At the moment, it reminds me very much of the company set up at the time of the South Sea bubble in the early 18th century that said: “A company to be of great and inestimable value to its shareholders. Nobody to know what it is.”

That is what we have been asked, regularly and on a daily basis, to continue signing up to while the negotiations proceed. Furthermore, on the timings, it is likely that when we are finally told a bit more it may be too late to take the sensible decisions that the House ought to take in the national interest and in conformity with what the referendum result was all about.

We cannot abdicate that responsibility. In truth, we have been left completely in the dark. Indeed, the Government themselves are in the dark, because we do not even really know whether we can secure a withdrawal agreement, for the reasons I gave in an intervention regarding our relationship with Ireland. The transitional arrangements look pretty clear, but I fear—the pejorative term might be the vassalage that my right hon. Friend the Foreign Secretary dislikes—something that inexorably takes our country towards continuing membership of every institution of the European Union without our having any influence over policy making.

Sir William Cash: In his discussions with Mr Barnier, did my right hon. and learned Friend gain any impression that the European Commission, and indeed Mr Barnier himself, had taken on board the fact that in relation to the legal order to which my right hon. and learned Friend refers—the European Union and its institutions—article 50 actually represented a radical change by giving people the right to withdraw if they wished? That changed the nature of the European Union from the day on which article 50 was passed as part of the Lisbon treaty.

Mr Grieve: I am not sure I entirely agree. I do not think that Mr Barnier has ever suggested that the United Kingdom cannot withdraw under article 50—we plainly can. Indeed, new clause 6 deals with the question of whether article 50 is revocable. I think that it almost certainly is, so it is a pertinent question for the House to ask, although it is not an easy one for the Government to answer, in fairness, as ultimately it could probably be determined only by the European Court of Justice.

I do not think that the fact that we can revoke article 50, or that article 50 has kicked in, alters the EU legal order. The EU intends to continue with the United Kingdom outside. On the question of our future relations with the European Union, we will be outsiders, and some things that we are asking for, including a special and deep relationship, are currently—and, I fear, for ever—incompatible with the nature of that legal order. We either have to be in or we will get something that is very much less than what we have set out as our request. I therefore say to my hon. Friends that these amendments are perfectly pertinent, because they raise questions that will be asked over and over again, and with greater urgency, as each week passes in the course of this dramatic year.

I will end by saying this to my hon. Friend the Member for Stone (Sir William Cash). I listened very carefully to what he had to say. He is an individual of

complete and clear integrity when it comes to his own views about how the United Kingdom’s constitution should work, which is one of the reasons why he has been so dramatically opposed to our EU membership—a matter on which we differ—but here he was, highlighting that in the process of taking ourselves out of the European Union, we are smashing up our domestic constitution big time—“O Brexit! What crimes are committed in your name?” It is imperative that we in this House manage the process so that we prevent the sort of mischief that he has identified, but I am afraid that, in part, it is inherent in the nature of the venture that we have taken on.

Christine Jardine (Edinburgh West) (LD): Does the right hon. and learned Gentleman agree that this constitutional danger is heightened by the fact that Conservative Members from Scotland are not listening to growing concerns about our lack of membership of the single market and the customs union, and the implications for our economic future, but simply following the Government through the Lobby?

Mr Grieve: I am afraid that I disagree entirely—far from noticing any such thing, I have noticed the very reverse. My Scottish colleagues are very much alive to the constitutional implications of Brexit and have been working assiduously to address them, while not falling into the trap, as I am afraid the hon. Lady and some members of her party have, of constantly characterising what is a national constitutional debate—indeed, a crisis—in binary terms, with Scotland always appearing either as a victim or as having a halo over its head, neither of which, in the scheme of human existence, is justified.

Christine Jardine: I think that the right hon. and learned Gentleman might have misunderstood what I meant, which is that the binary nature of what the Scottish Conservatives are doing is heightening the binary argument in Scotland, and indeed playing into the hands of those who seek nationalism.

Mr Grieve: I am afraid that I disagree. My Scottish colleagues have been behaving with extraordinary good sense, particularly their leader, Ruth Davidson, and my colleagues here at Westminster. Perhaps I have misunderstood some aspect of the hon. Lady’s question. Far from seeing them as supporters of crazy ideas in the context of Brexit, I think that they have consistently shown a moderate common sense in trying to understand the wider United Kingdom position and Scotland’s distinctive position, and trying to take this forward. If I may say so, they are exactly the sorts of allies I want in the course of the work that I will continue doing in this House.

I have spoken quite enough and I thank the House for its indulgence.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): I rise to speak to amendment 10, which stands in my name and those of colleagues across the House. I think this follows logically from the wise words that the right hon. and learned Member for Beaconsfield (Mr Grieve) has just delivered to the House. Like him, I support new clause 17, and I also want briefly to mention new clause 1 and amendment 44.

From the start of the Bill's passage through the House, my concern has been about how it concentrates power in the hands of a small group of Ministers. Be we liberals, communitarians, socialists or conservatives, in this House we are democrats all. It goes against all our British political traditions to concentrate power in the way the Bill still does—even after the amendments have been made—over decisions that could affect our children and grandchildren for generations to come. The referendum decided that we will leave the EU, but it did not decide how, and those decisions should not be so concentrated in the hands of a small group of Ministers, especially in a hung Parliament.

In Committee, we often went one step forward and then two back with regard to the interests of parliamentary democracy. That is why further amendments are needed today. Ministers did agree to the amendments put forward by the Procedure Committee, which will give Parliament a bit more of a say over whether the affirmative or negative procedure is used for secondary legislation, but Parliament will not be able to insist on which procedure is followed or that changes should be made in primary rather than secondary legislation. That is why new clause 1 is so important.

The Bill would still allow a small group of Ministers to take away workers' rights and equality rights, which have been hard fought for over generations and hard won through this place, and they would be able to do so with hardly any say from Parliament. Therefore, those of us who have been part of the fight for greater equality and for workers' rights for many years cannot just stand by while those rights are diminished. Nor should any of us, whatever our view, be part of agreeing to the wide scope of ministerial powers still embedded in clauses 7 and 9, allowing Ministers to do simply "as they consider appropriate". Amendments 44 and 2 are important attempts to limit those powers to what is necessary, and Parliament has a responsibility to do so. I hope that those in the other place, whose job is to scrutinise the Executive and stand up for Parliament, will consider these matters very seriously when the Bill reaches them.

Parliament has agreed that there should be more democratic say over the withdrawal agreement itself. The previous amendment 7, which was agreed to in Committee against the wishes of Ministers, made it clear that we must have a meaningful vote on the withdrawal agreement. It said that that vote should apply not to a motion, but to a statute, and that we should be able to take a decision before the treaty is ratified, not after, and before implementation starts. I know that Ministers have considered rowing back on that, and I strongly warn them not to do so. They should respect the spirit of our debates and the views of this House.

Several Government amendments relating to the date on which we will leave have undermined that meaningful vote. My amendment 10 seeks to deal with the conflict between the previous amendment 7, which was passed, and the amendments tabled by the right hon. Member for West Dorset (Sir Oliver Letwin) and the Government. Those amendments on the date would bind Parliament's hands and concentrate powers with Ministers when it comes to considering the final withdrawal agreement and as we come to the supposedly meaningful vote.

In Committee, we debated the fact that it was unwise at this stage in the negotiations to include the date in the Bill, because that could make it difficult to handle late problems in the process or to renegotiate any aspects of the agreement if we get a bad deal. It also restricts Parliament's ability to scrutinise and call for changes, if necessary, once we see what the Government propose as the final deal. Suppose, for example, the transitional arrangements miss out something that is extremely important for our security, or for a sector of our economy. Parliament should at least have the chance to debate that and decide whether it wants to call on the Government to go back and try to negotiate a further change, or propose adjusting the timings—even for a few months—while the issues are sorted out. The Bill, as it stands, prevents us from doing so, and it could mean that Parliament is simply timed out. It would force us back to the very situation that Parliament rejected when it passed the previous amendment 7. In other words, Parliament would basically have to choose between the Executive's deal and no deal at all. That is not a meaningful vote.

The amendments tabled by the right hon. Member for West Dorset do not help, because they allow the date to be changed, but only by Ministers—not by Parliament, even if Parliament takes a different view from the Executive. In addition, they allow the date to be changed only if an alternative date is included in the withdrawal agreement, so if Ministers agree an alternative date with the EU, they can use secondary legislation to change the date in our legislation, too. That is not on, because it will effectively give the EU Parliament more of a say than this Parliament over whether the date should be changed. That is hardly taking back control.

3.30 pm

If there is no deal at all—I hope that that will not be the case; I think it is inconceivable that no deal will be reached, and I am conscious of the points that hon. Members have made about the difficulties that that situation would create for Northern Ireland—there will be no vote for Parliament. My amendment 10 would address the fact that only Ministers can change the date, as well as the fact that Parliament would have no vote if there were no deal at all.

Catherine West (Hornsey and Wood Green) (Lab): I thank my right hon. Friend for giving way in this tight debate. The negotiation before Christmas came down, in the end, to the Ireland question. Does she accept that allowing enough flexibility, as many of the amendments do, is crucial to the final, icing-on-the-cake deal?

Yvette Cooper: My hon. Friend is right. It is immensely important that we get these decisions right. I have proposed, in amendment 10, that the date should be settled in Parliament in the statute that provides for a meaningful vote on the withdrawal agreement. It is the obvious and logical consequence of agreeing to the previous amendment 7, which requires a vote on a statute. Let us set the date for departure in that statute, rather than in this Bill. I propose that when we get to the withdrawal agreement, we confirm the date, because the terms and timing of departure should go hand in hand. In that way, we do not concentrate all the power in Ministers' hands.

[Yvette Cooper]

We need to make sure that when Parliament has a meaningful vote, we have proper transparency and a debate on the decision, and that is why new clause 17 is so important. The Government have ruled out membership of the single market and the customs union. Everyone recognises that the single market issues are complex, linked as they are to questions of immigration and how we deal with future rules. That makes it even more important for Parliament and the public to be able to scrutinise the Government's decisions on those complex issues. To do so, we need to know the facts and the impact on the economy and our constituencies.

On the customs union, the issues are more straightforward, but the need for transparency is the same. Being in the customs union is immensely important not just for Northern Ireland, but for manufacturers across the country, especially across the north and the midlands. The Prime Minister, we understand, has had special meetings with City financiers about what they need from the Brexit deal, but what about Yorkshire manufacturers in my constituency? Where is their chance to have their say on the customs arrangements that they need? Where is the opportunity for us all to see the impact of not being in the customs union, the impact of decisions about the single market, and the impact on jobs in our constituencies before, not after, we vote on the withdrawal agreement? The ramifications of these decisions are immense.

The amendments are about strengthening the power of Parliament, no matter what kind of Brexit we think is best, and no matter what our politics or party membership. The amendments are about the health and resilience of our democracy, and about us all working together to get these crucial decisions right.

Several hon. Members *rose*—

Mr Speaker: Order. I think there are still about 10 if not 11 Members seeking to catch my eye. If each Member could speak for three minutes or so, everybody would get in. If that is not possible, so be it, but Members can do the arithmetic for themselves. Perhaps we can start with a very good example from Mr Derek Thomas.

Derek Thomas (St Ives) (Con): Thank you, Mr Speaker; I will keep my comments brief. I rise to oppose new clause 2 for the following reasons. By seeking full, comprehensive and sufficiently detailed agreements on several aspects of the future relationship between Britain and the EU, it ties the hand of Government. I am not sure that that is any way to negotiate future trading agreements. Furthermore, the new clause is impractical and inconsistent with article 50, for which the vast majority of this House voted last March.

The EU (Withdrawal) Bill is intended to ensure that EU legislation is transferred into UK law to deliver for the UK a smooth exit from membership of the EU next year, which I am sure we all hope for. Future trade agreements are a separate matter, and they will determine our future trading relationships throughout the world. I commend to the House the “Britain is GREAT” campaign, which is designed to open up a host of trading opportunities once we have left the EU.

Despite the comprehensive list of priorities—a total of 35—on which those who support the new clause want detailed agreements, the issues that concern my constituency are largely ignored. I am not willing to support the new clause, but I call on the Minister to commit, at an early stage, to a strategy that incorporates the economic and social cohesion principles derived from article 174 of the treaty on the functioning of the European Union. That is important for regions across the UK, including the county of Cornwall, so that we can have confidence that future support will be maintained for areas with high levels of deprivation, rural and island areas, areas affected by industrial transition, and regions that suffer from severe and permanent natural or demographic handicaps.

Brexit offers opportunities to further reduce inequalities between communities and regional disparities in development. Cornwall and Scilly has received considerable EU funding, but not every penny has been spent as intended. The region must be given far greater power over its own destiny and prosperity, and that is what the 2015 Cornwall devolution deal was intended to achieve. Work continues on thrashing out the detail so that Cornwall and Scilly has every tool needed to create a vibrant and successful economy, where wealth is shared across our population.

I do not believe that serious thinkers in Cornwall and Scilly believe that structural funding support of the sort that has been enjoyed, such as EU regional development funds and EU structural funds, continuing indefinitely is in our best interest; nor was it anticipated that Cornwall would be in receipt of the money even if the British people had voted in June 2016 to remain in the EU. Cornwall and Scilly and other areas across the UK need investment to create the infrastructure, jobs and skills that will assist long-standing pockets of deprivation, and an environment that offers opportunities and life chances to everyone, whatever their age or ability.

Anna Soubry: I know my hon. Friend loves his part of our great country, but has he asked businesses throughout Cornwall, if they were given a choice of staying in the single market and the customs union or of leaving one or both, what they would choose? That would be helpful in determining the best sort of Brexit to benefit all his constituents.

Derek Thomas: I think I welcome that intervention. I hear what my right hon. Friend says, and it is true that, despite all the money and business support that Cornwall has received, it voted in favour of leaving the EU. What people in my constituency and across Cornwall want is us to get on with the job—to get the Bill through and then set out clearly how we intend to trade in the future.

We are asking for a level playing field, where that is possible. I welcome the creation of the shared prosperity fund, and although I do not support new clause 2, I seek an assurance from the Government that areas such as Cornwall and Scilly will enjoy special recognition, as we do now because of the challenges we face, which include deprivation and severe and permanent natural or demographic handicaps.

Several hon. Members *rose*—

Mr Speaker: Order. The pressure for brevity is growing. I call Mr Ian Murray.

Ian Murray: I will be brief, Mr Speaker. I rise to speak to new clause 17, on which I intend to test the will of the House later today. I will not repeat what the right hon. and learned Member for Rushcliffe (Mr Clarke) said, but I very much appreciate his support for the new clause, as I do the comments made by the right hon. and learned Member for Beaconsfield (Mr Grieve).

I tabled the new clause simply to inject some clarity, transparency and honesty in the debate. We already have a strong baseline of what the single market and the customs union provide the UK, and new clause 17 offers a straightforward way of comparing what we have now and what the Government come back with and put on the table before the House votes on the legislation to invoke our leaving the European Union.

I also tabled the clause to prompt another discussion about the single market and the customs union. I intervened on my hon. Friend the Member for Nottingham East (Mr Leslie) to make the point that all these complicated issues—those relating to the island of Ireland are probably the most complicated—can be resolved by continuing to participate in the single market and the customs union.

My key point, on which I hope Ministers will reflect and which Michel Barnier has already stated clearly, is that the red lines that the Government have set themselves are completely and utterly incompatible with the conclusion they wish to reach. Until they are honest about that with the public and this House, we will be unable to move forward. That is part of the reason why the EU keeps demanding from the UK an explanation of the final destination—what the UK actually wants from the process. The Prime Minister's Florence and Lancaster House speeches set out criteria that are completely and utterly undeliverable, given the red lines set. To take the customs union and the single market off the table so early as a red line was the wrong decision.

We need the Government to put to both Houses a full and independently assessed analysis comparing the impact on the UK economy of two conclusions to this debate: staying in the single market and customs union and coming out on the basis of the deal the Government propose. The Government will resist the new clause, however, not out of principle, but because they know that any negotiated deal they come back with from the EU will not be as good as the deal we have today, and that will be saying to the public that that deal will make the country poorer. For any Government, that is a dereliction of duty. They should put their money where their mouth is, support my new clause 17 and put in black and white the consequences of this country's refusing, failing and no longer participating in the single market and customs union.

Martin Whitfield (East Lothian) (Lab): Will my hon. Friend give way?

Mr Speaker: Has the hon. Gentleman completed his speech?

Ian Murray: I have.

Mr Speaker: We are grateful to him. I call Chuka Umunna.

Chuka Umunna: I will be as brief as I can. I rise to speak in support of new clause 6 on the legal standing of article 50. I voted in the last Parliament to invoke

article 50 because I believed it was the duty of the House to seek to deliver Brexit in the form in which it was sold to the British people, but it was conditional on it being in that form. I said that if it turned out to be materially different at the end of the process, the people would be entitled to keep an open mind on what should then happen. By that I meant they were entitled to halt the process and revoke the article 50 notification given by the Prime Minister to the President of the European Council, if that was what the people decided to do.

The core purpose of new clause 6 is to clear up this matter. On the issue of revocability—halting the process or extending article 50—Ministers have sought deliberately to pull the wool over the eyes not just of this House but of the people. They have given the misleading impression that legally we are not free to keep an open mind and that we cannot revoke article 50 if we so wish. For example, on 9 October 2017, when my right hon. Friend the Member for Exeter (Mr Bradshaw) asked the Prime Minister if it was possible to halt the article 50 process, she implied that it was not and said:

“The position was made clear in a case that went through the Supreme Court in relation to article 50.”—[*Official Report*, 9 October 2017; Vol. 629, c. 51.]

But it was not. The case she was referring to was brought by Gina Miller to stop this Government seeking to take back control for Ministers instead of for Parliament, as was intended.

The Prime Minister was pressed again on the same day by my right hon. Friend the Member for Wolverhampton South East (Mr McFadden) and my hon. Friend the Member for Nottingham East (Mr Leslie) and each time gave a similar response. This gave a completely false impression of the reality, because what she said was not factually correct. The Supreme Court did not and has not opined on this issue in the Miller or any other case before it, though the author of article 50, the noble Lord Kerr, has made it clear that it may be revoked.

Mr Grieve: It is abundantly clear that the matter has not been determined by the Supreme Court. The Government chose in the Miller case—for understandable reasons—to put forward the proposition that it could not be revoked, and both sides asked the Court to proceed on that assumption. It did not opine on the matter.

Chuka Umunna: The right hon. and learned Gentleman is quite right.

The Brexit Minister in the House of Lords, Lord Callanan, repeated this false claim when asked by a Conservative colleague whether he could confirm that the judgement in the Miller case had ruled in “precise terms” on the revocability of article 50. He replied, “I can confirm that” and went on to say that the European Commission had said that once invoked, article 50 was irrevocable. He was forced 10 days later to return to the other place to come clean on the reality of the legal position, which was of course that the Supreme Court had said no such thing. Indeed, the European Commission is clear that article 50 can legally be revoked, and politically no member state has indicated that it would object to this.

Last week, the Government received legal advice from three Queen's counsels, Jessica Simor, Marie

[Chuka Umunna]

Demetriou and Tim Ward, all of whom are on the Attorney General's A panel of counsel and represent the United Kingdom. They have provided the Government with a published legal opinion confirming that article 50 is revocable. On the political side, the President and vice-president of the European Commission and the President of the European Council have made it clear that if this country wishes to change its mind at the end of the process, it will be free to do so. The British people deserve to know that; our constituents deserve to know it. The Government should publish that legal opinion, which is why new clause 6 must be passed.

3.45 pm

Mary Creagh (Wakefield) (Lab): New clause 12, which stands in my name and those of a number of other Members, seeks to guarantee our management of environmental protection after exit day. The environment has been in the news quite a lot recently. The members of the Cabinet all had reusable coffee cups following their meeting yesterday, although I think we shall need a little bit more from the Environment Agency than bamboo cups if we are to protect our environment after Brexit. I was delighted to receive your letter today, Mr Speaker, saying that the House of Commons Commission and the Administration Committee will be looking into how Parliament can reduce its plastic usage. Last Thursday the Government published their 25 Year Environment Plan. They were very clear about what they wanted to achieve, but there was absolute silence on how that was to be done.

A third of the *acquis communautaire* which applies in the UK is related to the Department for Environment, Food and Rural Affairs—it has brought us huge environmental improvements—and 80% of our environmental protections originated in the EU. A third of those protections cannot simply be cut and pasted. The aim of new clause 12 is to prevent us from ending up with “zombie legislation”, no longer updated or enforced, and vulnerable to being quietly dropped at the stroke of a Minister's pen. The Environmental Audit Committee, which I chair, called for a new environmental protection Act more than a year ago, and the new clause does the same today: it calls for legislation setting up a strong environmental protection agency to monitor and enforce standards, replacing the European Commission. The Secretary of State for Environment, Food and Rural Affairs told my Committee in November that such a body would be needed. We await his proposals, but this must be done quickly.

Mr Jim Cunningham (Coventry South) (Lab): What my hon. Friend has said is important for another reason. Environmental protection means development, and, as she will know, that means development jobs in towns such as Coventry. There is, for example, the electric car.

Mary Creagh: Absolutely. I was thrilled to learn that the electric black cab is being made in Coventry. It is great that Carbodyes has a future.

It is important to drive that great innovation, that green growth, across the country. Let us take the example of waste. Twenty years ago we sent almost half our household waste to landfill; now we recycle almost half of it because of the EU's waste framework directive. We

will have no recycling targets after 2020 unless we adopt the EU's target of 60% by 2030. We need that new environmental protection Act to set out waste targets: that will drive the innovation that we need in reprocessing.

We need reprocessing capacity urgently. As a result of the Chinese ban on the import of contaminated UK waste, 3 million tonnes of paper and 280,000 tonnes of plastic will no longer go to China, and we will have to do something with it on this island. A hard Brexit means that we could end paying tariffs on our waste exports, so exporting our waste to faraway countries will no longer be an option. The Environmental Services Association told my Committee that the industry had invested £5 billion in new infrastructure in the past five years, and could do so again, given the right policy environment. At present, however, there is the risk of a vacuum.

We hear the same story when it comes to cleaning up our beaches. The bathing water directive ended the discharge of untreated sewage into the sea and drove investment in the replacement of lead pipes. The European Investment Bank is the largest debt investor in the UK water industry, holding 13% of gross outstanding debt. There is a risk that, if we cannot gain access to EIB capital, there could be higher borrowing costs for water companies and higher water bills for consumers.

As for air quality, the EU has set out the targets that we should meet in the ambient air quality directive. We are currently missing those targets. I have been through the 58 impact assessments, and air quality does not feature in any of them, although it is one of the most pressing market failures that we face. There is no air quality industry, which is why it is neglected. We have had our final written warning from the Commission. The danger is that when we leave the EU we will not set ourselves stringent standards. There is no agency to set those standards, no agency to monitor them, and no agency to enforce them. The Prime Minister launched the environmental plan last week. She says she wants to phase out unnecessary plastics by 2042. I can tell her now that I am not waiting until I am 75 to clear up our environment. This House needs a vote on a strong environmental protection Act, and a strong environmental protection agency to make sure we pass on a decent environment to our children and grandchildren.

Caroline Lucas (Brighton, Pavilion) (Green): Time is short so I shall make just two brief comments.

First, I support amendment 59 and thank the SNP on taking the initiative on pulling that together. The hon. Member for Glenrothes (Peter Grant) made a compelling speech on the importance of remaining inside the single market and customs union, and I join him in appealing to Labour Front Benchers even at this eleventh hour to support it. As he and many other Members have said today, the Government have no mandate for the kind of extreme Brexit they are pursuing. The irony in the Labour Front-Bench position is that the NHS crisis or the inequality crisis or the housing crisis are all far harder to tackle if the UK is outside the single market and customs union.

My second point is to commend the hon. Member for Wakefield (Mary Creagh) on her speech on her new clause 12. I agree entirely with what she said. She says the environmental plan lacks a “how”. That is true, but, crucially, it also lacks a “when,” and a key question at

the heart of my new clause 18 is about timing. The Government are in theory at least committed to bring forward this new domestic environmental regulator, which is supposed to set out the way in which environmental legislation will be enforced once Brexit happens, if it happens. I am concerned that there is nothing to guarantee that that new body will be in place by Brexit day.

We have had positive written statements. For example, the Secretary of State for Environment, Food and Rural Affairs explained in a written statement last week that the Government's 25-year environmental plan will be underpinned by what he says is

“a comprehensive set of environmental principles”

to “ensure strong governance”. He also talks about consulting on setting up

“a world-leading environmental watchdog, an independent, statutory body, to hold Government to account for upholding environmental standards.”—[*Official Report*, 11 January 2018; Vol. 634, c. 12WS.]

That is all very well, but what is not addressed is the question of timing, which is why my new clause 18 is so important.

We need to make sure that there is no so-called governance gap, and there is still a very real risk that, after Brexit day but before this new body comes into place, we will have a governance gap where environmental legislation that might well have been brought across from the EU to the UK still will not be enforceable. We will still not have that replacement for the Commission and the ECJ. We will end up with what has been called zombie legislation.

This new clause 18 is vital; we must not be left with that legal gap. We need legal certainty. That is what this provision will provide, and I urge the Government to think again about supporting it.

Stephen Doughty: I shall speak to new clause 20 in my name and those of other Members, and I also want to express my support for new clauses 6, 12, 11, 1 and the other Opposition amendments and many of the other excellent proposals put forward today. I wish to make it clear, too, that although we debated amendment 5 yesterday, I do not seek to press it to a separate Division today. However, I hope that, given the debates we have had about devolution, Members in the other place look very carefully at the issues in question and whether the Government come forward with amendments to address the concerns about clause 11 and other parts of the Bill.

I am proud to have tabled new clause 20 along with other hon. Members because I am a Labour and Co-operative MP, and part of the co-operative ideal is that democracy, decision making and process are not one-off events, and nor do they only involve one group of people. As a Co-operative MP, I believe in the involvement of Members, of management, of consumers and of others who have a stake in the running of a business, enterprise or organisation, and I believe we should be looking at this Brexit process in a much more co-operative way. Indeed, that would address many of the concerns about the way it is going forward.

We are at present heading forward with a monolithic approach by the Government—a reckless hard Brexit approach that does not take into account the many other ways. The point has been clearly made that the public can change their mind and look at different

options. There are many options that we could take in this process, but we are being handed one particular route forward and there is an attempt to shut down the debate on any other options that might be out there.

Thankfully, other organisations have rejected this and have been using the excellent procedure of the citizens jury to try to understand what the public think about the detail—not just the question of leave or remain—and about crucial questions such as whether we should remain in the single market or the customs union. My new clause 20 seeks to institute a citizens jury on the Brexit negotiations. It would involve a selection of citizens from across the country who are informed about the facts that we so often do not have before us. It would be able to deliberate on and discuss them in a free and fair way, and it would incorporate people who voted leave and those who voted remain, as well as people with all the shades of opinion in between.

Liz Kendall: I have been a long-standing champion of citizens juries. In fact, I wrote the first book on the citizens juries in 1992. They give people real information, choices and trade-offs, and it has been proven that people can take difficult decisions if they have that open and honest information. I warmly support my hon. Friend's new clause.

Stephen Doughty: I absolutely agree with my hon. Friend. I was not aware of her historical involvement in this matter. That is absolutely fantastic. I know that my hon. Friends the Members for Stretford and Urmston (Kate Green), for Walthamstow (Stella Creasy) and for Cambridge (Daniel Zeichner) and many others have been involved in this process as well.

Before I conclude, I want to draw attention to a recent example. The citizens assembly on Brexit was organised recently by a number of universities and civil society organisations, including the constitution unit at University College London, the centre for the study of democracy at the University of Westminster, the University of Southampton, Involve and the Electoral Reform Society. That citizens jury came up with some very interesting results. It concluded that our priorities for trade policy should be minimising harm to the economy, protecting the NHS and public services, maintaining living standards, taking account of the impacts on all parts of the UK, protecting workers' rights and avoiding a hard border with Ireland.

Those are all sensible suggestions, and that is not surprising because they come from the British people. They do not represent the one monolithic view of the way forward that the Government are presenting. The public are presenting a sensible approach to Brexit, and that is what we need more than ever at this time. We do not need to hear wild claims about what the public think. It is a shame that we sometimes do not get these debates in this House, but I am thankful that Members on both sides have been brave enough to stand up in this debate and put forward their views. We need to listen to the public on this as well.

Several hon. Members *rose*—

Mr Speaker: Order. A lot of people still want to speak, and there is very little time for them to do so. A three-minute time limit should be quite sufficient.

Karin Smyth (Bristol South) (Lab): I rise to speak as the vice-chair of the British-Irish Parliamentary Assembly and the all-party parliamentary group on Ireland and the Irish in Britain. Despite the border being one of the principal issues in the phase 1 agreement, there has been very little debate or understanding in this House about the context of the border issue with Ireland, and that is a huge problem. Phase 1 is hugely welcome. Our Prime Minister has signed up to it on behalf of the United Kingdom, and there is to be no ambiguity or rowing back from it.

On day five of these debates, the hon. Member for North Down (Lady Hermon) said that she remembered exactly where she was when the Good Friday-Belfast agreement was announced. That is true for many of us. I am one of the millions of British children of Irish immigrants who grew up in the 1970s and 1980s. It was difficult. The violence and murder on the streets of Northern Ireland and Britain hung over our communities and fuelled anti-Irish sentiment here. That changed in the 1990s.

The Good Friday agreement is an exemplar across the world of dealing with long-standing conflict. The UK and Ireland are its guarantors, and our joint membership of the EU, our shared regulations and our customs union are the foundation on which it is based. The Good Friday-Belfast agreement was not just about Northern Ireland and it was not just about politics. It was about the relationship between all the people on these islands. We have more in common: until 100 years ago, we were one country. My grandparents were born in Mayo and Cavan under the auspices of this Parliament, just like me when I was born in London. Our legal and political systems are akin, which is why the Republic of Ireland is our greatest ally in the EU. For years, hundreds of weekly meetings have taken place between our officials and our politicians as part of the EU. These will cease, and the Good Friday agreement now needs to come into its own and deepen the north-south and east-west strands. The debate about the border is not about wandering cows and cameras. The absence of a border is about recognising our commonality and our mutual interest.

On the British-Irish Parliamentary Assembly, we are concerned that there is no longer the necessary knowledge and experience in this Chamber of the British-Irish relationship, and we have been considering how to support hon. Members to develop that understanding and to undertake greater cross-party and jurisdictional work. I hope that the House of Lords will have more debates on this issue than we have done.

In my early days as a Member, Mr Speaker, we had the privilege of hearing the noble Lord Bew speak in your rooms about Charles Stewart Parnell and the great arguments that raged in this place throughout the 19th century. We could perhaps arrange for more speakers from all communities, and we could encourage the Select Committees and the all-party parliamentary groups to share understanding across these islands and to develop those deep relationships. Most importantly, we need to build on what we have and not go back. Voices on both sides of the House are crucial to that.

4 pm

Geraint Davies: This Bill is essentially about cutting and pasting the laws, protections and rights of the EU into British law, and the fundamental problems are that

clause 9 gives sweeping powers to Ministers to strike out those laws, protections and rights and, quite simply, that we do not have the institutions to enforce those rights. In essence, new clauses 10 and 14 would ensure institutions are in place to enforce those individual, consumer, environmental and workers' rights and protections.

The European Food Safety Authority, which responded to the horsemeat scandal, or similar agencies should be in place to prevent genetically modified, hormone-impregnated or antibiotic-impregnated meat, and so on, from coming from America. The European Chemicals Agency is charged with protecting us through REACH—the regulation, evaluation, authorisation and restriction of chemicals regulation—which prevents, for example, asbestos from being sold here when they can be sold in America. The European Environment Agency underpins our air quality and is taking the British Government to court. It has delivered blue flag beaches instead of low-tar beaches, and it is involved in ensuring biodiversity, etc. Euratom regulates nuclear power and research across Europe, including Britain. The European Medicines Agency ensures Britain can develop and sell drugs across Europe.

It is critical that institutions are in place to continue those processes, yet the White Paper said, for example, that protected habitats will continue without enforcement agencies after Brexit. In other words, we do not know there will be a guarantee that institutions will be in place to enforce the rights and protections we currently enjoy, which is why new clauses 10 and 14 are important.

We also know that Britain does not have the ready capacity to enforce rights and protections in the way those big institutions do. Enforcement would basically mean fining ourselves for not fulfilling air quality standards, which is meaningless.

New clause 14 essentially says that those rights and protections should also be instilled in new trade agreements, which the Government are hurtling ahead in agreeing in secret. Such rights and protections should therefore be frontloaded, so that people can be secure in the knowledge that Ministers will not sign off agreements that are perhaps in breach of domestic law and that will then be imposed by arbitration courts, whether through investor-state dispute settlements or through the investment court system.

Mr Speaker: Order. My gratitude to the hon. Gentleman is almost infinite, but I think he is concluding his peroration.

Geraint Davies: I am. I urge people to support new clause 14.

Tommy Sheppard (Edinburgh East) (SNP): Given the shortage of time, I will confine my remarks to amendment 59.

I find it almost unbelievable that, 18 months after the referendum and six months after the Government introduced this Bill, they still have not provided or commissioned any proper economic analysis of what Brexit will mean and of the various options we have. In that information vacuum, it has fallen to others to try to fill the gap. A recent report from the Mayor of London concluded that 500,000 jobs are at risk as £50 billion will be taken out of the economy.

The Fraser of Allander Institute in Scotland, which is no friend of my party or of the Scottish Government, has concluded that Brexit puts 80,000 jobs in Scotland under threat. Just this week, a new analysis from the Scottish Government concluded that each person in Scotland could lose £2,600 if we leave the single market.

If the Government disagree with those analyses, I have to wonder why they do not publish their own. I understand that the Government are, of course, divided at the highest level—God knows they need to find agreement among themselves before they can get agreement with other countries—but that cannot be the whole explanation.

I believe the reason we have not had this analysis from the Government is that they know anything they publish will not support and provide evidence for the path they have chosen. Given that degree of denial and political myopia, it falls to this Parliament to try to save this Government from themselves. We can do that by supporting amendment 59, because the truth is that there are no good options here, only less bad ones. Clearly, the least bad option we can do is remain in the customs union and single market to protect our economy. The time has come to call a halt on what is happening and say, “This is the direction we must go in.”

As the right hon. Member for Carshalton and Wallington (Tom Brake) mentioned, this amendment has the backing of four parties. It is almost a united Opposition amendment, but there is an absentee friend—the Labour party. I say to Labour colleagues, even at this eleventh hour, not to chastise them but to welcome them in this campaign, “Don’t just participate. Come and lead the campaign against this Government. If you do not, you compromise the future.” In a few years’ time, when the consequences are clear, prices are going up and jobs are disappearing, the Leader of the Opposition will try to accuse the Government and they will look back and say, “You didn’t stop it at the time.” So I ask Labour colleagues to come with us and back amendment 59, and let us try to save this Government from themselves.

Several hon. Members *rose*—

Mr Speaker: Order. The Minister must be called no later than 10 past 4. Colleagues can work things out for themselves. I am not sure they will all get in.

Matt Western (Warwick and Leamington) (Lab): I wish to speak to new clause 17. We have learned several things in recent weeks. First, that the red lines set by the Prime Minister will handicap us in our negotiations; secondly, that those same red lines have removed important options from the table; and, thirdly, that the Government have not felt it necessary to do comprehensive qualitative and quantitative assessments on the implications of leaving. That is extraordinary. No large business, certainly no multinational business, would leave a market and abandon its investment in that market without fully evaluating the commercial and reputational consequences, but for this Government that lack of process is somehow acceptable. What new clause 17 offers, correctly, is a framework to properly evaluate the deal and arrangements proposed by the Government, so ensuring both transparency and a full public understanding, by area, of the consequences of leaving. That is why I support new clause 17.

Mr Speaker: Well done.

Ruth Cadbury (Brentford and Isleworth) (Lab): I would rather be speaking on whether or not we should be leaving the EU. The more I hear, the more I fear the UK is heading over a cliff and on to rocks far below. Like everyone here, however, I am speaking on the specifics of how the UK withdraws from the EU, if withdrawal is to go ahead. I support new clauses 12 and 21, and others that seek to preserve our environmental protections and legislation. I particularly support new clause 12, which stands in the name of my hon. Friend the Member for Wakefield (Mary Creagh) and would require the Government to report on the “loss of environmental protection” as a result of leaving the EU and to introduce a new environmental protection Bill.

The Government have kept trying to reassure Parliament and the British people that Brexit will mean that EU law will be seamlessly merged in UK law and that we do not need to worry. Not only do I not believe that to be true, but I am concerned about the Government’s lack of urgency on taking sufficient legislative action before March 2019. We are still awaiting the long-promised policy statement on environmental principles which will underpin future environmental policy making. There will then be wide consultation, but even that will not be on the actual policies; it will just

“explore the scope and content of a new statement on environmental principles.”

That suggests there is a lot of law up for grabs and no sense of urgency.

On air quality, which matters greatly to my constituents, the Government are dragging their feet. The London Mayor, Hounslow Council and many other councils are using their limited powers to improve air quality, but there is only so much they can do. The Mayor has made it very clear that the UK will not bring pollution levels into line with existing EU air quality laws without serious and urgent action by the Government. But instead of this, the Government are using taxpayers’ money to defend themselves against yet another legal challenge by ClientEarth over illegal levels of air pollution in the UK and they have launched an environment plan that is weak to say the least. Given this lack of proven commitment to bringing the UK into compliance with even one aspect of existing EU environment standards, I have little faith that Brexit will mean anything other than an undermining of many protections and improvements that the EU has brought us to date. That is why I urge this House to support many of these amendments, particularly new clauses 12 and 21, and any others that protect our environmental rights and protections, which I, my constituents and many of us hold so dear.

Mr Speaker: To speak very briefly, for 20 seconds, I call Chris Stephens.

Chris Stephens: I hope the Government will consider workplace protections in the Bill, because many of us do not trust the Government in that regard.

Mr Speaker: Very well done. I am immensely grateful to the hon. Gentleman, who was even briefer than I expected. The Minister has just under 20 minutes to reply.

Mr Baker: This has been a full and vibrant debate, with many excellent contributions and memorable moments, to which I shall try to refer at the end, if there proves to be time.

Two Members made particular requests. The hon. Member for Brighton, Pavilion (Caroline Lucas), who is not in her place, asked about the timing and when we would take forward our policy. I will undertake to discuss that with my right hon. Friend the Secretary of State for Environment, Food and Rural Affairs later this week.

My hon. Friend the Member for St Ives (Derek Thomas) mentioned the shared prosperity fund. I assure him that we discussed it when I visited Cornwall and that the Government are well aware of the need in Cornwall and other areas. We will drive forward the design and implementation of that fund.

It might help the House to know that I intend to speak first to the Government amendments and, in a couple of cases, the related Opposition amendments. I will then ensure that I have dealt with the Belfast agreement, as it is so important, before working through some of the other amendments, if time allows.

Government amendment 33 builds on the exit-day amendments tabled by my right hon. Friend the Member for West Dorset (Sir Oliver Letwin), to whom we are grateful. This further amendment to schedule 7 makes the power to set exit day subject to the affirmative procedure, thereby fulfilling a commitment that I gave at the Dispatch Box during day eight in Committee. As the Prime Minister and the Secretary of State have made clear, we have always been committed to the proper parliamentary scrutiny of our exit from the EU. In line with our promise that Parliament will be given time to debate and scrutinise the legislation that implements the final agreement that we reach with the EU, it is appropriate that Parliament scrutinises any potential change to exit day. I hope the whole House will support the amendment.

Labour's amendment 1 would allow the Government to amend the definition of "exit day" if it were not in accordance with any transitional arrangements agreed under article 50. I understand the intention behind the amendment, but I remind the House that, after the improvements to which I have referred, the Bill now provides for changes to the exit day, as set out in article 50, to ensure that the domestic situation reflects the international position. Furthermore, Government amendment 33 will ensure that Parliament has appropriate scrutiny of any change to the date of exit by making it subject to the affirmative procedure.

Amendment 10, which was tabled by the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper), would require exit day to be specified in a separate Bill on the terms of withdrawal. It replicates an amendment that was debated in Committee in November, since when the Bill has benefited from the amendments I mentioned and, in particular, the changes suggested by my right hon. Friend the Member for West Dorset. Exit day will be set out in law as 11 pm on 29 March 2019, but we will have the technical ability to amend it if the UK, the EU and, indeed—to address the right hon. Lady's points—the European Council, decide unanimously to change the date. The right hon. Lady

referred particularly to the European Parliament, but I have the text of article 50 with me and it is clear that any change would require the

"European Council, in agreement with the Member State concerned" to unanimously decide to extend the period, so I do not accept her argument about the European Parliament having more say than this Parliament.

We have always been committed to the proper parliamentary scrutiny of our exit from the EU, which is why, in line with our promise that Parliament will be given time to debate and agree the legislation that implements the final agreement that we strike with the EU, it is appropriate for Parliament to scrutinise any changes to exit day through the affirmative procedure. In the unlikely event that the power to change exit day is used, it will simply be a technical change to ensure that our domestic legislation reflects the reality of international law. It is certainly not necessary, and would be disproportionate, to make such a change via primary legislation.

The House agreed in Committee to Government amendments regarding explanatory statements and to the Procedure Committee's amendments to establish a sifting committee. We have tabled two technical amendments, Government amendments 35 and 36, to ensure that these amendments best function alongside each other. Government amendments 35 and 36 will ensure that the requirement for a Minister of the Crown to make an explanatory statement applies before a draft instrument is laid before the House for the purposes of sifting, as well as in other cases. They will also ensure that, where an explanatory statement has been made before the House of Commons for the purposes of sifting, there is no need to make a further statement after sifting when an equivalent instrument is laid again before both Houses of Parliament after being made or as a draft affirmative instrument. That will ensure that the committee has all the necessary information at its disposal and will avoid confusing double statements when nothing has changed.

4.15 pm

Sir Oliver Letwin (West Dorset) (Con): After the sifting committee has received an explanatory statement and before it makes a sift, will the committee also have access to Ministers to question them if it cannot understand what the affirmative or negative instrument is about?

Mr Baker: I very much hope that the committee will be able to understand things through our meeting the requirements for explanatory memorandums that we have set out in the Bill, but I would of course expect Ministers to be helpful to the committee. We need to get statutory instruments through smoothly, and we would want to support the committee in reaching its decisions.

I will now jump ahead in my remarks to deal with new clause 3 and the Belfast agreement. New clause 3, which was tabled by the hon. Member for Nottingham East (Mr Leslie), is important, and I reiterate that the Government remain steadfast in their commitments to the Belfast agreement and its associated obligations under international law.

Lady Hermon: Will the Minister give way?

Mr Baker: Will the hon. Lady allow me to make my points? I think I am going to be able to satisfy her, but I will gladly give way after I have reached the particular point in which I think she will be interested.

The agreement between the UK and the EU, as set out in the joint report, must be negotiated and taken forward through the article 50 negotiations, not in this Bill. The EU set out before Christmas that negotiators now need to work on translating the commitments in the joint report into the withdrawal agreement or the framework for the future relationship. That is the task we will be engaged in over the coming months, so it would be wrong to cut across the negotiations by separately seeking to codify commitments into this Bill.

We have already committed to protecting the Belfast agreement in full through the withdrawal negotiations. The joint report sets out the Government's and the EU's commitment to respect the provisions in the Belfast agreement and the principle of consent. More broadly, we have said that we will introduce the withdrawal agreement and implementation Bill to implement what we agree with the EU as a whole. The joint report is also clear on the Government's commitment to protecting north-south co-operation and to our guarantee of avoiding a hard border. We have been clear that we will protect the UK internal market in all circumstances and ensure the same unfettered access for Northern Ireland's business to the entire United Kingdom internal market.

The detail of the withdrawal agreement and implementation Bill will and must reflect the terms of the withdrawal agreement, so I reassure the House that we will include an appropriate provision in the withdrawal agreement and implementation Bill upholding the agreement we reach, including the protection of the Belfast agreement, to which we committed in the joint report.

Lady Hermon: I am grateful to the Minister for giving way. I am delighted that he has confirmed that there will be no hard border and no border down the Irish sea. What I am concerned about are the pledges about the Belfast agreement. My focus has always been on the incorporation of the fundamental principles of the Belfast agreement. When I spoke to my new clause on the fifth day in Committee, I withdrew it on the understanding that the principles of non-discrimination, equality and respect before the law would be incorporated by the Government in forthcoming legislation. Will the Minister confirm that commitment?

Mr Baker: I remember our previous conversation about the general principles, which have been widely discussed during the passage of this Bill. As I said, we are fully committed to the Belfast agreement, and the appropriate commitments will be put into the withdrawal agreement and implementation Bill when it comes forward, so I hope the hon. Lady will allow me to move on at this point. Occasionally, a speech is made in this House that will never be forgotten, and one such speech was hers in Committee. I well remember the need as a young Royal Air Force officer to check under my car every time before getting in. Although I did not share in the troubles as she did, the echoes were felt where I trained in the Royal Air Force, so I assure her that I want to ensure that, by the end of the process, she is satisfied that we have upheld the Belfast agreement. *[Interruption.]* Did I hear a colleague ask to intervene? No.

Mr Kenneth Clarke: Well, would my hon. Friend give way? *[Laughter.]*

Mr Speaker: The Minister is hearing voices!

Mr Clarke: Voices of inspiration, I trust.

My hon. Friend mentioned the withdrawal Bill several times. Am I right—to be absolutely clear—that the withdrawal Bill will come forward and be considered, and probably approved, by this House before any withdrawal agreement is ratified, that we will not be presented with a Bill to implement an agreement that is already binding on the United Kingdom, but that actually the Government will not ratify any agreements until the House of Commons has first given its support and approval?

Mr Baker: The situation is set out in detail in the written ministerial statement that we laid. Both Houses will have meaningful votes on whether to accept the agreement. It is my expectation that we would not ratify before that primary legislation has gone through.

New clause 1 was tabled by the Labour Front-Bench team. It seeks to place limitations on the use of existing and future powers to amend and modify retained EU law. It is absolutely right and necessary for existing domestic powers granted by Parliament in other Acts and any future delegated powers created after exit day to be able to operate effectively and without inappropriate fetter within UK domestic law after our departure from the EU. This includes parts of our existing domestic law which will become retained EU law after exit day, as well as retained direct EU legislation which will be converted into our domestic statute book.

The Bill's current approach to existing and future delegated powers aims to ensure the successful operation of retained EU law within our domestic statute book beyond the time limits for the Bill's more limited specific powers. Adopting the new clause, on the other hand, would undermine the position of certainty and have several detrimental effects that would risk creating significant confusion in the UK statute book. First, limiting the modification of retained EU law by existing and future delegated powers only to when this is necessary "to maintain or enhance rights and protections"

could have uncertain consequences. A test of necessity would impose a high burden that may prevent powers from being used in the most appropriate and relevant way if the regulations they create are not deemed truly necessary for the protection of rights. That could mean that existing and future delegated powers would be unable to amend or modify irrelevant or unsuitable parts of the statute book, leading to ossification of parts of retained EU law within UK domestic law and creating confusion and uncertainty.

Secondly, a restriction of that nature inevitably will increase the possibility of legal challenge against any use of these delegated powers. That would create needless uncertainty for businesses and individuals and risk holes emerging within the domestic statute book. Finally, the measure would also impose significant consultation requirements on the exercise of the delegated powers, the use of which is running against the clock. I understand and support the intention to ensure that all relevant stakeholders, as well as the general public, are aware of the situation and can engage as new legislation is developed. However, the blanket approach suggested under the

[Mr Baker]

new clause would be excessively and needlessly onerous. It would risk delays to the implementation of important changes.

In using both existing delegated powers and those created in the future, the Government will, of course, remain bound by the rules and procedures laid out in the parent Act, as well as the accepted statutory instrument processes. I will take this moment to say that I am proud of what we have done to clause 7 to make sure that we have contained the list of deficiencies while making sure that it is amendable through the affirmative procedure.

Turning to new clause 22, I think that I satisfied my hon. Friend the Member for Bromley and Chislehurst (Robert Neill) earlier in the debate, but he is not in the Chamber so, if the House will allow me, I will move on to new clauses 14 and 15—

Mr Grieve: May I take the Minister back to clause 7 and thank him very much for the approach that he took in the negotiations?

Mr Baker: I am extremely grateful to my right hon. and learned Friend, and pay tribute to him. Although I have occasionally disagreed with him, he has, of course, made a historic contribution to the passage of the Bill. I am very grateful for the way in which he has helped us to improve the legislation.

Labour's amendment 2 would restrict the scope of the clause 7 power. Labour appears to accept the principle that the power is essential if the UK is to exit the EU with certainty, continuity, control and a working statute book, but restricting the power in the way proposed in amendment 2 would risk compromising our ability to ensure that that statute book continues to function, thereby leaving gaps in our law, and creating uncertainty and confusion for businesses and individuals.

As we have explained previously, making the list of deficiencies in clause 7(2) exhaustive and immutable would risk omitting important deficiencies, preventing us from fully correcting the statute book. To require primary legislation in such circumstances would undermine the purpose of the Bill and the usual justifications for secondary legislation: technical detail, readability, incompleteness and, crucially, the management of time. We cannot risk undermining laws on which businesses and individuals—often unknowingly—rely every day.

As my right hon. Friend the Chancellor of the Duchy of Lancaster set out yesterday, the word “appropriate” was chosen carefully to ensure that the Government have the discretion called for by this unique situation. The constraints that a test of necessity would impose would prevent the Government and the devolved Administrations from making the best corrections to ensure that the statute book continues to function properly. A provision of necessity would risk limiting the Government and the devolved Administrations to only the most minimal changes, regardless of whether that would leave the law deficient, create absurd outcomes, or change the outcomes that the legislation was intended to deliver. I cannot believe that any Member would want to risk leaving the statute book in such a state. I am very conscious that we are now in a position whereby either these instruments will be brought forward under the affirmative procedure or, if they are brought forward

under the negative procedure, the sifting committee will have the opportunity to push us towards that affirmative procedure.

Amendment 2 and new clause 15 seek to prevent regression in the protection of rights and equalities as we leave the EU, and new clause 14 seeks to do similarly by maintaining equivalence with the EU. The UK already has strong protections for equalities and human rights as part of our domestic provisions, independent of our membership of the EU. Some of those predate or go beyond EU requirements. The Government are committed to protecting our equalities legislation as we leave the EU. As we set out in the paper that we published on equalities legislation, limited technical amendments will be needed to ensure that all relevant legislation continues to operate as intended by Parliament after exit.

Chris Stephens: Will the Minister confirm that the Government intend to keep in place the equal treatment directive, which has helped women to gain equal pay claims?

Mr Baker: My first point is that that will be incorporated into our legislation. The purpose of the Bill is to ensure that we carry EU legislation into UK law. Secondly, we can only correct deficiencies that arise as a result of our withdrawal, and the hon. Gentleman will be familiar by now with the provisions of clause 7 and associated schedule 2.

To increase transparency, the Government amendments accepted by the House on 13 December will require a Minister to make a statement relating to equalities legislation and duties before laying every SI made under the principal powers in the Bill, as sought by the hon. Member for Enfield, Southgate (Bambos Charalambous). It is not for this Bill to require similar statements in other EU exit legislation. Indeed, this Bill would not be able to affect most of this legislation, including the Sanctions and Anti-Money Laundering Bill and the Nuclear Safeguards Bill, which will have been introduced to the House before this Bill's Royal Assent. However, as my hon. Friend the Member for Esher and Walton (Dominic Raab) promised in Committee, we will make equalities-related statements alongside other EU exit-related legislation, which I hope will satisfy the House.

Transparency will ensure that the House and the sifting committee established by the amendments tabled by my hon. Friend the Member for Broxbourne (Mr Walker) have all the information necessary to make informed and reasonable judgments in the scrutiny of the SIs that we will be making under the Bill. I hope that Labour Front Benchers will be persuaded not to press their amendments.

I turn briefly to new clause 11, which was tabled by the right hon. Member for Carshalton and Wallington (Tom Brake). His contribution and the presence of the hon. Member for Streatham (Chuka Umunna) in the Chamber reminded me of a rather fetching photograph of the hon. Member for Streatham posing with a remain campaign poster pointing out that the leave campaign had said that we would leave the single market. If any Member wishes to see that, I might tweet it later.

It would be remiss of me if I did not thank all those involved with the passage of the Bill: all right hon. and hon. Members who took time to participate; all the Clerks in the Public Bill Office who have provided

invaluable support to Members of the House; and the world-class officials in DExEU and across Government who have ensured the Bill's smooth passage.

4.30 pm

Debate interrupted (Programme Order, 16 January).

The Speaker put forthwith the Question already proposed from the Chair (Standing Order No. 83E), That the clause be read a Second time.

The House divided: Ayes 305, Noes 318.

Division No. 96]

[4.30 pm

AYES

Abbott, rh Ms Diane
 Abrahams, Debbie
 Alexander, Heidi
 Ali, Rushanara
 Allin-Khan, Dr Rosena
 Amesbury, Mike
 Antoniazzi, Tonia
 Ashworth, Jonathan
 Austin, Ian
 Bailey, Mr Adrian
 Bardell, Hannah
 Barron, rh Sir Kevin
 Beckett, rh Margaret
 Benn, rh Hilary
 Betts, Mr Clive
 Black, Mhairi
 Blackford, rh Ian
 Blackman, Kirsty
 Blackman-Woods, Dr Roberta
 Blomfield, Paul
 Brabin, Tracy
 Bradshaw, rh Mr Ben
 Brake, rh Tom
 Brennan, Kevin
 Brock, Deidre
 Brown, Alan
 Brown, Lyn
 Brown, rh Mr Nicholas
 Bryant, Chris
 Buck, Ms Karen
 Burden, Richard
 Burgon, Richard
 Butler, Dawn
 Byrne, rh Liam
 Cable, rh Sir Vince
 Cadbury, Ruth
 Cameron, Dr Lisa
 Campbell, rh Mr Alan
 Campbell, Mr Ronnie
 Carden, Dan
 Carmichael, rh Mr Alistair
 Champion, Sarah
 Chapman, Douglas
 Chapman, Jenny
 Charalambous, Bambos
 Cherry, Joanna
 Clarke, rh Mr Kenneth
 Clwyd, rh Ann
 Coaker, Vernon
 Coffey, Ann
 Cooper, Julie
 Cooper, Rosie
 Cooper, rh Yvette
 Corbyn, rh Jeremy
 Cowan, Ronnie
 Coyle, Neil

Crawley, Angela
 Creagh, Mary
 Creasy, Stella
 Cruddas, Jon
 Cryer, John
 Cummins, Judith
 Cunningham, Alex
 Cunningham, Mr Jim
 Dakin, Nic
 Davey, rh Sir Edward
 David, Wayne
 Davies, Geraint
 Day, Martyn
 De Cordova, Marsha
 De Piero, Gloria
 Debbonaire, Thangam
 Dent Coad, Emma
 Dhesi, Mr Tanmanjeet Singh
 Docherty-Hughes, Martin
 Dodds, Anneliese
 Doughty, Stephen
 Dowd, Peter
 Drew, Dr David
 Dromey, Jack
 Duffield, Rosie
 Eagle, Ms Angela
 Eagle, Maria
 Edwards, Jonathan
 Efford, Clive
 Elliott, Julie
 Ellman, Mrs Louise
 Elmore, Chris
 Esterson, Bill
 Evans, Chris
 Farrelly, Paul
 Farron, Tim
 Fellows, Marion
 Field, rh Frank
 Fitzpatrick, Jim
 Fletcher, Colleen
 Flint, rh Caroline
 Flynn, Paul
 Fovargue, Yvonne
 Foxcroft, Vicky
 Frith, James
 Furniss, Gill
 Gaffney, Hugh
 Gapes, Mike
 Gardiner, Barry
 George, Ruth
 Gethins, Stephen
 Gibson, Patricia
 Gill, Preet Kaur
 Glindon, Mary
 Godsiff, Mr Roger
 Goodman, Helen

Grady, Patrick
 Grant, Peter
 Gray, Neil
 Green, Kate
 Greenwood, Lilian
 Greenwood, Margaret
 Griffith, Nia
 Grogan, John
 Gwynne, Andrew
 Haigh, Louise
 Hamilton, Fabian
 Hardy, Emma
 Harman, rh Ms Harriet
 Harris, Carolyn
 Hayes, Helen
 Hayman, Sue
 Healey, rh John
 Hendrick, Sir Mark
 Hendry, Drew
 Hepburn, Mr Stephen
 Hermon, Lady
 Hill, Mike
 Hillier, Meg
 Hobhouse, Wera
 Hodge, rh Dame Margaret
 Hodgson, Mrs Sharon
 Hoey, Kate
 Hollern, Kate
 Hopkins, Kelvin
 Hosie, Stewart
 Howarth, rh Mr George
 Huq, Dr Rupa
 Hussain, Imran
 Jardine, Christine
 Jarvis, Dan
 Johnson, Diana
 Jones, Darren
 Jones, Gerald
 Jones, Helen
 Jones, Mr Kevan
 Jones, Sarah
 Jones, Susan Elan
 Kane, Mike
 Keeley, Barbara
 Kendall, Liz
 Khan, Afzal
 Killen, Ged
 Kinnock, Stephen
 Kyle, Peter
 Laird, Lesley
 Lake, Ben
 Lammy, rh Mr David
 Lavery, Ian
 Law, Chris
 Lee, Ms Karen
 Leslie, Mr Chris
 Lewell-Buck, Mrs Emma
 Lewis, Clive
 Lewis, Mr Ivan
 Linden, David
 Lloyd, Tony
 Long Bailey, Rebecca
 Lucas, Caroline
 Lucas, Ian C.
 Lynch, Holly
 MacNeil, Angus Brendan
 Madders, Justin
 Mahmood, Mr Khalid
 Mahmood, Shabana
 Malhotra, Seema
 Mann, John
 Marsden, Gordon

Martin, Sandy
 Maskell, Rachael
 Matheson, Christian
 Mc Nally, John
 McCabe, Steve
 McCarthy, Kerry
 McDonagh, Siobhain
 McDonald, Andy
 McDonald, Stewart Malcolm
 McDonald, Stuart C.
 McDonnell, rh John
 McFadden, rh Mr Pat
 McGinn, Conor
 McGovern, Alison
 McInnes, Liz
 McKinnell, Catherine
 McMahan, Jim
 McMorris, Anna
 Mearns, Ian
 Miliband, rh Edward
 Monaghan, Carol
 Moon, Mrs Madeleine
 Moran, Layla
 Morden, Jessica
 Morgan, Stephen
 Morris, Grahame
 Murray, Ian
 Nandy, Lisa
 Newlands, Gavin
 Norris, Alex
 O'Hara, Brendan
 O'Mara, Jared
 Onasanya, Fiona
 Onn, Melanie
 Onwurah, Chi
 Osamor, Kate
 Owen, Albert
 Peacock, Stephanie
 Pearce, Teresa
 Pennycook, Matthew
 Perkins, Toby
 Phillips, Jess
 Phillipson, Bridget
 Pidcock, Laura
 Platt, Jo
 Pollard, Luke
 Pound, Stephen
 Powell, Lucy
 Qureshi, Yasmin
 Rashid, Faisal
 Rayner, Angela
 Reed, Mr Steve
 Rees, Christina
 Reeves, Ellie
 Reeves, Rachel
 Reynolds, Jonathan
 Rimmer, Ms Marie
 Robinson, Mr Geoffrey
 Rodda, Matt
 Rowley, Danielle
 Ruane, Chris
 Russell-Moyle, Lloyd
 Ryan, rh Joan
 Saville Roberts, Liz
 Shah, Naz
 Sharma, Mr Virendra
 Sheerman, Mr Barry
 Sheppard, Tommy
 Sherriff, Paula
 Shuker, Mr Gavin
 Siddiq, Tulip
 Skinner, Mr Dennis

Slaughter, Andy
 Smeeth, Ruth
 Smith, Angela
 Smith, Cat
 Smith, Eleanor
 Smith, Laura
 Smith, Owen
 Smyth, Karin
 Snell, Gareth
 Sobel, Alex
 Spellar, rh John
 Starmer, rh Keir
 Stephens, Chris
 Stevens, Jo
 Stone, Jamie
 Streeting, Wes
 Stringer, Graham
 Sweeney, Mr Paul
 Swinson, Jo
 Tami, Mark
 Thewliss, Alison
 Thomas, Gareth
 Thomas-Symonds, Nick
 Thornberry, rh Emily
 Timms, rh Stephen
 Trickett, Jon

Turley, Anna
 Turner, Karl
 Twigg, Derek
 Twigg, Stephen
 Twist, Liz
 Umunna, Chuka
 Vaz, rh Keith
 Vaz, Valerie
 Walker, Thelma
 Watson, Tom
 West, Catherine
 Western, Matt
 Whitehead, Dr Alan
 Whitfield, Martin
 Whitford, Dr Philippa
 Williams, Hywel
 Williams, Dr Paul
 Williamson, Chris
 Wilson, Phil
 Wishart, Pete
 Woodcock, John
 Yasin, Mohammad
 Zeichner, Daniel

Tellers for the Ayes:

Jeff Smith and

Nick Smith

NOES

Afolami, Bim
 Afriyie, Adam
 Aldous, Peter
 Allan, Lucy
 Allen, Heidi
 Andrew, Stuart
 Argar, Edward
 Atkins, Victoria
 Bacon, Mr Richard
 Badenoch, Mrs Kemi
 Baker, Mr Steve
 Baldwin, Harriett
 Barclay, Stephen
 Baron, Mr John
 Bebb, Guto
 Bellingham, Sir Henry
 Benyon, rh Richard
 Beresford, Sir Paul
 Berry, Jake
 Blackman, Bob
 Blunt, Crispin
 Boles, Nick
 Bone, Mr Peter
 Bottomley, Sir Peter
 Bowie, Andrew
 Bradley, Ben
 Bradley, rh Karen
 Brady, Sir Graham
 Brereton, Jack
 Bridgen, Andrew
 Brine, Steve
 Bruce, Fiona
 Buckland, Robert
 Burghart, Alex
 Burns, Conor
 Burt, rh Alistair
 Cairns, rh Alun
 Campbell, Mr Gregory
 Cartledge, James
 Cash, Sir William
 Caulfield, Maria
 Chalk, Alex
 Chishti, Rehman

Chope, Sir Christopher
 Churchill, Jo
 Clark, Colin
 Clark, rh Greg
 Clarke, Mr Simon
 Cleverly, James
 Clifton-Brown, Sir Geoffrey
 Coffey, Dr Thérèse
 Collins, Damian
 Costa, Alberto
 Courts, Robert
 Cox, Mr Geoffrey
 Crabb, rh Stephen
 Crouch, Tracey
 Davies, Chris
 Davies, David T. C.
 Davies, Glyn
 Davies, Mims
 Davies, Philip
 Davis, rh Mr David
 Dinenage, Caroline
 Djanogly, Mr Jonathan
 Docherty, Leo
 Dodds, rh Nigel
 Donaldson, rh Sir Jeffrey M.
 Donelan, Michelle
 Dorries, Ms Nadine
 Double, Steve
 Dowden, Oliver
 Doyle-Price, Jackie
 Drax, Richard
 Duddridge, James
 Duguid, David
 Duncan, rh Sir Alan
 Duncan Smith, rh Mr Iain
 Dunne, Mr Philip
 Ellis, Michael
 Ellwood, rh Mr Tobias
 Elphicke, Charlie
 Eustice, George
 Evans, Mr Nigel
 Evennett, rh David
 Fabricant, Michael

Fallon, rh Sir Michael
 Fernandes, Suella
 Field, rh Mark
 Ford, Vicky
 Foster, Kevin
 Fox, rh Dr Liam
 Francois, rh Mr Mark
 Frazer, Lucy
 Freeman, George
 Fysh, Mr Marcus
 Gale, Sir Roger
 Garnier, Mark
 Gauke, rh Mr David
 Ghani, Ms Nusrat
 Gibb, rh Nick
 Gillan, rh Dame Cheryl
 Girvan, Paul
 Glen, John
 Goldsmith, Zac
 Goodwill, Mr Robert
 Gove, rh Michael
 Graham, Luke
 Graham, Richard
 Grant, Bill
 Grant, Mrs Helen
 Gray, James
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Greening, rh Justine
 Grieve, rh Mr Dominic
 Griffiths, Andrew
 Gyimah, Mr Sam
 Hair, Kirstene
 Halfon, rh Robert
 Hall, Luke
 Hammond, rh Mr Philip
 Hammond, Stephen
 Hancock, rh Matt
 Hands, rh Greg
 Harper, rh Mr Mark
 Harrington, Richard
 Harris, Rebecca
 Harrison, Trudy
 Hart, Simon
 Hayes, rh Mr John
 Heald, rh Sir Oliver
 Heapey, James
 Heaton-Harris, Chris
 Heaton-Jones, Peter
 Henderson, Gordon
 Herbert, rh Nick
 Hinds, Damian
 Hoare, Simon
 Hollingbery, George
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Adam
 Howell, John
 Huddleston, Nigel
 Hughes, Eddie
 Hunt, rh Mr Jeremy
 Hurd, Mr Nick
 Jack, Mr Alister
 James, Margot
 Javid, rh Sajid
 Jayawardena, Mr Ranil
 Jenkin, Mr Bernard
 Jenkyns, Andrea
 Jenrick, Robert
 Johnson, rh Boris
 Johnson, Dr Caroline

Johnson, Gareth
 Johnson, Joseph
 Jones, Andrew
 Jones, rh Mr David
 Jones, Mr Marcus
 Kawczynski, Daniel
 Keegan, Gillian
 Kerr, Stephen
 Knight, rh Sir Greg
 Knight, Julian
 Kwarteng, Kwasi
 Lamont, John
 Lancaster, Mark
 Latham, Mrs Pauline
 Leadsom, rh Andrea
 Lee, Dr Phillip
 Lefroy, Jeremy
 Leigh, Sir Edward
 Letwin, rh Sir Oliver
 Lewer, Andrew
 Lewis, rh Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Lidington, rh Mr David
 Little Pengelly, Emma
 Lopez, Julia
 Lopresti, Jack
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Maclean, Rachel
 Main, Mrs Anne
 Mak, Alan
 Malthouse, Kit
 Mann, Scott
 Masterton, Paul
 Maynard, Paul
 McLoughlin, rh Sir Patrick
 McPartland, Stephen
 McVey, rh Ms Esther
 Menzies, Mark
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Miller, rh Mrs Maria
 Mills, Nigel
 Milton, rh Anne
 Mitchell, rh Mr Andrew
 Moore, Damien
 Mordaunt, rh Penny
 Morgan, rh Nicky
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morton, Wendy
 Mundell, rh David
 Murray, Mrs Sheryll
 Murrison, Dr Andrew
 Neill, Robert
 Newton, Sarah
 Nokes, Caroline
 Norman, Jesse
 O'Brien, Neil
 Offord, Dr Matthew
 Opperman, Guy
 Paisley, Ian
 Parish, Neil
 Patel, rh Priti
 Paterson, rh Mr Owen
 Pawsey, Mark
 Penning, rh Sir Mike
 Penrose, John

Percy, Andrew
 Perry, Claire
 Philp, Chris
 Pincher, Christopher
 Poulter, Dr Dan
 Pow, Rebecca
 Prentis, Victoria
 Prisk, Mr Mark
 Pritchard, Mark
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Raab, Dominic
 Redwood, rh John
 Rees-Mogg, Mr Jacob
 Robertson, Mr Laurence
 Robinson, Gavin
 Robinson, Mary
 Rosindell, Andrew
 Ross, Douglas
 Rowley, Lee
 Rudd, rh Amber
 Rutley, David
 Sandbach, Antoinette
 Scully, Paul
 Seely, Mr Bob
 Selous, Andrew
 Shannon, Jim
 Shapps, rh Grant
 Sharma, Alok
 Shelbrooke, Alec
 Simpson, David
 Simpson, rh Mr Keith
 Skidmore, Chris
 Smith, Chloe
 Smith, Henry
 Smith, rh Julian
 Smith, Royston
 Soames, rh Sir Nicholas
 Soubry, rh Anna
 Spelman, rh Dame Caroline
 Spencer, Mark
 Stephenson, Andrew
 Stevenson, John
 Stewart, Bob
 Stewart, Iain

Stewart, Rory
 Stride, rh Mel
 Stuart, Graham
 Sturdy, Julian
 Sunak, Rishi
 Swayne, rh Sir Desmond
 Swire, rh Sir Hugo
 Syms, Sir Robert
 Thomas, Derek
 Thomson, Ross
 Throup, Maggie
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Tredinnick, David
 Trevelyan, Mrs Anne-Marie
 Truss, rh Elizabeth
 Tugendhat, Tom
 Vaizey, rh Mr Edward
 Vara, Mr Shailesh
 Vickers, Martin
 Villiers, rh Theresa
 Walker, Mr Charles
 Walker, Mr Robin
 Wallace, rh Mr Ben
 Warburton, David
 Warman, Matt
 Watling, Giles
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggin, Bill
 Williamson, rh Gavin
 Wilson, Sammy
 Wollaston, Dr Sarah
 Wood, Mike
 Wragg, Mr William
 Wright, rh Jeremy
 Zahawi, Nadhim

Tellers for the Noes:
Amanda Milling and
Nigel Adams

Question accordingly negated.

The Speaker then put forthwith the Questions necessary for the disposal of the business to be concluded at that time (Standing Order No. 83E).

New Clause 6

ALTERATION TO THE NOTIFICATION UNDER ARTICLE 50(2) OF THE TREATY ON THE EUROPEAN UNION

‘Her Majesty’s Government shall publish a summary of the legal advice it has received in respect of the ability of the United Kingdom to extend, alter or revoke the notification, under Article 50(2) of the Treaty on the European Union, of the United Kingdom’s intention to withdraw from the EU.’—
(Mr Leslie.)

This new clause would require Ministers to place in the public domain a summary of the legal advice they have received concerning the options available for the United Kingdom in respect of the notification made under Article 50 of the Treaty on the European Union.

Brought up.

Question put, That the clause be added to the Bill.

The House divided: Ayes 298, Noes 322.

Division No. 97]

[4.47 pm

AYES

Abbott, rh Ms Diane
 Abrahams, Debbie
 Ali, Rushanara
 Allin-Khan, Dr Rosena
 Amesbury, Mike
 Antoniazzi, Tonia
 Ashworth, Jonathan
 Bailey, Mr Adrian
 Bardell, Hannah
 Barron, rh Sir Kevin
 Beckett, rh Margaret
 Benn, rh Hilary
 Betts, Mr Clive
 Black, Mhairi
 Blackford, rh Ian
 Blackman, Kirsty
 Blackman-Woods, Dr Roberta
 Blomfield, Paul
 Brabin, Tracy
 Bradshaw, rh Mr Ben
 Brake, rh Tom
 Brennan, Kevin
 Brock, Deidre
 Brown, Alan
 Brown, Lyn
 Brown, rh Mr Nicholas
 Bryant, Chris
 Buck, Ms Karen
 Burden, Richard
 Burgon, Richard
 Butler, Dawn
 Byrne, rh Liam
 Cable, rh Sir Vince
 Cadbury, Ruth
 Cameron, Dr Lisa
 Campbell, rh Mr Alan
 Campbell, Mr Ronnie
 Carden, Dan
 Carmichael, rh Mr Alistair
 Champion, Sarah
 Chapman, Douglas
 Chapman, Jenny
 Charalambous, Bambos
 Cherry, Joanna
 Clwyd, rh Ann
 Coaker, Vernon
 Coffey, Ann
 Cooper, Julie
 Cooper, Rosie
 Cooper, rh Yvette
 Corbyn, rh Jeremy
 Cowan, Ronnie
 Coyle, Neil
 Crawley, Angela
 Creagh, Mary
 Creasy, Stella
 Cruddas, Jon
 Cryer, John
 Cummins, Judith
 Cunningham, Alex
 Cunningham, Mr Jim
 Dakin, Nic
 Davey, rh Sir Edward
 David, Wayne
 Davies, Geraint
 Day, Martyn
 De Cordova, Marsha
 De Piero, Gloria
 Debbonaire, Thangam
 Dent Coad, Emma
 Dhesi, Mr Tanmanjeet Singh
 Docherty-Hughes, Martin
 Dodds, Anneliese
 Dowd, Peter
 Drew, Dr David
 Dromey, Jack
 Duffield, Rosie
 Eagle, Ms Angela
 Eagle, Maria
 Edwards, Jonathan
 Efford, Clive
 Elliott, Julie
 Ellman, Mrs Louise
 Elmore, Chris
 Esterson, Bill
 Evans, Chris
 Farrelly, Paul
 Farron, Tim
 Fellows, Marion
 Fitzpatrick, Jim
 Fletcher, Colleen
 Flynn, Paul
 Fovargue, Yvonne
 Foxcroft, Vicky
 Frith, James
 Furniss, Gill
 Butler, Dawn
 Gaffney, Hugh
 Gapes, Mike
 Gardiner, Barry
 George, Ruth
 Gethins, Stephen
 Gibson, Patricia
 Gill, Preet Kaur
 Glendon, Mary
 Godsiff, Mr Roger
 Goodman, Helen
 Grady, Patrick
 Grant, Peter
 Gray, Neil
 Green, Kate
 Greenwood, Lilian
 Greenwood, Margaret
 Griffith, Nia
 Grogan, John
 Gwynne, Andrew
 Haigh, Louise
 Hamilton, Fabian
 Hardy, Emma
 Harman, rh Ms Harriet
 Harris, Carolyn
 Hayes, Helen
 Hayman, Sue
 Healey, rh John
 Hendrick, Sir Mark
 Hendry, Drew
 Hepburn, Mr Stephen
 Hermon, Lady
 Hill, Mike
 Hillier, Meg
 Hobhouse, Wera
 Hodge, rh Dame Margaret
 Hodgson, Mrs Sharon

Hollern, Kate
 Hopkins, Kelvin
 Hosie, Stewart
 Howarth, rh Mr George
 Huq, Dr Rupa
 Hussain, Imran
 Jardine, Christine
 Jarvis, Dan
 Johnson, Diana
 Jones, Darren
 Jones, Gerald
 Jones, Helen
 Jones, Mr Kevan
 Jones, Sarah
 Jones, Susan Elan
 Kane, Mike
 Keeley, Barbara
 Kendall, Liz
 Khan, Afzal
 Killen, Ged
 Kinnock, Stephen
 Kyle, Peter
 Laird, Lesley
 Lake, Ben
 Lammy, rh Mr David
 Lavery, Ian
 Law, Chris
 Lee, Ms Karen
 Leslie, Mr Chris
 Lewell-Buck, Mrs Emma
 Lewis, Clive
 Lewis, Mr Ivan
 Linden, David
 Lloyd, Tony
 Long Bailey, Rebecca
 Lucas, Caroline
 Lucas, Ian C.
 Lynch, Holly
 MacNeil, Angus Brendan
 Madders, Justin
 Mahmood, Mr Khalid
 Mahmood, Shabana
 Malhotra, Seema
 Mann, John
 Marsden, Gordon
 Martin, Sandy
 Maskell, Rachael
 Matheson, Christian
 Mc Nally, John
 McCabe, Steve
 McCarthy, Kerry
 McDonagh, Siobhain
 McDonald, Andy
 McDonald, Stewart Malcolm
 McDonald, Stuart C.
 McDonnell, rh John
 McFadden, rh Mr Pat
 McGinn, Conor
 McGovern, Alison
 McInnes, Liz
 McKinnell, Catherine
 McMahan, Jim
 McMorrin, Anna
 Mearns, Ian
 Miliband, rh Edward
 Monaghan, Carol
 Moon, Mrs Madeleine
 Moran, Layla
 Morden, Jessica
 Morgan, Stephen
 Morris, Grahame
 Murray, Ian

Nandy, Lisa
 Newlands, Gavin
 Norris, Alex
 O'Hara, Brendan
 O'Mara, Jared
 Onasanya, Fiona
 Onn, Melanie
 Onwurah, Chi
 Osamor, Kate
 Owen, Albert
 Peacock, Stephanie
 Pearce, Teresa
 Pennycook, Matthew
 Perkins, Toby
 Phillips, Jess
 Phillipson, Bridget
 Pidcock, Laura
 Platt, Jo
 Pollard, Luke
 Pound, Stephen
 Powell, Lucy
 Qureshi, Yasmin
 Rashid, Faisal
 Rayner, Angela
 Reed, Mr Steve
 Rees, Christina
 Reeves, Ellie
 Reeves, Rachel
 Reynolds, Jonathan
 Rimmer, Ms Marie
 Robinson, Mr Geoffrey
 Rodda, Matt
 Rowley, Danielle
 Ruane, Chris
 Russell-Moyle, Lloyd
 Ryan, rh Joan
 Saville Roberts, Liz
 Shah, Naz
 Sharma, Mr Virendra
 Sheerman, Mr Barry
 Sheppard, Tommy
 Sherriff, Paula
 Shuker, Mr Gavin
 Siddiq, Tulip
 Skinner, Mr Dennis
 Slaughter, Andy
 Smeeth, Ruth
 Smith, Angela
 Smith, Cat
 Smith, Eleanor
 Smith, Jeff
 Smith, Laura
 Smith, Nick
 Smith, Owen
 Smyth, Karin
 Snell, Gareth
 Sobel, Alex
 Spellar, rh John
 Starmer, rh Keir
 Stephens, Chris
 Stevens, Jo
 Stone, Jamie
 Streeting, Wes
 Sweeney, Mr Paul
 Swinson, Jo
 Tami, Mark
 Thewliss, Alison
 Thomas, Gareth
 Thomas-Symonds, Nick
 Thornberry, rh Emily
 Timms, rh Stephen
 Trickett, Jon

Turley, Anna
 Turner, Karl
 Twigg, Derek
 Twigg, Stephen
 Twist, Liz
 Umunna, Chuka
 Vaz, Valerie
 Walker, Thelma
 Watson, Tom
 West, Catherine
 Western, Matt
 Whitehead, Dr Alan
 Whitfield, Martin

Whitford, Dr Philippa
 Williams, Hywel
 Williams, Dr Paul
 Williamson, Chris
 Wilson, Phil
 Wishart, Pete
 Woodcock, John
 Yasin, Mohammad
 Zeichner, Daniel

Tellers for the Ayes:
Stephen Doughty and
Heidi Alexander

NOES

Afolami, Bim
 Afriyie, Adam
 Aldous, Peter
 Allan, Lucy
 Allen, Heidi
 Andrew, Stuart
 Argar, Edward
 Atkins, Victoria
 Bacon, Mr Richard
 Badenoch, Mrs Kemi
 Baker, Mr Steve
 Baldwin, Harriett
 Barclay, Stephen
 Baron, Mr John
 Bebb, Guto
 Bellingham, Sir Henry
 Benyon, rh Richard
 Beresford, Sir Paul
 Berry, Jake
 Blackman, Bob
 Blunt, Crispin
 Boles, Nick
 Bone, Mr Peter
 Bottomley, Sir Peter
 Bowie, Andrew
 Bradley, Ben
 Bradley, rh Karen
 Brady, Sir Graham
 Brereton, Jack
 Bridgen, Andrew
 Brine, Steve
 Bruce, Fiona
 Buckland, Robert
 Burghart, Alex
 Burns, Conor
 Burt, rh Alistair
 Cairns, rh Alun
 Campbell, Mr Gregory
 Cartlidge, James
 Cash, Sir William
 Caulfield, Maria
 Chalk, Alex
 Chishti, Rehman
 Chope, Sir Christopher
 Churchill, Jo
 Clark, Colin
 Clark, rh Greg
 Clarke, rh Mr Kenneth
 Clarke, Mr Simon
 Cleverly, James
 Clifton-Brown, Sir Geoffrey
 Coffey, Dr Thérèse
 Collins, Damian
 Costa, Alberto
 Courts, Robert
 Cox, Mr Geoffrey
 Crabb, rh Stephen
 Crouch, Tracey
 Davies, Chris
 Davies, David T. C.
 Davies, Glyn
 Davies, Mims
 Davies, Philip
 Davis, rh Mr David
 Dinenage, Caroline
 Djanogly, Mr Jonathan
 Docherty, Leo
 Dodds, rh Nigel
 Donaldson, rh Sir Jeffrey M.
 Donelan, Michelle
 Dorries, Ms Nadine
 Double, Steve
 Dowden, Oliver
 Doyle-Price, Jackie
 Drax, Richard
 Duddridge, James
 Duguid, David
 Duncan, rh Sir Alan
 Duncan Smith, rh Mr Iain
 Dunne, Mr Philip
 Ellis, Michael
 Ellwood, rh Mr Tobias
 Eustice, George
 Evans, Mr Nigel
 Evnnett, rh David
 Fabricant, Michael
 Fallon, rh Sir Michael
 Fernandes, Suella
 Field, rh Frank
 Field, rh Mark
 Ford, Vicky
 Foster, Kevin
 Fox, rh Dr Liam
 Francois, rh Mr Mark
 Frazer, Lucy
 Freeman, George
 Freer, Mike
 Fysh, Mr Marcus
 Gale, Sir Roger
 Garnier, Mark
 Gauke, rh Mr David
 Ghani, Ms Nusrat
 Gibb, rh Nick
 Gillan, rh Dame Cheryl
 Girvan, Paul
 Glen, John
 Goldsmith, Zac
 Goodwill, Mr Robert
 Gove, rh Michael
 Graham, Luke
 Graham, Richard
 Grant, Bill

Grant, Mrs Helen
 Gray, James
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Greening, rh Justine
 Grieve, rh Mr Dominic
 Griffiths, Andrew
 Gyimah, Mr Sam
 Hair, Kirstene
 Halfon, rh Robert
 Hall, Luke
 Hammond, rh Mr Philip
 Hammond, Stephen
 Hancock, rh Matt
 Hands, rh Greg
 Harper, rh Mr Mark
 Harrington, Richard
 Harris, Rebecca
 Harrison, Trudy
 Hart, Simon
 Hayes, rh Mr John
 Heald, rh Sir Oliver
 Heappey, James
 Heaton-Harris, Chris
 Heaton-Jones, Peter
 Henderson, Gordon
 Herbert, rh Nick
 Hinds, Damian
 Hoare, Simon
 Hoey, Kate
 Hollingbery, George
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Adam
 Howell, John
 Huddleston, Nigel
 Hughes, Eddie
 Hunt, rh Mr Jeremy
 Hurd, Mr Nick
 Jack, Mr Alister
 James, Margot
 Javid, rh Sajid
 Jayawardena, Mr Ranil
 Jenkin, Mr Bernard
 Jenkyns, Andrea
 Jenrick, Robert
 Johnson, rh Boris
 Johnson, Dr Caroline
 Johnson, Gareth
 Johnson, Joseph
 Jones, Andrew
 Jones, rh Mr David
 Jones, Mr Marcus
 Kawczynski, Daniel
 Keegan, Gillian
 Kerr, Stephen
 Knight, rh Sir Greg
 Knight, Julian
 Kwarteng, Kwasi
 Lamont, John
 Lancaster, Mark
 Latham, Mrs Pauline
 Leadsom, rh Andrea
 Lee, Dr Phillip
 Lefroy, Jeremy
 Leigh, Sir Edward
 Letwin, rh Sir Oliver
 Lewer, Andrew
 Lewis, rh Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian

Lidington, rh Mr David
 Little Pengelly, Emma
 Lopez, Julia
 Lopresti, Jack
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Maclean, Rachel
 Main, Mrs Anne
 Mak, Alan
 Malthouse, Kit
 Mann, Scott
 Masterton, Paul
 Maynard, Paul
 McLoughlin, rh Sir Patrick
 McPartland, Stephen
 McVey, rh Ms Esther
 Menzies, Mark
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Miller, rh Mrs Maria
 Mills, Nigel
 Milton, rh Anne
 Mitchell, rh Mr Andrew
 Moore, Damien
 Mordaunt, rh Penny
 Morgan, rh Nicky
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morton, Wendy
 Mundell, rh David
 Murray, Mrs Sheryll
 Murrison, Dr Andrew
 Neill, Robert
 Newton, Sarah
 Nokes, Caroline
 Norman, Jesse
 O'Brien, Neil
 Offord, Dr Matthew
 Opperman, Guy
 Paisley, Ian
 Parish, Neil
 Patel, rh Priti
 Paterson, rh Mr Owen
 Pawsey, Mark
 Penning, rh Sir Mike
 Penrose, John
 Percy, Andrew
 Perry, Claire
 Philp, Chris
 Pincher, Christopher
 Poulter, Dr Dan
 Pow, Rebecca
 Prentis, Victoria
 Prisk, Mr Mark
 Pritchard, Mark
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Raab, Dominic
 Redwood, rh John
 Rees-Mogg, Mr Jacob
 Robertson, Mr Laurence
 Robinson, Gavin
 Robinson, Mary
 Rosindell, Andrew
 Ross, Douglas
 Rowley, Lee
 Rudd, rh Amber
 Rutley, David

Sandbach, Antoinette
 Scully, Paul
 Seely, Mr Bob
 Selous, Andrew
 Shannon, Jim
 Shapps, rh Grant
 Sharma, Alok
 Shelbrooke, Alec
 Simpson, David
 Simpson, rh Mr Keith
 Skidmore, Chris
 Smith, Chloe
 Smith, Henry
 Smith, rh Julian
 Smith, Royston
 Soames, rh Sir Nicholas
 Soubry, rh Anna
 Spelman, rh Dame Caroline
 Spencer, Mark
 Stephenson, Andrew
 Stevenson, John
 Stewart, Bob
 Stewart, Iain
 Stewart, Rory
 Stride, rh Mel
 Stringer, Graham
 Stuart, Graham
 Sturdy, Julian
 Sunak, Rishi
 Swayne, rh Sir Desmond
 Swire, rh Sir Hugo
 Syms, Sir Robert
 Thomas, Derek
 Thomson, Ross

Throup, Maggie
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Tredinnick, David
 Trevelyan, Mrs Anne-Marie
 Truss, rh Elizabeth
 Tugendhat, Tom
 Vaizey, rh Mr Edward
 Vara, Mr Shailesh
 Vickers, Martin
 Villiers, rh Theresa
 Walker, Mr Charles
 Walker, Mr Robin
 Wallace, rh Mr Ben
 Warburton, David
 Warman, Matt
 Watling, Giles
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggin, Bill
 Williamson, rh Gavin
 Wilson, Sammy
 Wollaston, Dr Sarah
 Wood, Mike
 Wragg, Mr William
 Wright, rh Jeremy
 Zahawi, Nadhim

Tellers for the Noes:
Amanda Milling and
Nigel Adams

Question accordingly negated.

Mr Speaker: I call Tom Brake to move new clause 11 formally.

Tom Brake: And enthusiastically.

New Clause 11

MEANINGFUL VOTE ON DEAL OR NO DEAL

“(1) The Prime Minister must publish and lay before both Houses of Parliament an assessment of the impact on the economy of the United Kingdom, and on each nation, province or region of the United Kingdom, of any unratified agreement between the United Kingdom and the EU under Article 50(2) of the Treaty on European Union which sets out the arrangements for the United Kingdom’s withdrawal from the EU.

(2) Any agreement between the United Kingdom and the EU under Article 50(2) of the Treaty on European Union which sets out the arrangements for the United Kingdom’s withdrawal from the EU may not be ratified unless—

- (a) subsection (1) has been complied with,
- (b) the House of Lords has considered a motion relating to the unratified agreement,
- (c) the House of Commons has approved the unratified agreement by resolution,
- (d) the statute mentioned in section 9 (approving the final terms of withdrawal of the United Kingdom from the European Union) has been passed, and
- (e) any other legislative provision to enable ratification has been passed or made.

(3) If no agreement has been reached by 31 December 2018 between the United Kingdom and the EU under Article 50(2) of the Treaty on European Union setting out the arrangements for the United Kingdom’s withdrawal from the EU, the Prime Minister must publish and lay before both Houses of Parliament

within one month an assessment of the impact on the economy of the United Kingdom, and on each nation, province or region of the United Kingdom, of leaving the EU under Article 50(3) of the Treaty on European Union without an agreement.

(4) If no agreement has been reached by 31 January 2019 between the United Kingdom and the EU under Article 50(2) of the Treaty on European Union setting out the arrangements for the United Kingdom's withdrawal from the EU,

- (a) a Minister of the Crown must propose a motion in the House of Lords relating to the lack of an agreement, and
- (b) a Minister of the Crown must propose a motion in the House of Commons approving the intention of the United Kingdom to leave the EU under Article 50(3) of the Treaty on European Union without a withdrawal agreement.

(5) Unless the House of Commons approves by resolution after 31 January 2019 the intention of the United Kingdom to leave the EU under Article 50(3) of the Treaty on European Union without a withdrawal agreement, the Prime Minister must either —

- (a) reach an agreement before exit day between the United Kingdom and the EU under Article 50(2) of the Treaty on European Union which sets out the arrangements for the United Kingdom's withdrawal from the EU, or
- (b) request the European Council for an extension of negotiation under Article 50(3) of the Treaty on European Union, or
- (c) rescind the notice of intention under Article 50(2) of the Treaty on European Union to withdraw from the EU given in accordance with the European Union (Notice of Withdrawal) Act 2017 and request the European Council to accept that rescission.”—(*Tom Brake.*)

This New Clause would ensure that the Government assesses the impact of either an agreement or no deal on the UK economy and regions before a meaningful vote, and that if Parliament does not agree to the agreement or to no deal, then the Government must request a revocation or extension of Article 50.

Brought up.

Question put, That the clause be added to the Bill.

The House divided: Ayes 301, Noes 320.

Division No. 98]

[5.02 pm

AYES

Abbott, rh Ms Diane	Brock, Deidre
Abrahams, Debbie	Brown, Alan
Alexander, Heidi	Brown, Lyn
Ali, Rushanara	Brown, rh Mr Nicholas
Allin-Khan, Dr Rosena	Bryant, Chris
Amesbury, Mike	Buck, Ms Karen
Antoniazzi, Tonia	Burden, Richard
Ashworth, Jonathan	Burgon, Richard
Austin, Ian	Butler, Dawn
Bailey, Mr Adrian	Byrne, rh Liam
Bardell, Hannah	Cable, rh Sir Vince
Barron, rh Sir Kevin	Cadbury, Ruth
Beckett, rh Margaret	Cameron, Dr Lisa
Benn, rh Hilary	Campbell, rh Mr Alan
Betts, Mr Clive	Campbell, Mr Ronnie
Black, Mhairi	Carden, Dan
Blackford, rh Ian	Champion, Sarah
Blackman, Kirsty	Chapman, Douglas
Blackman-Woods, Dr Roberta	Chapman, Jenny
Blomfield, Paul	Charalambous, Bambos
Brabin, Tracy	Cherry, Joanna
Bradshaw, rh Mr Ben	Clarke, rh Mr Kenneth
Brake, rh Tom	Clwyd, rh Ann
Brennan, Kevin	Coaker, Vernon

Coffey, Ann	Harman, rh Ms Harriet
Cooper, Julie	Harris, Carolyn
Cooper, Rosie	Hayes, Helen
Cooper, rh Yvette	Hayman, Sue
Corbyn, rh Jeremy	Healey, rh John
Cowan, Ronnie	Hendrick, Sir Mark
Coyle, Neil	Hendry, Drew
Crawley, Angela	Hepburn, Mr Stephen
Creagh, Mary	Hermon, Lady
Creasy, Stella	Hill, Mike
Cruddas, Jon	Hillier, Meg
Cryer, John	Hobhouse, Wera
Cummins, Judith	Hodge, rh Dame Margaret
Cunningham, Alex	Hodgson, Mrs Sharon
Cunningham, Mr Jim	Hollern, Kate
Dakin, Nic	Hosie, Stewart
David, Wayne	Howarth, rh Mr George
Davies, Geraint	Huq, Dr Rupa
Day, Martyn	Hussain, Imran
De Cordova, Marsha	Jardine, Christine
De Piero, Gloria	Jarvis, Dan
Debonnaire, Thangam	Johnson, Diana
Dent Coad, Emma	Jones, Darren
Dhesi, Mr Tanmanjeet Singh	Jones, Gerald
Docherty-Hughes, Martin	Jones, Helen
Dodds, Anneliese	Jones, Mr Kevan
Doughty, Stephen	Jones, Sarah
Dowd, Peter	Jones, Susan Elan
Drew, Dr David	Kane, Mike
Dromey, Jack	Keeley, Barbara
Duffield, Rosie	Kendall, Liz
Eagle, Ms Angela	Khan, Afzal
Eagle, Maria	Killen, Ged
Edwards, Jonathan	Kinnock, Stephen
Efford, Clive	Kyle, Peter
Elliott, Julie	Laird, Lesley
Ellman, Mrs Louise	Lake, Ben
Elmore, Chris	Lamb, rh Norman
Esterson, Bill	Lammy, rh Mr David
Evans, Chris	Lavery, Ian
Farrelly, Paul	Law, Chris
Farron, Tim	Lee, Ms Karen
Fellows, Marion	Leslie, Mr Chris
Fitzpatrick, Jim	Lewell-Buck, Mrs Emma
Fletcher, Colleen	Lewis, Clive
Flynn, Paul	Lewis, Mr Ivan
Fovargue, Yvonne	Linden, David
Foxcroft, Vicky	Lloyd, Tony
Frith, James	Long Bailey, Rebecca
Furniss, Gill	Lucas, Caroline
Gaffney, Hugh	Lucas, Ian C.
Gapes, Mike	Lynch, Holly
Gardiner, Barry	MacNeil, Angus Brendan
George, Ruth	Madders, Justin
Gethins, Stephen	Mahmood, Mr Khalid
Gibson, Patricia	Mahmood, Shabana
Gill, Preet Kaur	Malhotra, Seema
Glindon, Mary	Mann, John
Godsiff, Mr Roger	Marsden, Gordon
Goodman, Helen	Martin, Sandy
Grady, Patrick	Maskell, Rachael
Grant, Peter	Matheson, Christian
Gray, Neil	Mc Nally, John
Green, Kate	McCabe, Steve
Greenwood, Lilian	McCarthy, Kerry
Greenwood, Margaret	McDonagh, Siobhain
Griffith, Nia	McDonald, Andy
Grogan, John	McDonald, Stewart Malcolm
Gwynne, Andrew	McDonald, Stuart C.
Haigh, Louise	McDonnell, rh John
Hamilton, Fabian	McFadden, rh Mr Pat
Hardy, Emma	McGinn, Conor

McGovern, Alison
 McInnes, Liz
 McKinnell, Catherine
 McMahon, Jim
 McMorrin, Anna
 Mearns, Ian
 Miliband, rh Edward
 Monaghan, Carol
 Moon, Mrs Madeleine
 Moran, Layla
 Morden, Jessica
 Morgan, Stephen
 Morris, Grahame
 Murray, Ian
 Nandy, Lisa
 Newlands, Gavin
 Norris, Alex
 O'Hara, Brendan
 O'Mara, Jared
 Onasanya, Fiona
 Onn, Melanie
 Onwurah, Chi
 Osamor, Kate
 Owen, Albert
 Peacock, Stephanie
 Pearce, Teresa
 Pennycook, Matthew
 Perkins, Toby
 Phillips, Jess
 Phillipson, Bridget
 Pidcock, Laura
 Platt, Jo
 Pollard, Luke
 Pound, Stephen
 Powell, Lucy
 Qureshi, Yasmin
 Rashid, Faisal
 Rayner, Angela
 Reed, Mr Steve
 Rees, Christina
 Reeves, Ellie
 Reeves, Rachel
 Reynolds, Jonathan
 Rimmer, Ms Marie
 Robinson, Mr Geoffrey
 Rodda, Matt
 Rowley, Danielle
 Ruane, Chris
 Russell-Moyle, Lloyd
 Ryan, rh Joan
 Saville Roberts, Liz
 Shah, Naz
 Sharma, Mr Virendra
 Sheerman, Mr Barry
 Sheppard, Tommy
 Sherriff, Paula
 Shuker, Mr Gavin

Siddiq, Tulip
 Skinner, Mr Dennis
 Slaughter, Andy
 Smeeth, Ruth
 Smith, Angela
 Smith, Cat
 Smith, Eleanor
 Smith, Jeff
 Smith, Laura
 Smith, Nick
 Smith, Owen
 Smyth, Karin
 Snell, Gareth
 Sobel, Alex
 Soubry, rh Anna
 Spellar, rh John
 Starmer, rh Keir
 Stephens, Chris
 Stevens, Jo
 Stone, Jamie
 Streeting, Wes
 Sweeney, Mr Paul
 Swinson, Jo
 Tami, Mark
 Thewliss, Alison
 Thomas, Gareth
 Thomas-Symonds, Nick
 Thornberry, rh Emily
 Timms, rh Stephen
 Trickett, Jon
 Turley, Anna
 Turner, Karl
 Twigg, Derek
 Twigg, Stephen
 Twist, Liz
 Umunna, Chuka
 Vaz, Valerie
 Walker, Thelma
 Watson, Tom
 West, Catherine
 Western, Matt
 Whitehead, Dr Alan
 Whitfield, Martin
 Whitford, Dr Philippa
 Williams, Hywel
 Williams, Dr Paul
 Williamson, Chris
 Wilson, Phil
 Wishart, Pete
 Woodcock, John
 Yasin, Mohammad
 Zeichner, Daniel

Tellers for the Ayes:
 Sir Edward Davey and
 Mr Alistair Carmichael

NOES

Afolami, Bim
 Afriyie, Adam
 Aldous, Peter
 Allan, Lucy
 Allen, Heidi
 Andrew, Stuart
 Argar, Edward
 Atkins, Victoria
 Bacon, Mr Richard
 Badenoch, Mrs Kemi
 Baker, Mr Steve
 Baldwin, Harriett

Barclay, Stephen
 Baron, Mr John
 Bebb, Guto
 Bellingham, Sir Henry
 Benyon, rh Richard
 Beresford, Sir Paul
 Berry, Jake
 Blackman, Bob
 Blunt, Crispin
 Boles, Nick
 Bone, Mr Peter
 Bottomley, Sir Peter

Bowie, Andrew
 Bradley, Ben
 Bradley, rh Karen
 Brady, Sir Graham
 Brereton, Jack
 Bridgen, Andrew
 Brine, Steve
 Bruce, Fiona
 Buckland, Robert
 Burghart, Alex
 Burns, Conor
 Burt, rh Alistair
 Cairns, rh Alun
 Campbell, Mr Gregory
 Cartledge, James
 Cash, Sir William
 Caulfield, Maria
 Chalk, Alex
 Chishti, Rehman
 Chope, Sir Christopher
 Churchill, Jo
 Clark, Colin
 Clark, rh Greg
 Clarke, Mr Simon
 Cleverly, James
 Clifton-Brown, Sir Geoffrey
 Coffey, Dr Thérèse
 Collins, Damian
 Costa, Alberto
 Courts, Robert
 Cox, Mr Geoffrey
 Crabb, rh Stephen
 Crouch, Tracey
 Davies, Chris
 Davies, David T. C.
 Davies, Glyn
 Davies, Mims
 Davies, Philip
 Davis, rh Mr David
 Dinenage, Caroline
 Djanogly, Mr Jonathan
 Docherty, Leo
 Dodds, rh Nigel
 Donaldson, rh Sir Jeffrey M.
 Donelan, Michelle
 Dorries, Ms Nadine
 Double, Steve
 Dowden, Oliver
 Doyle-Price, Jackie
 Drax, Richard
 Duddridge, James
 Duguid, David
 Duncan, rh Sir Alan
 Duncan Smith, rh Mr Iain
 Dunne, Mr Philip
 Ellis, Michael
 Ellwood, rh Mr Tobias
 Elphicke, Charlie
 Eustice, George
 Evans, Mr Nigel
 Evennett, rh David
 Fabricant, Michael
 Fallon, rh Sir Michael
 Fernandes, Suella
 Field, rh Frank
 Field, rh Mark
 Ford, Vicky
 Foster, Kevin
 Fox, rh Dr Liam
 Francois, rh Mr Mark
 Frazer, Lucy
 Freeman, George

Freer, Mike
 Fysh, Mr Marcus
 Gale, Sir Roger
 Garnier, Mark
 Gauke, rh Mr David
 Ghani, Ms Nusrat
 Gibb, rh Nick
 Gillan, rh Dame Cheryl
 Girvan, Paul
 Glen, John
 Goldsmith, Zac
 Goodwill, Mr Robert
 Gove, rh Michael
 Graham, Luke
 Graham, Richard
 Grant, Bill
 Grant, Mrs Helen
 Gray, James
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Greening, rh Justine
 Grieve, rh Mr Dominic
 Griffiths, Andrew
 Gyimah, Mr Sam
 Hair, Kirstene
 Halfon, rh Robert
 Hall, Luke
 Hammond, rh Mr Philip
 Hammond, Stephen
 Hancock, rh Matt
 Hands, rh Greg
 Harper, rh Mr Mark
 Harrington, Richard
 Harris, Rebecca
 Harrison, Trudy
 Hart, Simon
 Hayes, rh Mr John
 Heald, rh Sir Oliver
 Heapey, James
 Heaton-Harris, Chris
 Heaton-Jones, Peter
 Henderson, Gordon
 Herbert, rh Nick
 Hinds, Damian
 Hoare, Simon
 Hoey, Kate
 Hollingbery, George
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Adam
 Howell, John
 Huddleston, Nigel
 Hughes, Eddie
 Hunt, rh Mr Jeremy
 Hurd, Mr Nick
 Jack, Mr Alister
 James, Margot
 Javid, rh Sajid
 Jayawardena, Mr Ranil
 Jenkin, Mr Bernard
 Jenkyns, Andrea
 Jenrick, Robert
 Johnson, rh Boris
 Johnson, Dr Caroline
 Johnson, Gareth
 Johnson, Joseph
 Jones, Andrew
 Jones, rh Mr David
 Jones, Mr Marcus
 Kawczynski, Daniel
 Keegan, Gillian

Kerr, Stephen
 Knight, rh Sir Greg
 Knight, Julian
 Kwarteng, Kwasi
 Lamont, John
 Lancaster, Mark
 Latham, Mrs Pauline
 Leadsom, rh Andrea
 Lee, Dr Phillip
 Lefroy, Jeremy
 Leigh, Sir Edward
 Letwin, rh Sir Oliver
 Lewer, Andrew
 Lewis, rh Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Lidington, rh Mr David
 Little Pengelly, Emma
 Lopez, Julia
 Lopresti, Jack
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Maclean, Rachel
 Main, Mrs Anne
 Mak, Alan
 Malthouse, Kit
 Mann, Scott
 Masterton, Paul
 Maynard, Paul
 McLoughlin, rh Sir Patrick
 McPartland, Stephen
 McVey, rh Ms Esther
 Menzies, Mark
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Miller, rh Mrs Maria
 Mills, Nigel
 Milton, rh Anne
 Mitchell, rh Mr Andrew
 Moore, Damien
 Mordaunt, rh Penny
 Morgan, rh Nicky
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morton, Wendy
 Mundell, rh David
 Murray, Mrs Sheryll
 Murrison, Dr Andrew
 Neill, Robert
 Newton, Sarah
 Nokes, Caroline
 Norman, Jesse
 O'Brien, Neil
 Offord, Dr Matthew
 Opperman, Guy
 Paisley, Ian
 Parish, Neil
 Patel, rh Priti
 Paterson, rh Mr Owen
 Pawsey, Mark
 Penning, rh Sir Mike
 Penrose, John
 Percy, Andrew
 Perry, Claire
 Philp, Chris
 Pincher, Christopher
 Poulter, Dr Dan
 Pow, Rebecca
 Prentis, Victoria

Prisk, Mr Mark
 Pritchard, Mark
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Raab, Dominic
 Redwood, rh John
 Rees-Mogg, Mr Jacob
 Robertson, Mr Laurence
 Robinson, Gavin
 Robinson, Mary
 Rosindell, Andrew
 Ross, Douglas
 Rowley, Lee
 Rudd, rh Amber
 Rutley, David
 Sandbach, Antoinette
 Scully, Paul
 Seely, Mr Bob
 Selous, Andrew
 Shannon, Jim
 Shapps, rh Grant
 Sharma, Alok
 Shelbrooke, Alec
 Simpson, David
 Simpson, rh Mr Keith
 Skidmore, Chris
 Smith, Chloe
 Smith, Henry
 Smith, rh Julian
 Smith, Royston
 Soames, rh Sir Nicholas
 Spelman, rh Dame Caroline
 Spencer, Mark
 Stephenson, Andrew
 Stevenson, John
 Stewart, Bob
 Stewart, Iain
 Stewart, Rory
 Stride, rh Mel
 Stringer, Graham
 Stuart, Graham
 Sturdy, Julian
 Sunak, Rishi
 Swayne, rh Sir Desmond
 Swire, rh Sir Hugo
 Syms, Sir Robert
 Thomas, Derek
 Thomson, Ross
 Throup, Maggie
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Tredinnick, David
 Trevelyan, Mrs Anne-Marie
 Truss, rh Elizabeth
 Tugendhat, Tom
 Vaizey, rh Mr Edward
 Vara, Mr Shailesh
 Vickers, Martin
 Villiers, rh Theresa
 Walker, Mr Charles
 Walker, Mr Robin
 Wallace, rh Mr Ben
 Warburton, David
 Warman, Matt
 Watling, Giles
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig
 Whittingdale, rh Mr John

Wiggin, Bill
 Williamson, rh Gavin
 Wilson, Sammy
 Wollaston, Dr Sarah
 Wood, Mike
 Wragg, Mr William

Wright, rh Jeremy
 Zahawi, Nadhim

Tellers for the Noes:
Amanda Milling and
Nigel Adams

Question accordingly negatived.

New Clause 12

ENVIRONMENTAL PROTECTION AFTER EU EXIT

(1) Before any exit day, the Secretary of State must publish a report detailing all EU environmental protections, powers and functions.

(2) The report pursuant to subsection (1) shall specify—

- (a) all environmental legal protections which derive from EU law;
- (b) the powers and functions relating to environmental protection or improvement exercised by EU institutions;
- (c) the empowering provisions in EU law relating to those functions; and
- (d) any loss of environmental protection, or the monitoring and enforcement of environmental protections, which may arise as a result of the UK's exit from the EU.

(3) Before any exit day the Secretary of State must publish proposals for primary legislation (the "Draft Environmental Protection Bill").

(4) The Draft Environmental Protection Bill must include provisions which would—

- (a) ensure that the level of environmental protection provided by EU law on the day this Act receives Royal Assent is maintained or enhanced;
- (b) make provision to remedy any loss of environmental protection, or the monitoring and enforcement of environmental protections, established in the report pursuant to subsection (1);
- (c) create a statutory corporation (to be called "the Environmental Protection Agency") with operational independence from Ministers of the Crown to monitor environmental targets previously set by EU law relating to environmental protection and other such environmental targets that may be set by Ministers of the Crown and international treaties to which the United Kingdom is party;
- (d) require the statutory corporation in (4)(c) to report to Parliament every year on progress in meeting those targets and to make recommendations for remedial action where appropriate;
- (e) allow the statutory corporation in (4)(c) to publish additional reports identifying action or omissions on the part of Ministers of the Crown that is likely to result in targets not being met; and
- (f) extend to the whole of the United Kingdom.

(5) The Secretary of State must publish annual reports to Parliament on how environmental protections and the monitoring and enforcement of environmental protections have been affected by the United Kingdom's exit from the EU.

(6) Before publishing a report pursuant to subsection (5) the Secretary of State must hold a public consultation on the effect of leaving the EU on environmental protection.

(7) The Secretary of State must publish and lay before each House of Parliament the first report pursuant to subsection (5) no later than 29 March 2020 and each subsequent report must be published no later than the period of one year after the publication of the previous report.—(*Mary Creagh.*)

This new clause would require the Secretary of State to produce a report on the loss of environmental protection as a result of the UK's exit from the EU, and to prepare an Environmental Protection Bill to make up for any loss of environmental

protections, and the monitoring and enforcement of environmental protections. It would also require the Secretary of State to produce annual reports which make an assessment of the impact of the UK's withdrawal from the EU on UK environmental protection.

Brought up.

Question put, That the clause be added to the Bill.

The House divided: Ayes 301, Noes 318.

Division No. 99]

[5.18 pm

AYES

Abbott, rh Ms Diane	Cunningham, Alex	Harris, Carolyn	McGovern, Alison
Abrahams, Debbie	Cunningham, Mr Jim	Hayes, Helen	McInnes, Liz
Ali, Rushanara	Dakin, Nic	Hayman, Sue	McKinnell, Catherine
Allin-Khan, Dr Rosena	Davey, rh Sir Edward	Healey, rh John	McMahon, Jim
Amesbury, Mike	David, Wayne	Hendrick, Sir Mark	McMorris, Anna
Antoniazzi, Tonia	Davies, Geraint	Hendry, Drew	Mearns, Ian
Ashworth, Jonathan	Day, Martyn	Hepburn, Mr Stephen	Miliband, rh Edward
Austin, Ian	De Cordova, Marsha	Hermon, Lady	Monaghan, Carol
Bailey, Mr Adrian	De Piero, Gloria	Hill, Mike	Moon, Mrs Madeleine
Bardell, Hannah	Debbonaire, Thangam	Hillier, Meg	Moran, Layla
Barron, rh Sir Kevin	Dent Coad, Emma	Hobhouse, Wera	Morden, Jessica
Beckett, rh Margaret	Dhesi, Mr Tanmanjeet Singh	Hodge, rh Dame Margaret	Morgan, Stephen
Benn, rh Hilary	Docherty-Hughes, Martin	Hodgson, Mrs Sharon	Morris, Grahame
Betts, Mr Clive	Dodds, Anneliese	Hollern, Kate	Murray, Ian
Black, Mhairi	Dowd, Peter	Hopkins, Kelvin	Nandy, Lisa
Blackford, rh Ian	Drew, Dr David	Hosie, Stewart	Newlands, Gavin
Blackman, Kirsty	Dromey, Jack	Howarth, rh Mr George	Norris, Alex
Blackman-Woods, Dr Roberta	Duffield, Rosie	Huq, Dr Rupa	O'Hara, Brendan
Blomfield, Paul	Eagle, Ms Angela	Hussain, Imran	O'Mara, Jared
Brabin, Tracy	Eagle, Maria	Jardine, Christine	Onasanya, Fiona
Bradshaw, rh Mr Ben	Edwards, Jonathan	Jarvis, Dan	Onn, Melanie
Brake, rh Tom	Efford, Clive	Johnson, Diana	Onwurah, Chi
Brennan, Kevin	Elliott, Julie	Jones, Darren	Osamor, Kate
Brock, Deidre	Ellman, Mrs Louise	Jones, Gerald	Owen, Albert
Brown, Alan	Elmore, Chris	Jones, Helen	Peacock, Stephanie
Brown, Lyn	Esterson, Bill	Jones, Mr Kevan	Pearce, Teresa
Brown, rh Mr Nicholas	Evans, Chris	Jones, Sarah	Pennycook, Matthew
Bryant, Chris	Farrelly, Paul	Jones, Susan Elan	Perkins, Toby
Buck, Ms Karen	Farron, Tim	Kane, Mike	Phillips, Jess
Burden, Richard	Fellows, Marion	Keeley, Barbara	Phillipson, Bridget
Burgon, Richard	Fitzpatrick, Jim	Kendall, Liz	Pidcock, Laura
Butler, Dawn	Fletcher, Colleen	Khan, Afzal	Platt, Jo
Byrne, rh Liam	Flynn, Paul	Killen, Ged	Pollard, Luke
Cable, rh Sir Vince	Fovargue, Yvonne	Kinnock, Stephen	Pound, Stephen
Cadbury, Ruth	Foxcroft, Vicky	Kyle, Peter	Powell, Lucy
Cameron, Dr Lisa	Frith, James	Laird, Lesley	Qureshi, Yasmin
Campbell, rh Mr Alan	Furniss, Gill	Lake, Ben	Rashid, Faisal
Campbell, Mr Ronnie	Gaffney, Hugh	Lamb, rh Norman	Rayner, Angela
Carden, Dan	Gapes, Mike	Lammy, rh Mr David	Reed, Mr Steve
Carmichael, rh Mr Alistair	Gardiner, Barry	Lavery, Ian	Rees, Christina
Champion, Sarah	George, Ruth	Law, Chris	Reeves, Ellie
Chapman, Douglas	Gethins, Stephen	Lee, Ms Karen	Reeves, Rachel
Chapman, Jenny	Gibson, Patricia	Leslie, Mr Chris	Reynolds, Jonathan
Charalambous, Bambos	Gill, Preet Kaur	Lewell-Buck, Mrs Emma	Rimmer, Ms Marie
Cherry, Joanna	Glindon, Mary	Lewis, Clive	Robinson, Mr Geoffrey
Clwyd, rh Ann	Godsiff, Mr Roger	Lewis, Mr Ivan	Rodda, Matt
Coaker, Vernon	Goodman, Helen	Linden, David	Rowley, Danielle
Coffey, Ann	Grady, Patrick	Lloyd, Tony	Ruane, Chris
Cooper, Julie	Grant, Peter	Long Bailey, Rebecca	Russell-Moyle, Lloyd
Cooper, Rosie	Gray, Neil	Lucas, Caroline	Ryan, rh Joan
Cooper, rh Yvette	Green, Kate	Lucas, Ian C.	Saville Roberts, Liz
Corbyn, rh Jeremy	Greenwood, Lilian	Lynch, Holly	Shah, Naz
Cowan, Ronnie	Greenwood, Margaret	MacNeil, Angus Brendan	Sharma, Mr Virendra
Coyle, Neil	Griffith, Nia	Madders, Justin	Sheerman, Mr Barry
Crawley, Angela	Grogan, John	Mahmood, Mr Khalid	Sheppard, Tommy
Creagh, Mary	Gwynne, Andrew	Mahmood, Shabana	Sherriff, Paula
Creasy, Stella	Haigh, Louise	Malhotra, Seema	Shuker, Mr Gavin
Cruddas, Jon	Hamilton, Fabian	Mann, John	Siddiq, Tulip
Cryer, John	Hardy, Emma	Marsden, Gordon	Skinner, Mr Dennis
Cummins, Judith	Harman, rh Ms Harriet	Martin, Sandy	Slaughter, Andy
		Maskell, Rachael	Smeeth, Ruth
		Matheson, Christian	Smith, Angela
		Mc Nally, John	Smith, Cat
		McCabe, Steve	Smith, Eleanor
		McCarthy, Kerry	Smith, Jeff
		McDonagh, Siobhain	Smith, Laura
		McDonald, Andy	Smith, Nick
		McDonald, Stewart Malcolm	Smith, Owen
		McDonald, Stuart C.	Smyth, Karin
		McDonnell, rh John	Snell, Gareth
		McFadden, rh Mr Pat	Sobel, Alex
		McGinn, Conor	Spellar, rh John

Starmer, rh Keir
 Stephens, Chris
 Stevens, Jo
 Stone, Jamie
 Streeting, Wes
 Sweeney, Mr Paul
 Swinson, Jo
 Tami, Mark
 Thewliss, Alison
 Thomas, Gareth
 Thomas-Symonds, Nick
 Thornberry, rh Emily
 Timms, rh Stephen
 Trickett, Jon
 Turley, Anna
 Turner, Karl
 Twigg, Derek
 Twigg, Stephen
 Twist, Liz
 Umunna, Chuka

Vaz, rh Keith
 Vaz, Valerie
 Walker, Thelma
 Watson, Tom
 West, Catherine
 Western, Matt
 Whitehead, Dr Alan
 Whitfield, Martin
 Whitford, Dr Philippa
 Williams, Hywel
 Williams, Dr Paul
 Williamson, Chris
 Wilson, Phil
 Wishart, Pete
 Woodcock, John
 Yasin, Mohammad
 Zeichner, Daniel

Tellers for the Ayes:
Heidi Alexander and
Stephen Doughty

NOES

Adams, Nigel
 Afolami, Bim
 Afriyie, Adam
 Aldous, Peter
 Allan, Lucy
 Allen, Heidi
 Andrew, Stuart
 Argar, Edward
 Atkins, Victoria
 Bacon, Mr Richard
 Badenoch, Mrs Kemi
 Baker, Mr Steve
 Baldwin, Harriett
 Barclay, Stephen
 Baron, Mr John
 Bebb, Guto
 Bellingham, Sir Henry
 Benyon, rh Richard
 Beresford, Sir Paul
 Berry, Jake
 Blackman, Bob
 Blunt, Crispin
 Boles, Nick
 Bone, Mr Peter
 Bottomley, Sir Peter
 Bowie, Andrew
 Bradley, Ben
 Bradley, rh Karen
 Brady, Sir Graham
 Brereton, Jack
 Bridgen, Andrew
 Brine, Steve
 Bruce, Fiona
 Buckland, Robert
 Burghart, Alex
 Burns, Conor
 Burt, rh Alistair
 Cairns, rh Alun
 Campbell, Mr Gregory
 Cartlidge, James
 Cash, Sir William
 Caulfield, Maria
 Chalk, Alex
 Chishti, Rehman
 Chope, Sir Christopher
 Churchill, Jo
 Clark, Colin
 Clark, rh Greg
 Clarke, rh Mr Kenneth

Clarke, Mr Simon
 Cleverly, James
 Clifton-Brown, Sir Geoffrey
 Coffey, Dr Thérèse
 Collins, Damian
 Costa, Alberto
 Courts, Robert
 Cox, Mr Geoffrey
 Crabb, rh Stephen
 Crouch, Tracey
 Davies, Chris
 Davies, David T. C.
 Davies, Glyn
 Davies, Mims
 Davies, Philip
 Davis, rh Mr David
 Dinenage, Caroline
 Djanogly, Mr Jonathan
 Docherty, Leo
 Dodds, rh Nigel
 Donaldson, rh Sir Jeffrey M.
 Donelan, Michelle
 Dorries, Ms Nadine
 Double, Steve
 Dowden, Oliver
 Doyle-Price, Jackie
 Drax, Richard
 Duddridge, James
 Duguid, David
 Duncan, rh Sir Alan
 Duncan Smith, rh Mr Iain
 Dunne, Mr Philip
 Ellis, Michael
 Ellwood, rh Mr Tobias
 Elphicke, Charlie
 Eustice, George
 Evans, Mr Nigel
 Evennett, rh David
 Fabricant, Michael
 Fallon, rh Sir Michael
 Fernandes, Suella
 Field, rh Mark
 Ford, Vicky
 Foster, Kevin
 Fox, rh Dr Liam
 Francois, rh Mr Mark
 Frazer, Lucy
 Freeman, George
 Freer, Mike

Fysh, Mr Marcus
 Gale, Sir Roger
 Garnier, Mark
 Gauke, rh Mr David
 Ghani, Ms Nusrat
 Gibb, rh Nick
 Gillan, rh Dame Cheryl
 Girvan, Paul
 Glen, John
 Goldsmith, Zac
 Goodwill, Mr Robert
 Gove, rh Michael
 Graham, Luke
 Graham, Richard
 Grant, Bill
 Grant, Mrs Helen
 Gray, James
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Greening, rh Justine
 Grieve, rh Mr Dominic
 Griffiths, Andrew
 Gyimah, Mr Sam
 Hair, Kirstene
 Halfon, rh Robert
 Hall, Luke
 Hammond, rh Mr Philip
 Hammond, Stephen
 Hancock, rh Matt
 Hands, rh Greg
 Harper, rh Mr Mark
 Harrington, Richard
 Harris, Rebecca
 Harrison, Trudy
 Hart, Simon
 Hayes, rh Mr John
 Heald, rh Sir Oliver
 Heapey, James
 Heaton-Harris, Chris
 Heaton-Jones, Peter
 Henderson, Gordon
 Herbert, rh Nick
 Hinds, Damian
 Hoare, Simon
 Hollingbery, George
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Adam
 Howell, John
 Huddleston, Nigel
 Hughes, Eddie
 Hunt, rh Mr Jeremy
 Hurd, Mr Nick
 Jack, Mr Alister
 James, Margot
 Javid, rh Sajid
 Jayawardena, Mr Ranil
 Jenkin, Mr Bernard
 Jenkyns, Andrea
 Jenrick, Robert
 Johnson, rh Boris
 Johnson, Dr Caroline
 Johnson, Gareth
 Johnson, Joseph
 Jones, Andrew
 Jones, rh Mr David
 Jones, Mr Marcus
 Kawczynski, Daniel
 Keegan, Gillian
 Kerr, Stephen
 Knight, rh Sir Greg

Knight, Julian
 Kwarteng, Kwasi
 Lamont, John
 Lancaster, Mark
 Latham, Mrs Pauline
 Leadsom, rh Andrea
 Lee, Dr Phillip
 Lefroy, Jeremy
 Leigh, Sir Edward
 Letwin, rh Sir Oliver
 Lewer, Andrew
 Lewis, rh Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Lidington, rh Mr David
 Little Pengelly, Emma
 Lopez, Julia
 Lopresti, Jack
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Maclean, Rachel
 Main, Mrs Anne
 Mak, Alan
 Malthouse, Kit
 Mann, Scott
 Masterton, Paul
 Maynard, Paul
 McLoughlin, rh Sir Patrick
 McPartland, Stephen
 McVey, rh Ms Esther
 Menzies, Mark
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Miller, rh Mrs Maria
 Milling, Amanda
 Mills, Nigel
 Milton, rh Anne
 Mitchell, rh Mr Andrew
 Moore, Damien
 Mordaunt, rh Penny
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morton, Wendy
 Mundell, rh David
 Murray, Mrs Sheryll
 Murrison, Dr Andrew
 Neill, Robert
 Newton, Sarah
 Nokes, Caroline
 Norman, Jesse
 O'Brien, Neil
 Offord, Dr Matthew
 Opperman, Guy
 Paisley, Ian
 Parish, Neil
 Patel, rh Priti
 Paterson, rh Mr Owen
 Pawsey, Mark
 Penning, rh Sir Mike
 Penrose, John
 Percy, Andrew
 Perry, Claire
 Philp, Chris
 Pincher, Christopher
 Poulter, Dr Dan
 Pow, Rebecca
 Prentis, Victoria
 Prisk, Mr Mark
 Pritchard, Mark

Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Raab, Dominic
 Redwood, rh John
 Rees-Mogg, Mr Jacob
 Robertson, Mr Laurence
 Robinson, Gavin
 Robinson, Mary
 Rosindell, Andrew
 Ross, Douglas
 Rowley, Lee
 Rudd, rh Amber
 Sandbach, Antoinette
 Scully, Paul
 Seely, Mr Bob
 Selous, Andrew
 Shannon, Jim
 Shapps, rh Grant
 Sharma, Alok
 Shelbrooke, Alec
 Simpson, David
 Simpson, rh Mr Keith
 Skidmore, Chris
 Smith, Chloe
 Smith, Henry
 Smith, rh Julian
 Smith, Royston
 Soames, rh Sir Nicholas
 Soubry, rh Anna
 Spelman, rh Dame Caroline
 Spencer, Mark
 Stephenson, Andrew
 Stevenson, John
 Stewart, Bob
 Stewart, Iain
 Stewart, Rory
 Stride, rh Mel
 Stuart, Graham
 Sturdy, Julian

Sunak, Rishi
 Swayne, rh Sir Desmond
 Swire, rh Sir Hugo
 Syms, Sir Robert
 Thomas, Derek
 Thomson, Ross
 Throup, Maggie
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Tredinnick, David
 Trevelyan, Mrs Anne-Marie
 Truss, rh Elizabeth
 Tugendhat, Tom
 Vaizey, rh Mr Edward
 Vara, Mr Shailesh
 Vickers, Martin
 Villiers, rh Theresa
 Walker, Mr Charles
 Walker, Mr Robin
 Wallace, rh Mr Ben
 Warburton, David
 Warman, Matt
 Watling, Giles
 Whately, Helen
 Wheeler, Mrs Heather
 Whittingdale, rh Mr John
 Wiggin, Bill
 Williamson, rh Gavin
 Wilson, Sammy
 Wollaston, Dr Sarah
 Wood, Mike
 Wragg, Mr William
 Wright, rh Jeremy
 Zahawi, Nadhim

Tellers for the Noes:

Craig Whittaker and
 David Rutley

Question accordingly negated.

New Clause 17

EFFECT OF LOSING ACCESS TO EU SINGLE MARKET AND CUSTOMS UNION

“(1) The Prime Minister must publish and lay before both Houses of Parliament an assessment of the impact on the economy of the United Kingdom, and on each nation, province or region of the United Kingdom, of any unratified agreement (“the Agreement”) between the United Kingdom and the EU under Article 50(2) of the Treaty on European Union which sets out the arrangements for the United Kingdom’s withdrawal from the EU.

(2) The assessment in subsection (1) must so far as practicable analyse the expected difference in outcomes between the Agreement and continued participation in the EU single market and customs union.

(3) The assessment in subsection (1) must be prepared by the Treasury and must include separate analyses from the National Audit Office, the Office of Budget Responsibility, the Government Actuary’s Department, and the finance directorates of each of the devolved Administrations of the methodology and conclusions of the Treasury assessment.

(4) A statute of the kind mentioned in section 9 (approving the final terms of withdrawal of the United Kingdom from the European Union) may not come into effect until the Prime Minister’s assessment under subsection (1) has been—

- (a) debated by each House of Parliament, and
- (b) approved by resolution of the House of Commons.”—
(Ian Murray.)

This purpose of this New Clause is to ensure that the alternative of remaining in the EU single market and customs union is formally considered by Parliament on the basis of an independently validated economic assessment before any statute approving the final terms of withdrawal takes effect.

Brought up.

Question put, That the clause be added to the Bill.

The House divided: Ayes 301, Noes 320.

Division No. 100]

[5.32 pm

AYES

Abbott, rh Ms Diane
 Abrahams, Debbie
 Ali, Rushanara
 Allin-Khan, Dr Rosena
 Amesbury, Mike
 Antoniazzi, Tonia
 Ashworth, Jonathan
 Austin, Ian
 Bailey, Mr Adrian
 Bardell, Hannah
 Barron, rh Sir Kevin
 Beckett, rh Margaret
 Benn, rh Hilary
 Betts, Mr Clive
 Black, Mhairi
 Blackford, rh Ian
 Blackman, Kirsty
 Blackman-Woods, Dr Roberta
 Blomfield, Paul
 Brabin, Tracy
 Bradshaw, rh Mr Ben
 Brake, rh Tom
 Brennan, Kevin
 Brock, Deidre
 Brown, Alan
 Brown, Lyn
 Brown, rh Mr Nicholas
 Bryant, Chris
 Buck, Ms Karen
 Burden, Richard
 Burgon, Richard
 Butler, Dawn
 Byrne, rh Liam
 Cable, rh Sir Vince
 Cadbury, Ruth
 Cameron, Dr Lisa
 Campbell, rh Mr Alan
 Campbell, Mr Ronnie
 Carden, Dan
 Carmichael, rh Mr Alistair
 Champion, Sarah
 Chapman, Jenny
 Charalambous, Bambos
 Cherry, Joanna
 Clarke, rh Mr Kenneth
 Clwyd, rh Ann
 Coaker, Vernon
 Coffey, Ann
 Cooper, Julie
 Cooper, Rosie
 Cooper, rh Yvette
 Corbyn, rh Jeremy
 Cowan, Ronnie
 Coyle, Neil
 Crawley, Angela
 Creagh, Mary
 Creasy, Stella
 Cruddas, Jon
 Cryer, John
 Cummins, Judith
 Cunningham, Alex
 Cunningham, Mr Jim
 Dakin, Nic
 Davey, rh Sir Edward
 David, Wayne
 Davies, Geraint
 Day, Martyn
 De Cordova, Marsha
 De Piero, Gloria
 Debbonaire, Thangam
 Dent Coad, Emma
 Dhesi, Mr Tanmanjeet Singh
 Docherty-Hughes, Martin
 Dodds, Anneliese
 Doughty, Stephen
 Dowd, Peter
 Drew, Dr David
 Dromey, Jack
 Duffield, Rosie
 Eagle, Ms Angela
 Eagle, Maria
 Edwards, Jonathan
 Efford, Clive
 Elliott, Julie
 Ellman, Mrs Louise
 Elmore, Chris
 Esterson, Bill
 Evans, Chris
 Farrelly, Paul
 Farron, Tim
 Fellows, Marion
 Fitzpatrick, Jim
 Fletcher, Colleen
 Flynn, Paul
 Fovargue, Yvonne
 Foxcroft, Vicky
 Frith, James
 Furniss, Gill
 Gaffney, Hugh
 Gapes, Mike
 Gardiner, Barry
 George, Ruth
 Gethins, Stephen
 Gibson, Patricia
 Gill, Preet Kaur
 Glindon, Mary
 Godsiff, Mr Roger
 Goodman, Helen
 Grady, Patrick
 Grant, Peter
 Gray, Neil
 Green, Kate
 Greenwood, Lilian
 Greenwood, Margaret
 Griffith, Nia
 Grogan, John
 Gwynne, Andrew
 Haigh, Louise

Hamilton, Fabian
 Hardy, Emma
 Harman, rh Ms Harriet
 Harris, Carolyn
 Hayes, Helen
 Hayman, Sue
 Healey, rh John
 Hendrick, Sir Mark
 Hendry, Drew
 Hepburn, Mr Stephen
 Hermon, Lady
 Hill, Mike
 Hillier, Meg
 Hobhouse, Wera
 Hodge, rh Dame Margaret
 Hodgson, Mrs Sharon
 Hollern, Kate
 Hosie, Stewart
 Howarth, rh Mr George
 Huq, Dr Rupa
 Hussain, Imran
 Jardine, Christine
 Jarvis, Dan
 Johnson, Diana
 Jones, Darren
 Jones, Gerald
 Jones, Helen
 Jones, Mr Kevan
 Jones, Sarah
 Jones, Susan Elan
 Kane, Mike
 Keeley, Barbara
 Kendall, Liz
 Khan, Afzal
 Killen, Ged
 Kinnock, Stephen
 Kyle, Peter
 Laird, Lesley
 Lake, Ben
 Lamb, rh Norman
 Lammy, rh Mr David
 Lavery, Ian
 Law, Chris
 Lee, Ms Karen
 Leslie, Mr Chris
 Lewell-Buck, Mrs Emma
 Lewis, Clive
 Lewis, Mr Ivan
 Linden, David
 Lloyd, Tony
 Long Bailey, Rebecca
 Lucas, Caroline
 Lucas, Ian C.
 Lynch, Holly
 MacNeil, Angus Brendan
 Madders, Justin
 Mahmood, Mr Khalid
 Mahmood, Shabana
 Malhotra, Seema
 Mann, John
 Marsden, Gordon
 Martin, Sandy
 Maskell, Rachael
 Matheson, Christian
 Mc Nally, John
 McCabe, Steve
 McCarthy, Kerry
 McDonagh, Siobhain
 McDonald, Andy
 McDonald, Stewart Malcolm
 McDonald, Stuart C.
 McDonnell, rh John

McFadden, rh Mr Pat
 McGinn, Conor
 McGovern, Alison
 McInnes, Liz
 McKinnell, Catherine
 McMahan, Jim
 McMorrin, Anna
 Mearns, Ian
 Miliband, rh Edward
 Monaghan, Carol
 Moon, Mrs Madeleine
 Moran, Layla
 Morden, Jessica
 Morgan, Stephen
 Morris, Grahame
 Murray, Ian
 Nandy, Lisa
 Newlands, Gavin
 Norris, Alex
 O'Hara, Brendan
 O'Mara, Jared
 Onasanya, Fiona
 Onn, Melanie
 Onwurah, Chi
 Osamor, Kate
 Owen, Albert
 Peacock, Stephanie
 Pearce, Teresa
 Pennycook, Matthew
 Perkins, Toby
 Phillips, Jess
 Phillipson, Bridget
 Pidcock, Laura
 Platt, Jo
 Pollard, Luke
 Pound, Stephen
 Powell, Lucy
 Qureshi, Yasmin
 Rashid, Faisal
 Rayner, Angela
 Reed, Mr Steve
 Rees, Christina
 Reeves, Ellie
 Reeves, Rachel
 Reynolds, Jonathan
 Rimmer, Ms Marie
 Robinson, Mr Geoffrey
 Rodda, Matt
 Rowley, Danielle
 Ruane, Chris
 Russell-Moyle, Lloyd
 Ryan, rh Joan
 Saville Roberts, Liz
 Shah, Naz
 Sharma, Mr Virendra
 Sheerman, Mr Barry
 Sheppard, Tommy
 Sherriff, Paula
 Shuker, Mr Gavin
 Siddiq, Tulip
 Skinner, Mr Dennis
 Slaughter, Andy
 Smeeth, Ruth
 Smith, Angela
 Smith, Cat
 Smith, Eleanor
 Smith, Jeff
 Smith, Laura
 Smith, Nick
 Smith, Owen
 Smyth, Karin

Snell, Gareth
 Sobel, Alex
 Soubry, rh Anna
 Spellar, rh John
 Starmer, rh Keir
 Stephens, Chris
 Stevens, Jo
 Stone, Jamie
 Streeting, Wes
 Sweeney, Mr Paul
 Swinson, Jo
 Tami, Mark
 Thewliss, Alison
 Thomas, Gareth
 Thomas-Symonds, Nick
 Thornberry, rh Emily
 Timms, rh Stephen
 Trickett, Jon
 Turley, Anna
 Turner, Karl
 Twigg, Derek
 Twigg, Stephen

Twist, Liz
 Umunna, Chuka
 Vaz, rh Keith
 Vaz, Valerie
 Walker, Thelma
 Watson, Tom
 West, Catherine
 Western, Matt
 Whitehead, Dr Alan
 Whitford, Dr Philippa
 Williams, Hywel
 Williams, Dr Paul
 Williamson, Chris
 Wilson, Phil
 Wishart, Pete
 Woodcock, John
 Yasin, Mohammad
 Zeichner, Daniel

Tellers for the Ayes:
Martin Whitfield and
Heidi Alexander

NOES

Adams, Nigel
 Afolami, Bim
 Afriyie, Adam
 Aldous, Peter
 Allan, Lucy
 Allen, Heidi
 Andrew, Stuart
 Argar, Edward
 Atkins, Victoria
 Bacon, Mr Richard
 Badenoch, Mrs Kemi
 Baker, Mr Steve
 Baldwin, Harriett
 Barclay, Stephen
 Baron, Mr John
 Bebb, Guto
 Bellingham, Sir Henry
 Benyon, rh Richard
 Beresford, Sir Paul
 Berry, Jake
 Blackman, Bob
 Blunt, Crispin
 Boles, Nick
 Bone, Mr Peter
 Bottomley, Sir Peter
 Bowie, Andrew
 Bradley, Ben
 Bradley, rh Karen
 Brady, Sir Graham
 Brereton, Jack
 Bridgen, Andrew
 Brine, Steve
 Bruce, Fiona
 Buckland, Robert
 Burghart, Alex
 Burns, Conor
 Burt, rh Alistair
 Cairns, rh Alun
 Campbell, Mr Gregory
 Cartledge, James
 Cash, Sir William
 Caulfield, Maria
 Chalk, Alex
 Chishti, Rehman
 Chope, Sir Christopher
 Churchill, Jo
 Clark, Colin
 Clark, rh Greg
 Clarke, Mr Simon
 Cleverly, James
 Clifton-Brown, Sir Geoffrey
 Coffey, Dr Thérèse
 Collins, Damian
 Costa, Alberto
 Courts, Robert
 Cox, Mr Geoffrey
 Crabb, rh Stephen
 Crouch, Tracey
 Davies, Chris
 Davies, David T. C.
 Davies, Glyn
 Davies, Mims
 Davies, Philip
 Davis, rh Mr David
 Dinenage, Caroline
 Djanogly, Mr Jonathan
 Docherty, Leo
 Dodds, rh Nigel
 Donaldson, rh Sir Jeffrey
 M.
 Donelan, Michelle
 Dorries, Ms Nadine
 Double, Steve
 Dowden, Oliver
 Doyle-Price, Jackie
 Drax, Richard
 Duddridge, James
 Duguid, David
 Duncan, rh Sir Alan
 Duncan Smith, rh Mr
 Iain
 Dunne, Mr Philip
 Ellis, Michael
 Ellwood, rh Mr Tobias
 Elphicke, Charlie
 Eustice, George
 Evans, Mr Nigel
 Evannett, rh David
 Fabricant, Michael
 Fallon, rh Sir Michael
 Fernandes, Suella
 Field, rh Frank
 Field, rh Mark
 Ford, Vicky

Foster, Kevin
 Fox, rh Dr Liam
 Francois, rh Mr Mark
 Frazer, Lucy
 Freeman, George
 Freer, Mike
 Fysh, Mr Marcus
 Gale, Sir Roger
 Garnier, Mark
 Gauke, rh Mr David
 Ghani, Ms Nusrat
 Gibb, rh Nick
 Gillan, rh Dame Cheryl
 Girvan, Paul
 Glen, John
 Goldsmith, Zac
 Goodwill, Mr Robert
 Gove, rh Michael
 Graham, Luke
 Graham, Richard
 Grant, Bill
 Grant, Mrs Helen
 Gray, James
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Greening, rh Justine
 Grieve, rh Mr Dominic
 Griffiths, Andrew
 Gyimah, Mr Sam
 Hair, Kirstene
 Halfon, rh Robert
 Hall, Luke
 Hammond, rh Mr Philip
 Hammond, Stephen
 Hancock, rh Matt
 Hands, rh Greg
 Harper, rh Mr Mark
 Harrington, Richard
 Harris, Rebecca
 Harrison, Trudy
 Hart, Simon
 Hayes, rh Mr John
 Heald, rh Sir Oliver
 Heapey, James
 Heaton-Harris, Chris
 Heaton-Jones, Peter
 Henderson, Gordon
 Herbert, rh Nick
 Hinds, Damian
 Hoare, Simon
 Hoey, Kate
 Hollingbery, George
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Adam
 Howell, John
 Huddleston, Nigel
 Hughes, Eddie
 Hunt, rh Mr Jeremy
 Hurd, Mr Nick
 Jack, Mr Alister
 James, Margot
 Javid, rh Sajid
 Jayawardena, Mr Ranil
 Jenkin, Mr Bernard
 Jenkyns, Andrea
 Jenrick, Robert
 Johnson, rh Boris
 Johnson, Dr Caroline
 Johnson, Gareth
 Johnson, Joseph

Jones, Andrew
 Jones, rh Mr David
 Jones, Mr Marcus
 Kawczynski, Daniel
 Keegan, Gillian
 Kerr, Stephen
 Knight, rh Sir Greg
 Knight, Julian
 Kwarteng, Kwasi
 Lamont, John
 Lancaster, Mark
 Latham, Mrs Pauline
 Leadsom, rh Andrea
 Lee, Dr Phillip
 Lefroy, Jeremy
 Leigh, Sir Edward
 Letwin, rh Sir Oliver
 Lewer, Andrew
 Lewis, rh Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Lidington, rh Mr David
 Little Pengelly, Emma
 Lopez, Julia
 Lopresti, Jack
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Maclean, Rachel
 Main, Mrs Anne
 Mak, Alan
 Malthouse, Kit
 Mann, Scott
 Masterton, Paul
 Maynard, Paul
 McLoughlin, rh Sir Patrick
 McPartland, Stephen
 McVey, rh Ms Esther
 Menzies, Mark
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Miller, rh Mrs Maria
 Milling, Amanda
 Mills, Nigel
 Milton, rh Anne
 Mitchell, rh Mr Andrew
 Moore, Damien
 Mordaunt, rh Penny
 Morgan, rh Nicky
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morton, Wendy
 Mundell, rh David
 Murray, Mrs Sheryll
 Murrison, Dr Andrew
 Neill, Robert
 Newton, Sarah
 Nokes, Caroline
 Norman, Jesse
 O'Brien, Neil
 Offord, Dr Matthew
 Opperman, Guy
 Paisley, Ian
 Parish, Neil
 Patel, rh Priti
 Paterson, rh Mr Owen
 Pawsey, Mark
 Penning, rh Sir Mike
 Penrose, John
 Percy, Andrew

Perry, Claire
 Philp, Chris
 Pincher, Christopher
 Poulter, Dr Dan
 Pow, Rebecca
 Prentis, Victoria
 Prisk, Mr Mark
 Pritchard, Mark
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Raab, Dominic
 Redwood, rh John
 Rees-Mogg, Mr Jacob
 Robertson, Mr Laurence
 Robinson, Gavin
 Robinson, Mary
 Rosindell, Andrew
 Ross, Douglas
 Rowley, Lee
 Rudd, rh Amber
 Sandbach, Antoinette
 Scully, Paul
 Seely, Mr Bob
 Selous, Andrew
 Shannon, Jim
 Shapps, rh Grant
 Sharma, Alok
 Shelbrooke, Alec
 Simpson, David
 Simpson, rh Mr Keith
 Skidmore, Chris
 Smith, Chloe
 Smith, Henry
 Smith, rh Julian
 Smith, Royston
 Soames, rh Sir Nicholas
 Spelman, rh Dame Caroline
 Spencer, Mark
 Stephenson, Andrew
 Stevenson, John
 Stewart, Bob
 Stewart, Iain
 Stewart, Rory

Stride, rh Mel
 Stringer, Graham
 Stuart, Graham
 Sturdy, Julian
 Sunak, Rishi
 Swayne, rh Sir Desmond
 Swire, rh Sir Hugo
 Syms, Sir Robert
 Thomas, Derek
 Thomson, Ross
 Throup, Maggie
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Tredinnick, David
 Trevelyan, Mrs Anne-Marie
 Truss, rh Elizabeth
 Tugendhat, Tom
 Vaizey, rh Mr Edward
 Vara, Mr Shailesh
 Vickers, Martin
 Villiers, rh Theresa
 Walker, Mr Charles
 Walker, Mr Robin
 Wallace, rh Mr Ben
 Warburton, David
 Warman, Matt
 Watling, Giles
 Whately, Helen
 Wheeler, Mrs Heather
 Whittingdale, rh Mr John
 Wiggan, Bill
 Williamson, rh Gavin
 Wilson, Sammy
 Wollaston, Dr Sarah
 Wood, Mike
 Wragg, Mr William
 Wright, rh Jeremy
 Zahawi, Nadhim

Tellers for the Noes:

David Rutley and
 Craig Whittaker

Question accordingly negated.

Clause 7

DEALING WITH DEFICIENCIES ARISING FROM WITHDRAWAL

Amendment proposed: 2, page 5, line 6, leave out subsections (1) to (6) and insert—

“(1) A Minister of the Crown may by regulations make such provision as the Minister considers necessary to prevent, remedy or mitigate—

- (a) any failure of retained EU law to operate effectively, or
- (b) any other deficiency in retained EU law,

arising from the withdrawal of the United Kingdom from the EU.

(2) Deficiencies in retained EU law are where the Minister considers that retained EU law—

- (a) contains anything which has no practical application in relation to the United Kingdom or any part of it or is otherwise redundant or substantially redundant,
- (b) confers functions on, or in relation to, EU entities which no longer have functions in that respect under EU law in relation to the United Kingdom or any part of it,

- (c) makes provision for, or in connection with, reciprocal arrangements between—
- the United Kingdom or any part of it or a public authority in the United Kingdom, and
 - the EU, an EU entity, a member State or a public authority in a member State, which no longer exist or are no longer appropriate,
- (d) makes provision for, or in connection with, other arrangements which—
- involve the EU, an EU entity, a member State or a public authority in a member State, or
 - are otherwise dependent upon the United Kingdom's membership of the EU, and which no longer exist or are no longer appropriate,
- (e) makes provision for, or in connection with, any reciprocal or other arrangements not falling within paragraph (c) or (d) which no longer exist, or are no longer appropriate, as a result of the United Kingdom ceasing to be a party to any of the EU Treaties,
- (f) does not contain any functions or restrictions which—
- were in an EU directive and in force immediately before exit day (including any power to make EU tertiary legislation), and
 - it is appropriate to retain, or
- (g) contains EU references which are no longer appropriate.

(3) But retained EU law is not deficient merely because it does not contain any modification of EU law which is adopted or notified, comes into force or only applies on or after exit day.

(4) Regulations under this section may make any provision that could be made by an Act of Parliament.

(5) Regulations under this section may provide for—

- functions of EU entities or public authorities in member States (including making an instrument of a legislative character or providing funding) to be exercisable instead by a public authority (whether or not newly established or established for the purpose) in the United Kingdom,
- the establishment of public authorities in the United Kingdom to carry out functions provided for by regulations under this section.

(6) Regulations to which subsection (5) apply must ensure that the functions of such EU entities or public authorities are exercised with equivalent scope, purpose and effect by public authorities in the United Kingdom.

(7) But regulations under this section may not—

- impose or increase taxation,
- make retrospective provision,
- create a relevant criminal offence,
- be made to implement the withdrawal agreement,
- amend, repeal or revoke the Human Rights Act 1998 or any subordinate legislation made under it,
- amend or repeal the Northern Ireland Act 1998 (unless the regulations are made by virtue of paragraph 13(b) of Schedule 7 to this Act or are amending or repealing paragraph 38 of Schedule 3 to the Northern Ireland Act 1998 or any provision of that Act which modifies another enactment),
- contain any provision the effect of which is that, in comparison with the position immediately before the exit date—
 - any right conferred on a person by retained EU law is either removed or made less favourable,
 - any standard laid by retained EU law is lowered, or
 - any remedy, procedure or method of enforcement, in relation to any rights or standards conferred by retained EU law, is made less effective, or

- amend, repeal or revoke the Equality Act 2010 or any subordinate legislation made under that Act.”—
(*Matthew Pennycook.*)

This amendment restricts the Clause 7 powers so as to ensure they are only used as far as is necessary for the purposes of the Bill, that they do not abolish enforcement functions and that they do not reduce rights or protections.

Question put, That the amendment be made.

The House divided: Ayes 302, Noes 318.

Division No. 101]

[5.45 pm

AYES

Abbott, rh Ms Diane	Cruddas, Jon
Alexander, Heidi	Cryer, John
Ali, Rushanara	Cummins, Judith
Allin-Khan, Dr Rosena	Cunningham, Alex
Amesbury, Mike	Cunningham, Mr Jim
Antoniazzi, Tonia	Dakin, Nic
Ashworth, Jonathan	Davey, rh Sir Edward
Austin, Ian	David, Wayne
Bailey, Mr Adrian	Davies, Geraint
Bardell, Hannah	Day, Martyn
Barron, rh Sir Kevin	De Cordova, Marsha
Beckett, rh Margaret	De Piero, Gloria
Benn, rh Hilary	Debbonaire, Thangam
Betts, Mr Clive	Dent Coad, Emma
Black, Mhairi	Dhesi, Mr Tanmanjeet Singh
Blackford, rh Ian	Docherty-Hughes, Martin
Blackman, Kirsty	Dodds, Anneliese
Blackman-Woods, Dr Roberta	Doughty, Stephen
Blomfield, Paul	Dowd, Peter
Brabin, Tracy	Drew, Dr David
Bradshaw, rh Mr Ben	Dromey, Jack
Brake, rh Tom	Duffield, Rosie
Brennan, Kevin	Eagle, Ms Angela
Brock, Deidre	Eagle, Maria
Brown, Alan	Edwards, Jonathan
Brown, Lyn	Efford, Clive
Brown, rh Mr Nicholas	Elliott, Julie
Bryant, Chris	Ellman, Mrs Louise
Buck, Ms Karen	Elmore, Chris
Burden, Richard	Esterson, Bill
Burgon, Richard	Evans, Chris
Butler, Dawn	Farrelly, Paul
Byrne, rh Liam	Farron, Tim
Cable, rh Sir Vince	Fellows, Marion
Cadbury, Ruth	Fitzpatrick, Jim
Cameron, Dr Lisa	Fletcher, Colleen
Campbell, rh Mr Alan	Flint, rh Caroline
Campbell, Mr Ronnie	Flynn, Paul
Carden, Dan	Fovargue, Yvonne
Carmichael, rh Mr Alistair	Foxcroft, Vicky
Champion, Sarah	Frith, James
Chapman, Douglas	Furniss, Gill
Chapman, Jenny	Gaffney, Hugh
Charalambous, Bambos	Gapes, Mike
Cherry, Joanna	Gardiner, Barry
Clarke, rh Mr Kenneth	George, Ruth
Clwyd, rh Ann	Gethins, Stephen
Coaker, Vernon	Gibson, Patricia
Coffey, Ann	Gill, Preet Kaur
Cooper, Julie	Glindon, Mary
Cooper, Rosie	Godsiff, Mr Roger
Cooper, rh Yvette	Goodman, Helen
Corbyn, rh Jeremy	Grady, Patrick
Cowan, Ronnie	Grant, Peter
Coyle, Neil	Gray, Neil
Crawley, Angela	Green, Kate
Creagh, Mary	Greenwood, Lilian
Creasy, Stella	Greenwood, Margaret

Griffith, Nia
 Grogan, John
 Gwynne, Andrew
 Haigh, Louise
 Hamilton, Fabian
 Hardy, Emma
 Harman, rh Ms Harriet
 Harris, Carolyn
 Hayes, Helen
 Hayman, Sue
 Healey, rh John
 Hendrick, Sir Mark
 Hendry, Drew
 Hepburn, Mr Stephen
 Hermon, Lady
 Hill, Mike
 Hillier, Meg
 Hobhouse, Wera
 Hodge, rh Dame Margaret
 Hodgson, Mrs Sharon
 Hollern, Kate
 Hopkins, Kelvin
 Hosie, Stewart
 Howarth, rh Mr George
 Huq, Dr Rupa
 Hussain, Imran
 Jardine, Christine
 Jarvis, Dan
 Johnson, Diana
 Jones, Darren
 Jones, Gerald
 Jones, Helen
 Jones, Mr Kevan
 Jones, Sarah
 Jones, Susan Elan
 Kane, Mike
 Keeley, Barbara
 Kendall, Liz
 Khan, Afzal
 Killen, Ged
 Kinnock, Stephen
 Kyle, Peter
 Laird, Lesley
 Lake, Ben
 Lamb, rh Norman
 Lammy, rh Mr David
 Lavery, Ian
 Law, Chris
 Lee, Ms Karen
 Leslie, Mr Chris
 Lewell-Buck, Mrs Emma
 Lewis, Clive
 Lewis, Mr Ivan
 Linden, David
 Lloyd, Tony
 Long Bailey, Rebecca
 Lucas, Caroline
 Lucas, Ian C.
 Lynch, Holly
 MacNeil, Angus Brendan
 Madders, Justin
 Mahmood, Mr Khalid
 Mahmood, Shabana
 Malhotra, Seema
 Mann, John
 Marsden, Gordon
 Martin, Sandy
 Maskell, Rachael
 Matheson, Christian
 Mc Nally, John
 McCabe, Steve
 McCarthy, Kerry

McDonagh, Siobhain
 McDonald, Andy
 McDonald, Stewart Malcolm
 McDonald, Stuart C.
 McDonnell, rh John
 McFadden, rh Mr Pat
 McGinn, Conor
 McGovern, Alison
 McInnes, Liz
 McKinnell, Catherine
 McMahan, Jim
 McMorris, Anna
 Mearns, Ian
 Miliband, rh Edward
 Monaghan, Carol
 Moon, Mrs Madeleine
 Moran, Layla
 Morden, Jessica
 Morgan, Stephen
 Morris, Grahame
 Murray, Ian
 Nandy, Lisa
 Newlands, Gavin
 Norris, Alex
 O'Hara, Brendan
 O'Mara, Jared
 Onasanya, Fiona
 Onn, Melanie
 Onwurah, Chi
 Osamor, Kate
 Owen, Albert
 Peacock, Stephanie
 Pearce, Teresa
 Pennycook, Matthew
 Perkins, Toby
 Phillips, Jess
 Phillipson, Bridget
 Pidcock, Laura
 Platt, Jo
 Pollard, Luke
 Pound, Stephen
 Powell, Lucy
 Qureshi, Yasmin
 Rashid, Faisal
 Rayner, Angela
 Reed, Mr Steve
 Rees, Christina
 Reeves, Ellie
 Reeves, Rachel
 Reynolds, Jonathan
 Rimmer, Ms Marie
 Robinson, Mr Geoffrey
 Rodda, Matt
 Rowley, Danielle
 Ruane, Chris
 Russell-Moyle, Lloyd
 Ryan, rh Joan
 Saville Roberts, Liz
 Shah, Naz
 Sharma, Mr Virendra
 Sheerman, Mr Barry
 Sheppard, Tommy
 Sherriff, Paula
 Shuker, Mr Gavin
 Siddiq, Tulip
 Skinner, Mr Dennis
 Slaughter, Andy
 Smeeth, Ruth
 Smith, Angela
 Smith, Cat
 Smith, Eleanor
 Smith, Laura

Smith, Owen
 Smyth, Karin
 Snell, Gareth
 Sobel, Alex
 Spellar, rh John
 Starmer, rh Keir
 Stephens, Chris
 Stevens, Jo
 Stone, Jamie
 Streeting, Wes
 Sweeney, Mr Paul
 Swinson, Jo
 Tami, Mark
 Thewliss, Alison
 Thomas, Gareth
 Thomas-Symonds, Nick
 Thornberry, rh Emily
 Timms, rh Stephen
 Trickett, Jon
 Turley, Anna
 Turner, Karl
 Twigg, Derek
 Twigg, Stephen

Twist, Liz
 Umunna, Chuka
 Vaz, rh Keith
 Vaz, Valerie
 Walker, Thelma
 Watson, Tom
 West, Catherine
 Western, Matt
 Whitehead, Dr Alan
 Whitfield, Martin
 Whitford, Dr Philippa
 Williams, Hywel
 Williams, Dr Paul
 Williamson, Chris
 Wilson, Phil
 Wishart, Pete
 Woodcock, John
 Yasin, Mohammad
 Zeichner, Daniel

Tellers for the Ayes:

Nick Smith and
 Jeff Smith

NOES

Adams, Nigel
 Afolami, Bim
 Afriyie, Adam
 Aldous, Peter
 Allan, Lucy
 Allen, Heidi
 Andrew, Stuart
 Argar, Edward
 Atkins, Victoria
 Bacon, Mr Richard
 Badenoch, Mrs Kemi
 Baker, Mr Steve
 Baldwin, Harriett
 Barclay, Stephen
 Baron, Mr John
 Bebb, Guto
 Bellingham, Sir Henry
 Benyon, rh Richard
 Beresford, Sir Paul
 Berry, Jake
 Blackman, Bob
 Blunt, Crispin
 Boles, Nick
 Bone, Mr Peter
 Bottomley, Sir Peter
 Bowie, Andrew
 Bradley, Ben
 Bradley, rh Karen
 Brady, Sir Graham
 Brereton, Jack
 Bridgen, Andrew
 Brine, Steve
 Bruce, Fiona
 Buckland, Robert
 Burghart, Alex
 Burns, Conor
 Burt, rh Alistair
 Cairns, rh Alun
 Campbell, Mr Gregory
 Cartlidge, James
 Cash, Sir William
 Caulfield, Maria
 Chalk, Alex
 Chishti, Rehman
 Chope, Sir Christopher
 Churchill, Jo
 Clark, Colin
 Clark, rh Greg
 Cleverly, James
 Clifton-Brown, Sir Geoffrey
 Coffey, Dr Thérèse
 Collins, Damian
 Costa, Alberto
 Courts, Robert
 Cox, Mr Geoffrey
 Crabb, rh Stephen
 Crouch, Tracey
 Davies, Chris
 Davies, David T. C.
 Davies, Glyn
 Davies, Mims
 Davies, Philip
 Davis, rh Mr David
 Dinenage, Caroline
 Djanogly, Mr Jonathan
 Docherty, Leo
 Dodds, rh Nigel
 Donaldson, rh Sir Jeffrey M.
 Donelan, Michelle
 Dorries, Ms Nadine
 Double, Steve
 Dowden, Oliver
 Doyle-Price, Jackie
 Drax, Richard
 Duddridge, James
 Duguid, David
 Duncan, rh Sir Alan
 Duncan Smith, rh Mr Iain
 Dunne, Mr Philip
 Ellis, Michael
 Ellwood, rh Mr Tobias
 Elphicke, Charlie
 Eustice, George
 Evans, Mr Nigel
 Evnnett, rh David
 Fabricant, Michael
 Fallon, rh Sir Michael
 Fernandes, Suella
 Field, rh Mark
 Ford, Vicky
 Foster, Kevin
 Fox, rh Dr Liam

Francois, rh Mr Mark
 Frazer, Lucy
 Freeman, George
 Freer, Mike
 Fysh, Mr Marcus
 Gale, Sir Roger
 Garnier, Mark
 Gauke, rh Mr David
 Ghani, Ms Nusrat
 Gibb, rh Nick
 Gillan, rh Dame Cheryl
 Girvan, Paul
 Glen, John
 Goldsmith, Zac
 Goodwill, Mr Robert
 Gove, rh Michael
 Graham, Luke
 Graham, Richard
 Grant, Bill
 Grant, Mrs Helen
 Gray, James
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Greening, rh Justine
 Grieve, rh Mr Dominic
 Griffiths, Andrew
 Gyimah, Mr Sam
 Hair, Kirstene
 Halfon, rh Robert
 Hall, Luke
 Hammond, rh Mr Philip
 Hammond, Stephen
 Hancock, rh Matt
 Hands, rh Greg
 Harper, rh Mr Mark
 Harrington, Richard
 Harris, Rebecca
 Harrison, Trudy
 Hart, Simon
 Hayes, rh Mr John
 Heald, rh Sir Oliver
 Heappey, James
 Heaton-Harris, Chris
 Heaton-Jones, Peter
 Henderson, Gordon
 Herbert, rh Nick
 Hinds, Damian
 Hoare, Simon
 Hollingbery, George
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Adam
 Howell, John
 Huddleston, Nigel
 Hughes, Eddie
 Hunt, rh Mr Jeremy
 Hurd, Mr Nick
 Jack, Mr Alister
 James, Margot
 Javid, rh Sajid
 Jayawardena, Mr Ranil
 Jenkin, Mr Bernard
 Jenkyns, Andrea
 Jenrick, Robert
 Johnson, rh Boris
 Johnson, Dr Caroline
 Johnson, Gareth
 Johnson, Joseph
 Jones, Andrew
 Jones, rh Mr David
 Jones, Mr Marcus

Kawczynski, Daniel
 Keegan, Gillian
 Kerr, Stephen
 Knight, rh Sir Greg
 Knight, Julian
 Kwarteng, Kwasi
 Lamont, John
 Lancaster, Mark
 Latham, Mrs Pauline
 Leadsom, rh Andrea
 Lee, Dr Phillip
 Lefroy, Jeremy
 Leigh, Sir Edward
 Letwin, rh Sir Oliver
 Lewer, Andrew
 Lewis, rh Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Lidington, rh Mr David
 Little Pengelly, Emma
 Lopez, Julia
 Lopresti, Jack
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Maclean, Rachel
 Main, Mrs Anne
 Mak, Alan
 Malthouse, Kit
 Mann, Scott
 Masterton, Paul
 Maynard, Paul
 McLoughlin, rh Sir Patrick
 McPartland, Stephen
 McVey, rh Ms Esther
 Menzies, Mark
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Miller, rh Mrs Maria
 Milling, Amanda
 Mills, Nigel
 Milton, rh Anne
 Mitchell, rh Mr Andrew
 Moore, Damien
 Mordaunt, rh Penny
 Morgan, rh Nicky
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morton, Wendy
 Mundell, rh David
 Murray, Mrs Sheryll
 Murrison, Dr Andrew
 Neill, Robert
 Newton, Sarah
 Nokes, Caroline
 Norman, Jesse
 O'Brien, Neil
 Offord, Dr Matthew
 Opperman, Guy
 Paisley, Ian
 Parish, Neil
 Patel, rh Priti
 Paterson, rh Mr Owen
 Pawsey, Mark
 Penning, rh Sir Mike
 Penrose, John
 Percy, Andrew
 Pery, Claire
 Philp, Chris
 Pincher, Christopher

Poulter, Dr Dan
 Pow, Rebecca
 Prentis, Victoria
 Prisk, Mr Mark
 Pritchard, Mark
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Raab, Dominic
 Redwood, rh John
 Rees-Mogg, Mr Jacob
 Robertson, Mr Laurence
 Robinson, Gavin
 Robinson, Mary
 Rosindell, Andrew
 Ross, Douglas
 Rowley, Lee
 Rudd, rh Amber
 Sandbach, Antoinette
 Scully, Paul
 Seely, Mr Bob
 Selous, Andrew
 Shannon, Jim
 Shapps, rh Grant
 Sharma, Alok
 Shelbrooke, Alec
 Simpson, David
 Simpson, rh Mr Keith
 Skidmore, Chris
 Smith, Chloe
 Smith, Henry
 Smith, rh Julian
 Smith, Royston
 Soames, rh Sir Nicholas
 Soubry, rh Anna
 Spelman, rh Dame Caroline
 Spencer, Mark
 Stephenson, Andrew
 Stevenson, John
 Stewart, Bob
 Stewart, Iain
 Stewart, Rory
 Stride, rh Mel

Stuart, Graham
 Sturdy, Julian
 Sunak, Rishi
 Swayne, rh Sir Desmond
 Swire, rh Sir Hugo
 Syms, Sir Robert
 Thomas, Derek
 Thomson, Ross
 Throup, Maggie
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Tredinnick, David
 Trevelyan, Mrs Anne-Marie
 Truss, rh Elizabeth
 Tugendhat, Tom
 Vaizey, rh Mr Edward
 Vara, Mr Shailesh
 Vickers, Martin
 Villiers, rh Theresa
 Walker, Mr Charles
 Walker, Mr Robin
 Wallace, rh Mr Ben
 Warburton, David
 Warman, Matt
 Watling, Giles
 Whately, Helen
 Wheeler, Mrs Heather
 Whittingdale, rh Mr John
 Wiggin, Bill
 Williamson, rh Gavin
 Wilson, Sammy
 Wollaston, Dr Sarah
 Wood, Mike
 Wragg, Mr William
 Wright, rh Jeremy
 Zahawi, Nadhim

Tellers for the Noes:
Craig Whittaker and
David Rutley

Question accordingly negated.

Amendments made: 14, page 5, line 11, leave out “include (but are not limited to)” and insert “are”.

This amendment ensures that the deficiencies identified in Clause 7(2) form an exhaustive list rather than an illustrative list. Therefore nothing can be a deficiency for the purposes of Clause 7 unless it is identified in Clause 7(2) or provided for by Clause 7(2A) (for which see amendment 15).

Amendment 15, page 5, line 41, at end insert—

“(2A) There is also a deficiency in retained EU law where the Minister considers that there is—

- (a) anything in retained EU law which is of a similar kind to any deficiency which falls within subsection (2), or
- (b) a deficiency in retained EU law of a kind described, or provided for, in regulations made by a Minister of the Crown.”

This amendment provides that anything which is of a similar kind to any deficiency falling within paragraphs (a) to (g) of Clause 7(2) is also a deficiency for the purposes of Clause 7. It also provides for a Minister of the Crown to describe, or provide for, other deficiencies in regulations. Both changes are to be read in the light of amendment 14 which restricts the type of things that can be deficiencies for the purposes of Clause 7.

Amendment 16, page 5, line 45, leave out “this section” and insert “subsection (1)”.

This amendment is consequential on amendment 15.

Amendment 17, page 6, line 1, leave out “this section” and insert “subsection (1)”.

This amendment is consequential on amendment 15.

Amendment 18, page 6, line 10, leave out “this section” and insert “subsection (1)”.

This amendment is consequential on amendment 15.

Amendment 19, page 6, line 12, leave out “this section” and insert “subsection (1)”.—(*Mr Baker.*)

This amendment is consequential on amendment 15.

Clause 9

IMPLEMENTING THE WITHDRAWAL AGREEMENT

Amendment proposed: 59, page 7, line 16, at end insert—

“(5) No regulations may be made under this section until the Secretary of State has signed an agreement with the European Union guaranteeing that the United Kingdom will remain a permanent member of the EU single market and customs union.”—(*Peter Grant.*)

This amendment would mean the UK would confirm its continued membership of the single market and customs union before Ministers of the Crown carry out any actions under Clause 9 of the Bill.

Question put, That the amendment be made.

The House divided: Ayes 99, Noes 322.

Division No. 102]

[5.59 pm

AYES

Alexander, Heidi	Gethins, Stephen
Ali, Rushanara	Gibson, Patricia
Bardell, Hannah	Grady, Patrick
Black, Mhairi	Grant, Peter
Blackford, rh Ian	Gray, Neil
Blackman, Kirsty	Green, Kate
Bradshaw, rh Mr Ben	Grogan, John
Brake, rh Tom	Hayes, Helen
Brock, Deidre	Hendry, Drew
Brown, Alan	Hermon, Lady
Bryant, Chris	Hillier, Meg
Cable, rh Sir Vince	Hobhouse, Wera
Cadbury, Ruth	Hodge, rh Dame Margaret
Cameron, Dr Lisa	Hosie, Stewart
Carmichael, rh Mr Alistair	Jardine, Christine
Chapman, Douglas	Jones, Darren
Cherry, Joanna	Jones, Susan Elan
Clarke, rh Mr Kenneth	Kendall, Liz
Clwyd, rh Ann	Kyle, Peter
Coffey, Ann	Lake, Ben
Cowan, Ronnie	Lamb, rh Norman
Coyle, Neil	Lammy, rh Mr David
Crawley, Angela	Law, Chris
Creagh, Mary	Leslie, Mr Chris
Creasy, Stella	Lucas, Caroline
Davey, rh Sir Edward	MacNeil, Angus Brendan
Davies, Geraint	Mc Nally, John
Day, Martyn	McCarthy, Kerry
Docherty-Hughes, Martin	McDonagh, Siobhain
Doughty, Stephen	McDonald, Stewart Malcolm
Eagle, Maria	McDonald, Stuart C.
Edwards, Jonathan	McFadden, rh Mr Pat
Ellman, Mrs Louise	McGovern, Alison
Farron, Tim	McKinnell, Catherine
Gapes, Mike	Monaghan, Carol

Moon, Mrs Madeleine
Moran, Layla
Murray, Ian
Newlands, Gavin
O'Hara, Brendan
Owen, Albert
Ryan, rh Joan
Saville Roberts, Liz
Sheerman, Mr Barry
Sheppard, Tommy
Shuker, Mr Gavin
Siddiq, Tulip
Slaughter, Andy
Smith, Angela
Sobel, Alex
Stephens, Chris

Stevens, Jo
Stone, Jamie
Streeting, Wes
Swinson, Jo
Thewliss, Alison
Umunna, Chuka
Vaz, rh Keith
West, Catherine
Whitford, Dr Philippa
Williams, Hywel
Williams, Dr Paul
Wishart, Pete
Zeichner, Daniel

Tellers for the Ayes:
David Linden and
Marion Fellows

NOES

Adams, Nigel	Courts, Robert
Afolami, Bim	Cox, Mr Geoffrey
Afriyie, Adam	Crabb, rh Stephen
Aldous, Peter	Crouch, Tracey
Allan, Lucy	Davies, Chris
Allen, Heidi	Davies, David T. C.
Argar, Edward	Davies, Glyn
Atkins, Victoria	Davies, Mims
Bacon, Mr Richard	Davies, Philip
Badenoch, Mrs Kemi	Davis, rh Mr David
Baker, Mr Steve	Dinenage, Caroline
Baldwin, Harriett	Djanogly, Mr Jonathan
Barclay, Stephen	Docherty, Leo
Baron, Mr John	Dodds, rh Nigel
Bebb, Guto	Donaldson, rh Sir Jeffrey M.
Bellingham, Sir Henry	Donelan, Michelle
Benyon, rh Richard	Dorries, Ms Nadine
Beresford, Sir Paul	Double, Steve
Berry, Jake	Dowden, Oliver
Blackman, Bob	Doyle-Price, Jackie
Blunt, Crispin	Drax, Richard
Boles, Nick	Duddridge, James
Bone, Mr Peter	Duguid, David
Bottomley, Sir Peter	Duncan, rh Sir Alan
Bowie, Andrew	Duncan Smith, rh Mr Iain
Bradley, Ben	Dunne, Mr Philip
Bradley, rh Karen	Ellis, Michael
Brady, Sir Graham	Ellwood, rh Mr Tobias
Brereton, Jack	Elphicke, Charlie
Bridgen, Andrew	Eustice, George
Brine, Steve	Evans, Mr Nigel
Bruce, Fiona	Evennett, rh David
Buckland, Robert	Fabricant, Michael
Burghart, Alex	Fallon, rh Sir Michael
Burns, Conor	Fernandes, Suella
Burt, rh Alistair	Field, rh Frank
Cairns, rh Alun	Field, rh Mark
Campbell, Mr Gregory	Ford, Vicky
Cartledge, James	Foster, Kevin
Cash, Sir William	Fox, rh Dr Liam
Caulfield, Maria	Francois, rh Mr Mark
Chalk, Alex	Frazer, Lucy
Chishti, Rehman	Freeman, George
Chope, Sir Christopher	Freer, Mike
Churchill, Jo	Fysh, Mr Marcus
Clark, Colin	Gale, Sir Roger
Clark, rh Greg	Garnier, Mark
Clarke, Mr Simon	Gauke, rh Mr David
Cleverly, James	Ghani, Ms Nusrat
Clifton-Brown, Sir Geoffrey	Gibb, rh Nick
Coffey, Dr Thérèse	Gillan, rh Dame Cheryl
Collins, Damian	Girvan, Paul
Costa, Alberto	Glen, John

Goldsmith, Zac
 Goodwill, Mr Robert
 Gove, rh Michael
 Graham, Luke
 Graham, Richard
 Grant, Bill
 Grant, Mrs Helen
 Gray, James
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Greening, rh Justine
 Grieve, rh Mr Dominic
 Griffiths, Andrew
 Gyimah, Mr Sam
 Hair, Kirstene
 Halfon, rh Robert
 Hall, Luke
 Hammond, rh Mr Philip
 Hammond, Stephen
 Hancock, rh Matt
 Hands, rh Greg
 Harper, rh Mr Mark
 Harrington, Richard
 Harris, Rebecca
 Harrison, Trudy
 Hart, Simon
 Hayes, rh Mr John
 Heald, rh Sir Oliver
 Heapey, James
 Heaton-Jones, Peter
 Henderson, Gordon
 Herbert, rh Nick
 Hinds, Damian
 Hoare, Simon
 Hoey, Kate
 Hollingbery, George
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Adam
 Hopkins, Kelvin
 Howell, John
 Huddleston, Nigel
 Hughes, Eddie
 Hunt, rh Mr Jeremy
 Hurd, Mr Nick
 Jack, Mr Alister
 James, Margot
 Javid, rh Sajid
 Jayawardena, Mr Ranil
 Jenkin, Mr Bernard
 Jenkyns, Andrea
 Jenrick, Robert
 Johnson, rh Boris
 Johnson, Dr Caroline
 Johnson, Gareth
 Johnson, Joseph
 Jones, Andrew
 Jones, rh Mr David
 Jones, Mr Marcus
 Kawczynski, Daniel
 Keegan, Gillian
 Kerr, Stephen
 Knight, rh Sir Greg
 Knight, Julian
 Kwarteng, Kwasi
 Lamont, John
 Lancaster, Mark
 Latham, Mrs Pauline
 Leadsom, rh Andrea
 Lee, Dr Phillip
 Lefroy, Jeremy

Leigh, Sir Edward
 Letwin, rh Sir Oliver
 Lewer, Andrew
 Lewis, rh Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Lidington, rh Mr David
 Little Pengelly, Emma
 Lopez, Julia
 Lopresti, Jack
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Maclean, Rachel
 Main, Mrs Anne
 Mak, Alan
 Malthouse, Kit
 Mann, Scott
 Masterton, Paul
 Maynard, Paul
 McLoughlin, rh Sir Patrick
 McPartland, Stephen
 McVey, rh Ms Esther
 Menzies, Mark
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Miller, rh Mrs Maria
 Milling, Amanda
 Mills, Nigel
 Milton, rh Anne
 Mitchell, rh Mr Andrew
 Moore, Damien
 Mordaunt, rh Penny
 Morgan, rh Nicky
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morton, Wendy
 Mundell, rh David
 Murray, Mrs Sheryll
 Murrison, Dr Andrew
 Neill, Robert
 Newton, Sarah
 Nokes, Caroline
 Norman, Jesse
 O'Brien, Neil
 Offord, Dr Matthew
 Opperman, Guy
 Paisley, Ian
 Parish, Neil
 Patel, rh Priti
 Paterson, rh Mr Owen
 Pawsey, Mark
 Penning, rh Sir Mike
 Penrose, John
 Percy, Andrew
 Perry, Claire
 Philp, Chris
 Pincher, Christopher
 Poulter, Dr Dan
 Pow, Rebecca
 Prentis, Victoria
 Prisk, Mr Mark
 Pritchard, Mark
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Raab, Dominic
 Redwood, rh John
 Rees-Mogg, Mr Jacob
 Robertson, Mr Laurence

Robinson, Gavin
 Robinson, Mary
 Rosindell, Andrew
 Ross, Douglas
 Rowley, Lee
 Rudd, rh Amber
 Rutley, David
 Sandbach, Antoinette
 Scully, Paul
 Seely, Mr Bob
 Selous, Andrew
 Shannon, Jim
 Shapps, rh Grant
 Sharma, Alok
 Shelbrooke, Alec
 Simpson, David
 Simpson, rh Mr Keith
 Skidmore, Chris
 Smith, Chloe
 Smith, Henry
 Smith, rh Julian
 Smith, Royston
 Soames, rh Sir Nicholas
 Soubry, rh Anna
 Spelman, rh Dame Caroline
 Spencer, Mark
 Stephenson, Andrew
 Stevenson, John
 Stewart, Bob
 Stewart, Iain
 Stewart, Rory
 Stride, rh Mel
 Stringer, Graham
 Stuart, Graham
 Sturdy, Julian
 Sunak, Rishi
 Swayne, rh Sir Desmond
 Swire, rh Sir Hugo

Syms, Sir Robert
 Thomas, Derek
 Thomson, Ross
 Throup, Maggie
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Tredinnick, David
 Trevelyan, Mrs Anne-Marie
 Truss, rh Elizabeth
 Tugendhat, Tom
 Vaizey, rh Mr Edward
 Vara, Mr Shailesh
 Vickers, Martin
 Villiers, rh Theresa
 Walker, Mr Charles
 Walker, Mr Robin
 Wallace, rh Mr Ben
 Warburton, David
 Warman, Matt
 Watling, Giles
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggan, Bill
 Williamson, rh Gavin
 Wilson, Sammy
 Wollaston, Dr Sarah
 Wood, Mike
 Wragg, Mr William
 Wright, rh Jeremy
 Zahawi, Nadhim

Tellers for the Noes:
Chris Heaton-Harris and
Stuart Andrew

Question accordingly negated.

Clause 14

INTERPRETATION

Amendment proposed: 1, page 11, line 40, at end insert—

“(2A) Subsection (2B) applies if any “exit day” appointed in this Act is not in accordance with any transitional arrangements agreed under Article 50 of the Treaty of the European Union.

(2B) A Minister of the Crown may by regulations—

- (a) amend the definition of “exit day” in the relevant sections to ensure that the day and time specified are in accordance with any transitional arrangements agreed under Article 50 of the Treaty of the European Union, and
- (b) amend subsection (2) in consequence of any such amendment.

(2C) Regulations under subsection (2B) are subject to the affirmative procedure.”—(*Matthew Pennycook.*)

This amendment ensures that the Bill can facilitate transitional arrangements within the single market and customs union.

Question put, That the amendment be made.

The House divided: Ayes 302, Noes 321.

Division No. 103]

[6.12 pm

AYES

Abbott, rh Ms Diane
 Abrahams, Debbie
 Alexander, Heidi
 Ali, Rushanara

Allin-Khan, Dr Rosena
 Amesbury, Mike
 Antoniazzi, Tonia
 Ashworth, Jonathan

Austin, Ian	Duffield, Rosie	Keeley, Barbara	Phillips, Jess
Bailey, Mr Adrian	Eagle, Ms Angela	Kendall, Liz	Phillipson, Bridget
Bardell, Hannah	Eagle, Maria	Khan, Afzal	Pidcock, Laura
Barron, rh Sir Kevin	Edwards, Jonathan	Killen, Ged	Platt, Jo
Beckett, rh Margaret	Efford, Clive	Kinnock, Stephen	Pollard, Luke
Benn, rh Hilary	Elliott, Julie	Kyle, Peter	Pound, Stephen
Betts, Mr Clive	Ellman, Mrs Louise	Laird, Lesley	Powell, Lucy
Black, Mhairi	Elmore, Chris	Lake, Ben	Qureshi, Yasmin
Blackford, rh Ian	Esterson, Bill	Lamb, rh Norman	Rashid, Faisal
Blackman, Kirsty	Evans, Chris	Lammy, rh Mr David	Rayner, Angela
Blackman-Woods, Dr Roberta	Farrelly, Paul	Lavery, Ian	Reed, Mr Steve
Blomfield, Paul	Farron, Tim	Law, Chris	Rees, Christina
Brabin, Tracy	Fellows, Marion	Lee, Ms Karen	Reeves, Ellie
Bradshaw, rh Mr Ben	Fitzpatrick, Jim	Leslie, Mr Chris	Reeves, Rachel
Brake, rh Tom	Fletcher, Colleen	Lewell-Buck, Mrs Emma	Reynolds, Jonathan
Brennan, Kevin	Flint, rh Caroline	Lewis, Clive	Rimmer, Ms Marie
Brock, Deidre	Flynn, Paul	Lewis, Mr Ivan	Robinson, Mr Geoffrey
Brown, Alan	Fovargue, Yvonne	Linden, David	Rodda, Matt
Brown, Lyn	Foxcroft, Vicky	Lloyd, Tony	Rowley, Danielle
Brown, rh Mr Nicholas	Frith, James	Long Bailey, Rebecca	Ruane, Chris
Bryant, Chris	Furniss, Gill	Lucas, Caroline	Russell-Moyle, Lloyd
Buck, Ms Karen	Gaffney, Hugh	Lucas, Ian C.	Ryan, rh Joan
Burden, Richard	Gapes, Mike	Lynch, Holly	Saville Roberts, Liz
Burgon, Richard	Gardiner, Barry	MacNeil, Angus Brendan	Shah, Naz
Butler, Dawn	George, Ruth	Madders, Justin	Sharma, Mr Virendra
Byrne, rh Liam	Gethins, Stephen	Mahmood, Mr Khalid	Sheerman, Mr Barry
Cable, rh Sir Vince	Gibson, Patricia	Mahmood, Shabana	Sheppard, Tommy
Cadbury, Ruth	Gill, Preet Kaur	Malhotra, Seema	Sherriff, Paula
Cameron, Dr Lisa	Glindon, Mary	Mann, John	Shuker, Mr Gavin
Campbell, rh Mr Alan	Godsiff, Mr Roger	Marsden, Gordon	Siddiq, Tulip
Campbell, Mr Ronnie	Goodman, Helen	Martin, Sandy	Skinner, Mr Dennis
Carden, Dan	Grady, Patrick	Maskell, Rachael	Slaughter, Andy
Carmichael, rh Mr Alistair	Grant, Peter	Matheson, Christian	Smeeth, Ruth
Champion, Sarah	Gray, Neil	Mc Nally, John	Smith, Angela
Chapman, Douglas	Green, Kate	McCabe, Steve	Smith, Cat
Chapman, Jenny	Greenwood, Lilian	McCarthy, Kerry	Smith, Eleanor
Charalambous, Bambos	Greenwood, Margaret	McDonagh, Siobhain	Smith, Laura
Cherry, Joanna	Griffith, Nia	McDonald, Andy	Smith, Owen
Clarke, rh Mr Kenneth	Grogan, John	McDonald, Stewart Malcolm	Smyth, Karin
Clwyd, rh Ann	Gwynne, Andrew	McDonald, Stuart C.	Snell, Gareth
Coaker, Vernon	Haight, Louise	McDonnell, rh John	Sobel, Alex
Coffey, Ann	Hamilton, Fabian	McFadden, rh Mr Pat	Spellar, rh John
Cooper, Julie	Hardy, Emma	McGinn, Conor	Starmer, rh Keir
Cooper, Rosie	Harman, rh Ms Harriet	McGovern, Alison	Stephens, Chris
Cooper, rh Yvette	Harris, Carolyn	McInnes, Liz	Stevens, Jo
Corbyn, rh Jeremy	Hayes, Helen	McKinnell, Catherine	Stone, Jamie
Cowan, Ronnie	Hayman, Sue	McMahon, Jim	Streeting, Wes
Coyle, Neil	Healey, rh John	McMorrin, Anna	Sweeney, Mr Paul
Crawley, Angela	Hendrick, Sir Mark	Mearns, Ian	Swinson, Jo
Creagh, Mary	Hendry, Drew	Miliband, rh Edward	Tami, Mark
Creasy, Stella	Hepburn, Mr Stephen	Monaghan, Carol	Thewliss, Alison
Cruddas, Jon	Hermon, Lady	Moon, Mrs Madeleine	Thomas, Gareth
Cryer, John	Hill, Mike	Moran, Layla	Thomas-Symonds, Nick
Cummins, Judith	Hillier, Meg	Morden, Jessica	Thornberry, rh Emily
Cunningham, Alex	Hobhouse, Wera	Morgan, Stephen	Timms, rh Stephen
Cunningham, Mr Jim	Hodge, rh Dame Margaret	Morris, Grahame	Trickett, Jon
Dakin, Nic	Hodgson, Mrs Sharon	Murray, Ian	Turley, Anna
Davey, rh Sir Edward	Hollern, Kate	Nandy, Lisa	Turner, Karl
David, Wayne	Hosie, Stewart	Newlands, Gavin	Twigg, Derek
Davies, Geraint	Howarth, rh Mr George	Norris, Alex	Twigg, Stephen
Day, Martyn	Huq, Dr Rupa	O'Hara, Brendan	Twist, Liz
De Cordova, Marsha	Hussain, Imran	O'Mara, Jared	Umunna, Chuka
De Piero, Gloria	Jardine, Christine	Onasanya, Fiona	Vaz, rh Keith
Debbonaire, Thangam	Jarvis, Dan	Onn, Melanie	Vaz, Valerie
Dent Coad, Emma	Johnson, Diana	Onwurah, Chi	Walker, Thelma
Dhesi, Mr Tanmanjeet Singh	Jones, Darren	Osamor, Kate	Watson, Tom
Docherty-Hughes, Martin	Jones, Gerald	Owen, Albert	West, Catherine
Dodds, Anneliese	Jones, Helen	Peacock, Stephanie	Western, Matt
Doughty, Stephen	Jones, Mr Kevan	Pearce, Teresa	Whitehead, Dr Alan
Dowd, Peter	Jones, Sarah	Pennycook, Matthew	Whitfield, Martin
Drew, Dr David	Jones, Susan Elan	Perkins, Toby	Whitford, Dr Philippa
Dromey, Jack	Kane, Mike		

Williams, Hywel
Williams, Dr Paul
Williamson, Chris
Wilson, Phil
Wishart, Pete
Woodcock, John

Yasin, Mohammad
Zeichner, Daniel

Tellers for the Ayes:

**Nick Smith and
Jeff Smith**

NOES

Adams, Nigel
Afolami, Bim
Afriyie, Adam
Aldous, Peter
Allan, Lucy
Allen, Heidi
Argar, Edward
Atkins, Victoria
Bacon, Mr Richard
Badenoch, Mrs Kemi
Baker, Mr Steve
Baldwin, Harriett
Barclay, Stephen
Baron, Mr John
Bebb, Guto
Bellingham, Sir Henry
Benyon, rh Richard
Beresford, Sir Paul
Berry, Jake
Blackman, Bob
Blunt, Crispin
Boles, Nick
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Brady, Sir Graham
Brereton, Jack
Bridgen, Andrew
Brine, Steve
Bruce, Fiona
Buckland, Robert
Burghart, Alex
Burns, Conor
Burt, rh Alistair
Cairns, rh Alun
Campbell, Mr Gregory
Cartlidge, James
Cash, Sir William
Caulfield, Maria
Chalk, Alex
Chishti, Rehman
Chope, Sir Christopher
Churchill, Jo
Clark, Colin
Clark, rh Greg
Clarke, Mr Simon
Cleverly, James
Clifton-Brown, Sir Geoffrey
Coffey, Dr Thérèse
Collins, Damian
Costa, Alberto
Courts, Robert
Cox, Mr Geoffrey
Crabb, rh Stephen
Crouch, Tracey
Davies, Chris
Davies, David T. C.
Davies, Glyn
Davies, Mims
Davies, Philip
Davis, rh Mr David

Dinenage, Caroline
Djanogly, Mr Jonathan
Docherty, Leo
Dodds, rh Nigel
Donaldson, rh Sir Jeffrey M.
Donelan, Michelle
Dorries, Ms Nadine
Double, Steve
Dowden, Oliver
Doyle-Price, Jackie
Drax, Richard
Duddridge, James
Duguid, David
Duncan, rh Sir Alan
Duncan Smith, rh Mr Iain
Dunne, Mr Philip
Ellis, Michael
Ellwood, rh Mr Tobias
Elphicke, Charlie
Eustice, George
Evans, Mr Nigel
Evennett, rh David
Fabricant, Michael
Fallon, rh Sir Michael
Fernandes, Suella
Field, rh Frank
Field, rh Mark
Ford, Vicky
Foster, Kevin
Fox, rh Dr Liam
Francois, rh Mr Mark
Frazer, Lucy
Freeman, George
Freer, Mike
Fysh, Mr Marcus
Gale, Sir Roger
Garnier, Mark
Gauke, rh Mr David
Ghani, Ms Nusrat
Gibb, rh Nick
Gillan, rh Dame Cheryl
Girvan, Paul
Glen, John
Goldsmith, Zac
Goodwill, Mr Robert
Gove, rh Michael
Graham, Luke
Graham, Richard
Grant, Bill
Grant, Mrs Helen
Gray, James
Grayling, rh Chris
Green, Chris
Green, rh Damian
Greening, rh Justine
Grieve, rh Mr Dominic
Griffiths, Andrew
Gyimah, Mr Sam
Hair, Kirstene
Halfon, rh Robert
Hall, Luke
Hammond, rh Mr Philip
Hammond, Stephen

Hancock, rh Matt
Hands, rh Greg
Harper, rh Mr Mark
Harrington, Richard
Harris, Rebecca
Harrison, Trudy
Hart, Simon
Hayes, rh Mr John
Heald, rh Sir Oliver
Heapey, James
Heaton-Harris, Chris
Heaton-Jones, Peter
Henderson, Gordon
Herbert, rh Nick
Hinds, rh Damian
Hoare, Simon
Hoey, Kate
Hollingbery, George
Hollinrake, Kevin
Hollobone, Mr Philip
Holloway, Adam
Howell, John
Huddleston, Nigel
Hughes, Eddie
Hunt, rh Mr Jeremy
Hurd, Mr Nick
Jack, Mr Alister
James, Margot
Javid, rh Sajid
Jayawardena, Mr Ranil
Jenkin, Mr Bernard
Jenkyns, Andrea
Jenrick, Robert
Johnson, rh Boris
Johnson, Dr Caroline
Johnson, Gareth
Johnson, Joseph
Jones, Andrew
Jones, rh Mr David
Jones, Mr Marcus
Kawczynski, Daniel
Keegan, Gillian
Kerr, Stephen
Knight, rh Sir Greg
Knight, Julian
Kwarteng, Kwasi
Lamont, John
Lancaster, Mark
Latham, Mrs Pauline
Leadsom, rh Andrea
Lee, Dr Phillip
Lefroy, Jeremy
Leigh, Sir Edward
Letwin, rh Sir Oliver
Lewer, Andrew
Lewis, rh Brandon
Lewis, rh Dr Julian
Liddell-Grainger, Mr Ian
Lidington, rh Mr David
Little Pengelly, Emma
Lopez, Julia
Lopresti, Jack
Lord, Mr Jonathan
Loughton, Tim
Mackinlay, Craig
Maclean, Rachel
Main, Mrs Anne
Mak, Alan
Malthouse, Kit
Mann, Scott
Masterton, Paul
Maynard, Paul

McLoughlin, rh Sir Patrick
McPartland, Stephen
McVey, rh Ms Esther
Menzies, Mark
Mercer, Johnny
Merriman, Huw
Metcalf, Stephen
Miller, rh Mrs Maria
Milling, Amanda
Mills, Nigel
Milton, rh Anne
Mitchell, rh Mr Andrew
Moore, Damien
Mordaunt, rh Penny
Morgan, rh Nicky
Morris, Anne Marie
Morris, David
Morris, James
Morton, Wendy
Mundell, rh David
Murray, Mrs Sheryll
Murrison, Dr Andrew
Neill, Robert
Newton, Sarah
Nokes, rh Caroline
Norman, Jesse
O'Brien, Neil
Offord, Dr Matthew
Opperman, Guy
Paisley, Ian
Parish, Neil
Patel, rh Priti
Paterson, rh Mr Owen
Pawsey, Mark
Penning, rh Sir Mike
Penrose, John
Percy, Andrew
Perry, rh Claire
Philp, Chris
Pincher, Christopher
Poulter, Dr Dan
Pow, Rebecca
Prentis, Victoria
Prisk, Mr Mark
Pritchard, Mark
Pursglove, Tom
Quin, Jeremy
Quince, Will
Raab, Dominic
Redwood, rh John
Rees-Mogg, Mr Jacob
Robertson, Mr Laurence
Robinson, Gavin
Robinson, Mary
Rosindell, Andrew
Ross, Douglas
Rowley, Lee
Rudd, rh Amber
Rutley, David
Sandbach, Antoinette
Scully, Paul
Seely, Mr Bob
Selous, Andrew
Shannon, Jim
Shapps, rh Grant
Sharma, Alok
Shelbrooke, Alec
Simpson, David
Simpson, rh Mr Keith
Skidmore, Chris
Smith, Chloe
Smith, Henry

Smith, rh Julian
 Smith, Royston
 Soames, rh Sir Nicholas
 Soubry, rh Anna
 Spelman, rh Dame Caroline
 Spencer, Mark
 Stevenson, John
 Stewart, Bob
 Stewart, Iain
 Stewart, Rory
 Stride, rh Mel
 Stringer, Graham
 Stuart, Graham
 Sturdy, Julian
 Sunak, Rishi
 Swayne, rh Sir Desmond
 Swire, rh Sir Hugo
 Syms, Sir Robert
 Thomas, Derek
 Thomson, Ross
 Throup, Maggie
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Tredinnick, David
 Trevelyan, Mrs Anne-Marie

Truss, rh Elizabeth
 Tugendhat, Tom
 Vaizey, rh Mr Edward
 Vara, Mr Shailesh
 Vickers, Martin
 Villiers, rh Theresa
 Walker, Mr Charles
 Walker, Mr Robin
 Wallace, rh Mr Ben
 Warburton, David
 Warman, Matt
 Watling, Giles
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggin, Bill
 Williamson, rh Gavin
 Wilson, Sammy
 Wollaston, Dr Sarah
 Wood, Mike
 Wragg, Mr William
 Wright, rh Jeremy
 Zahawi, Nadhim

Tellers for the Noes:
Andrew Stephenson and
Stuart Andrew

Question accordingly negated.

Clause 18

EXTENT

Amendment made: 20, page 14, line 34, leave out “section 7” and insert “section 7(1)”. —(Mr Baker.)

This amendment is consequential on amendment 15.

Schedule 7

REGULATIONS

Amendments made: 30, page 40, line 13, leave out “7” and insert “7(1)”.

This amendment is consequential on amendment 15.

Amendment 31, page 40, line 30, leave out “7” and insert “7(1)”.

This amendment is consequential on amendment 15.

Amendment 32, page 40, line 35, at end insert—

“() A statutory instrument containing regulations under section 7(2A)(b) (including as applied by paragraph 1(3) of Schedule 2) may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.”

This amendment is consequential on amendment 15.

Amendment 33, page 46, line 37, at end insert—

“Power to amend the definition of “exit day”

9A A statutory instrument containing regulations under section 14(4) may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.”

This amendment ensures that the power in Clause 14(4) to amend the definition of “exit day” is subject to the affirmative procedure.

Amendment 34, page 50, line 29, leave out “7” and insert “7(1)”.

This amendment is consequential on amendment 15.

Amendment 35, page 50, line 30, after “Parliament” insert

“or before the House of Commons only”.

This amendment ensures that the requirement for a Minister of the Crown to make an explanatory statement as to appropriateness and equalities etc. applies before a draft instrument containing regulations under Clause 7(1), 8 or 9 is laid before the House of Commons for the purposes of sifting as well as in other cases.

Amendment 36, page 51, line 22, after “Houses” insert

“or before the House of Commons only”. —(Mr Baker.)

This amendment ensures that, where a Minister of the Crown has been required to make an explanatory statement as to appropriateness and equalities etc. before a draft instrument containing regulations under Clause 7(1), 8 or 9 is laid before the House of Commons for the purposes of sifting, there is no need to make a further statement after sifting when an equivalent instrument is laid before both Houses of Parliament after being made or as a draft affirmative instrument.

Schedule 8

CONSEQUENTIAL, TRANSITIONAL, TRANSITORY AND SAVING PROVISION

Amendments made: 37, page 62, line 25, at end insert—

“() Paragraph 3 of Schedule 1 does not apply in relation to any proceedings begun within the period of 3 months beginning with exit day so far as—

- (a) the proceedings involve a challenge to anything which occurred before exit day, and
- (b) the challenge is not for the disapplication or quashing of—
 - (i) an Act of Parliament or a rule of law which is not an enactment, or
 - (ii) any enactment, or anything else, not falling within sub-paragraph (i) which, as a result of anything falling within that sub-paragraph, could not have been different or which gives effect to, or enforces, anything falling within that sub-paragraph.”

This amendment amends the effect of paragraph 3 of Schedule 1 by permitting legal challenges on or after exit day based on the general principles of EU law where those challenges relate to anything which happened before exit day, are made within 3 months of exit day and are not for the disapplication or quashing of an Act of Parliament or the common law or anything related to them.

Amendment 38, page 62, line 29, at end insert

“or made on or after that day by virtue of this paragraph”. —(Mr Baker.)

This amendment ensures that paragraph 3(2) of Schedule 1 does not prevent certain legal challenges and other action on or after exit day on the basis of incompatibility with any of the general principles of EU law where those challenges or that action is also based on the necessary consequences of a decision of a court or tribunal made on or after exit day as a result of amendment 37 or under other transitional provisions in paragraph 27 of Schedule 8.

Third Reading

Queen’s consent signified.

Mr Speaker: I inform the House that I have selected the amendment in the name of the leader of the Scottish National party.

6.28 pm

The Secretary of State for Exiting the European Union (Mr David Davis): I beg to move, That the Bill be now read the Third time. Taking a leaf out of the Liberal Democrat book, I do so enthusiastically.

The Bill is essential to preparing the country for the historic milestone of withdrawing from the European Union. It ensures that on day one we will have a statute

[Mr David Davis]

book that works, with this Government delivering the smooth and orderly exit desired by people and businesses across the United Kingdom. It is a complex piece of legislation, which is unsurprising given that it seeks to put into British law the entire *acquis* of European law—established over 40 years or more of membership—and to do so in a few years while active negotiations are going on.

The House has spent more than 80 hours discussing the Bill's principles and why they are necessary. We have scrutinised each clause and schedule in detail, and we have debated the merits of more than 500 amendments and new clauses. I thank the Members who took the time to table amendments, and I thank them for the spirit in which they have engaged with the debate throughout. I pay tribute to the Clerks and officials in the Public Bill Office who have provided invaluable support for Members in all parts of the House, advising on the drafting and tabling of those hundreds of amendments.

I pay special tribute to several colleagues for their individual contributions. I thank my right hon. Friend the Member for West Dorset (Sir Oliver Letwin) and my hon. Friend the Member for Broxbourne (Mr Walker) for tabling amendments that will undoubtedly enhance this legislation by providing greater certainty over the timing of exit day and how secondary legislation will be scrutinised. I also pay tribute to other Conservative colleagues for their contributions throughout the debate, notably my hon. and learned Friend the Member for Torridge and West Devon (Mr Cox), my hon. Friend the Member for Bromley and Chislehurst (Robert Neill), my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve), my right hon. Friend the Member for Wantage (Mr Vaizey), my hon. Friend the Member for Harwich and North Essex (Mr Jenkin) and my right hon. Friends the Members for Basingstoke (Mrs Miller) and for Chingford and Woodford Green (Mr Duncan Smith). I am grateful to them all for their hard work—[*Interruption.*] I have not finished yet. I am grateful to them all for their hard work in effectively scrutinising this legislation and their tireless work in representing their constituents.

I also thank Opposition Members for their contributions. We heard impassioned and eloquent contributions from the right hon. Member for Birkenhead (Frank Field), the hon. Member for Vauxhall (Kate Hoey), the hon. Member for Wakefield (Mary Creagh), the right hon. Members for Normanton, Pontefract and Castleford (Yvette Cooper) and for Leeds Central (Hilary Benn), and the hon. Members for Brighton, Pavilion (Caroline Lucas) and for North Down (Lady Hermon) among many others, who all played—[*Interruption.*] I will take nominations, Mr Speaker, if you really want, but I think I just picked out the highlights; many others made fantastic contributions. In the interests of brevity and to allow others to speak, I would like the House to take as read the detailed thanks to the Front Benchers of both sides.

I said on Second Reading that I would

“welcome and encourage contributions from those who approach the task in good faith and in a spirit of collaboration.”—[*Official Report*, 7 September 2017; Vol. 628, c. 343.]

All of us, as elected representatives, have a shared interest in making this Bill a success in the national interest. The Government have said time and again that we would listen carefully to all suggestions put forward and that, where hon. Members made a compelling case, we would respectfully consider it and act accordingly.

I hope that Members agree that in this debate we have often heard the very best of what this House is here to do. We have tabled amendments to provide extra information about equalities impacts and the changes being made to retained EU law under the powers in the Bill. We published a right-by-right analysis of the charter of fundamental rights, setting out how each substantive right found in the charter will be reflected in UK domestic law. It looks at how the right flows through retained EU law and how it is otherwise protected by existing domestic law or international law after exit.

Several hon. Members *rose*—

Mr Davis: If you forgive me, Mr Speaker, I am going to do two things I have never done before: not take interventions, which I have always taken before; and I am breaking that habit of a lifetime to allow time for the Scot Nats to put their reasoned amendment. [*Interruption.*] It is very much a lifetime first for me to be polite to the Scot Nats.

We have also brought forward amendments to provide greater certainty on how imminent or impending legal cases will be dealt with from the day we leave the EU. We committed to bring forward separate primary legislation in due course that would implement the withdrawal agreement, including an implementation period, and we set out the provisions for a vote on the final deal and the processes for implementing whatever is agreed. Linked to this, we respect the decision of this House to limit the power in clause 9, so that it cannot be used before primary legislation approving the terms of the withdrawal agreement has been enacted.

Perhaps most notably—and happily for me—we have listened to the concerns expressed about the scrutiny of secondary legislation. On Second Reading, my right hon. Friend the Member for Broxtowe (Anna Soubry) shared her concerns about the process of scrutinising the 800 to 1,000 statutory instruments required under this Bill. I made it clear then that we would happily discuss the feasibility of establishing a triage process. With this in mind, the Government welcomed amendments made to the Bill proposed by the Procedure Committee to establish such a sifting Committee. I hope that all Members agree that we have approached scrutiny of this vital piece of legislation in a pragmatic way and worked collaboratively to improve the Bill.

We have also intensified our positive discussions with the devolved Administrations and legislatures to find an agreed approach to clause 11, and we intend to bring forward amendments in the other place.

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): Will the Secretary of State give way?

Mr Davis: No, I will not.

We are committed to achieving legislative consent for this vital piece of legislation. We are sending an improved piece of legislation onwards to the other place and I hope that that House will acknowledge the substance

and spirit of the debate and scrutiny this Bill has received thus far and that debate there will unfold in the same constructive way in which it has in our House.

The scrutiny of this vital legislation remains one of the most important tasks that we parliamentarians have had before us for some time. I believe that this House is risen to the occasion by ensuring that the Bill continues its journey throughout Parliament in a much improved form. I commend it to the House, and I believe that this is an historic occasion.

6.34 pm

Keir Starmer (Holborn and St Pancras) (Lab): This Bill has never been fit for purpose. It was not fit for purpose when it started its life last year, and after 64 hours in Committee and 10 hours on Report it is still not fit for purpose. We have repeatedly pointed to six serious defects in the Bill. We pointed them out when the White Paper was published 10 months ago, in March last year. We pointed them out again when the Bill was first published in July last year, and I wrote to the Secretary of State setting out those six serious defects and inviting him to address them before the debate on Second Reading. He declined to do so. We pointed them out on Second Reading in September and we pointed them out again in Committee, but we have been talking to a brick wall. The Government have not accepted any of the points that the Opposition have made. They have conceded some ground on their own side, but they have not taken seriously the propositions and arguments that we on this side have put forward. In my experience of dealing with Bills, that is unusual. They have simply robotically voted down all Opposition amendments.

Let me start with the shenanigans surrounding exit day. For purely political reasons, the Government introduced a gimmick amendment to fix exit day in the Bill at 11 o'clock on 29 March 2019 for all purposes. I have no doubt that if a vote on that amendment had been taken on day one in Committee, the Government would have suffered another loss on this Bill because it was so obviously a defective amendment. It was absurd in so many respects that it is hard to know where to start. Let me deal with clause 6(1), which states:

“A court or tribunal...is not bound by any principles laid down, or any decisions made, on or after exit day by the European Court, and...cannot refer any matter to the European Court on or after exit day.”

So clause 6(1), as amended, means that there cannot be any reference to the European Court of Justice after 29 March 2019. However, in December, the Government committed in phase 1 to allowing EU citizens to refer to that Court for another eight years after article 50. Their amendment disables that. It is inconsistent with phase 1. Moreover, we have consistently said that there will have to be transitional measures in relation to article 50, and they will have to be on the same basic terms as we have now, which means staying in the single market and the customs union and under the jurisdiction of the European Court of Justice. So putting an amendment into the Bill that disables the European Court of Justice is inconsistent with the transitional measures.

I acknowledge that the Government have accepted—as they had to—an amendment to their own amendment, but that does not remedy the defect. All it does is tidy up the problem if there is an extension of article 50.

It does not enable transitional arrangements on the same basic terms as now, which is what will be needed, and it does not enable EU citizens to exercise the rights that the Government guaranteed to them in the phase 1 agreement. So we are now in a ridiculous position.

I have pretty well given up on predictions, but it seems to me that the Government will now be bound to introduce subsequent legislation to amend this Bill before it comes into force. They will have to do that. It is one thing to pass a Bill and say that there might come a time when it has to be amended. It is another thing to pass a Bill knowing that between now and its coming into force, they will have to intercept it again to disable a provision that they are putting into the Bill. That is how absurd this has got—[*Interruption.*] Well, let us see whether there is an amendment to repeal this provision next time we are here. If there is not, we will lose the jurisdiction of the Court just at the time when the Government have promised EU citizens they will continue to have it.

As I made clear on Second Reading, thousands of provisions are being converted into our law, and the charter of fundamental rights is apparently the only one that cannot be converted. That is nonsense. The Government are being driven by ideology, not law.

The Government's defence of their position is in tatters. The Secretary of State says it does not matter because the charter never added any rights, overlooking, of course, the case he brought against the then Home Secretary. His junior Minister, the hon. Member for Fareham (Suella Fernandes), whom I welcome to her place, says the complete opposite. She wrote an article in *The Daily Telegraph* expressing her concern and objecting to the charter precisely because it does add rights. I do not think that is the only issue on which she agrees to disagree with the Secretary of State. I do not know what team meetings are like in these early days, but I would like to be a fly on the wall as they try to reconcile their irreconcilable views on how we deal with Brexit.

Of course, the truth is that some of the rights are covered elsewhere, but others are not. The exercise the Government carried out proves the point—the Government's position is deeply unpersuasive. The whole point of the charter was to gather all the rights and protections that existed discretely in other places and put them into one document. The Government have now decided that the best strategy is to scatter them back to where they started.

When pressed forcefully by the right hon. and learned Member for Rushcliffe (Mr Clarke) on the simple question why on earth the Government are doing this, the Solicitor General was driven yesterday to the answer that the sole intention is to avoid chaos. Well, that is what the charter looks like—a slim document that sets out the rights clearly—and this is the Government's alternative: 73 pages of material telling people where to look for other sources on their rights. One is clear and the other is chaos.

The delegated powers in this Bill are far too widely drawn, and they are still subject to far too little parliamentary scrutiny. In Committee and on Report, the Government have ignored concerns that the delegated powers should be used only where necessary, that enforcement mechanisms should not be abolished by delegated powers and that rights and protections should not be taken away by delegated powers. The proposed

[*Keir Starmer*]

shifting Committee—sifting Committee simply is not sufficient to scrutinise—[*Interruption.*] I had “shifty” on my mind when I looked up momentarily and saw the Secretary of State.

That is not the only cause for concern. Until exit, many EU-derived rights and protections are protected because of our membership of the EU. The protection falls away as we leave the EU, and that is not an idle point. The Bill leaves areas of employment law, such as the transfer of undertakings, annual leave regulations and the working time directive, vulnerable to Ministers with wide delegated powers. Those areas will no longer be protected. Our simple proposal that primary legislation should be used to alter those rights has been rebuffed at every turn.

There is a pretty united view on both sides of the House that clause 11 is defective, and Scottish Conservative Members have argued that the clause is not fit for purpose. The Government said they would table an amendment on Report, which has come and gone with no amendment. Unless the Lords puts this right, a Bill with a serious defect will be passed by Parliament. The Government might have a defence if this issue had arisen at a late stage, but this is one of the issues we raised in March 2017, and it has been raised by everyone who has read the Bill since. In 10 months, there has been no progress. The hon. Member for Stirling (Stephen Kerr), a Conservative, said yesterday that he is deeply “disappointed, dissatisfied and frustrated”. As he rightly said, it is not appropriate for the Government to blame outside influences for the lack of amendment on this issue. Members on both sides of the House will have to ask themselves whether they are willing to wave through a Bill that they know will weaken the devolution settlement of the devolved Administrations. On this side of the House, we are not willing to take that risk.

Let me turn to the sixth issue, which is the meaningful vote on article 50. This is the one area where change has been forced by a vote in this House. The Government of course fought that tooth and nail. To those Conservative Members who voted on that issue and pushed it, and were as a result described as “traitors” and “mutineers”, may I just say thank you? I thank them for standing up for what was right when others told them to stay sitting down. That vote was an important step forward. As we have long maintained, it is crucial to ensure this House has a say on the article 50 deal. How it will operate is still not clear, so let me put the Government on notice: we on this side of the House, and I am sure some on the other side, will be watching like hawks for any backsliding. This has been described as “a meaningful vote” and it must be meaningful. So let me be clear: if the Prime Minister thinks she can come to this House, put forward her proposed article 50 deal, lose that vote and carry on regardless or walk the UK off a cliff with no deal, she has got another think coming.

In conclusion, I thank all those who have spoken in these debates. I thank both Front-Bench teams, particularly my own, who have done so much hard work. I also thank the Clerks of the House and the Public Bill Office for the extraordinary support they have given to my team and Members from across the House. From this side of the House, may I also thank the Department for Exiting the European Union staff, who have worked so

hard? They may or may not have liked the instructions they were working to—I do not know that—but they have worked very hard on all the tasks that have been given to them, and we sometimes forget the amount of work they put in. At times, this House has been at its best during the passage of this Bill, while the Government have been at their worst. They have been unwilling to listen to reason, unwilling to reflect on the obvious defects in this legislation and unwilling to ensure this Bill is fit for the incredibly important purpose it seeks to achieve. The Government have simply ploughed on. They have sidelined Parliament and made a mockery of the phrase “Take back control”. For those reasons, Labour will vote against this Bill tonight.

6.47 pm

Sir William Cash: In brief, this Bill, with clause 1, which says that we are repealing the European Communities Act 1972, reflects the will of the people on 23 June 2016 and the will of this House, as expressed in the votes. So there are two absolutely valid reasons why this Bill must go through: it represents the will of the people outside the House; and it represents the will of the people inside the House. Therefore, I say one thing only when it goes to the House of Lords: those in the House of Lords must surely realise that they agreed to the European Union Referendum Act 2015, a sovereign Act of Parliament, which went through and enabled the question of whether we leave or remain in the European Community to be decided by the people outside. That was a transfer of power deliberately taken by this House and it must be carried through.

That is all I need to say, other than that for 33 years it has been my privilege to try to fight for this proposal and I am deeply grateful to all the people in the House who have agreed to it and to those who have exercised their democratic right to oppose those views.

6.49 pm

Ian Blackford (Ross, Skye and Lochaber) (SNP): I beg to move an amendment, to leave out from “That” to the end of the Question and add:

“this House regrets the non-appearance of any Government amendments to Clause 11 of the European Union (Withdrawal) Bill despite the announcement by the Secretary of State for Scotland that the Government intended to table them for Report Stage and declines to give a Third Reading to the Bill because it is not fit for purpose as it undermines the fundamental principles of the Scotland Act 1998 by reserving to the UK Parliament powers that would otherwise be devolved to the Scottish Parliament on the UK leaving the European Union.”

I thank you, Mr Speaker, for the way you have made sure that these proceedings have been conducted in an admirable manner over the past few weeks, and I thank all those who have contributed. I have to thank the Secretary of State for the courteous way he has always behaved in his dealings with us in this Chamber and of course elsewhere—we do not take that for granted.

It grieves me to have to move the SNP’s reasoned amendment that would decline the Bill a Third Reading because I would like to be in a situation in which we were not doing so. Over the past five months, we have seen the Government ducking and diving any responsibility for the legal and constitutional make-up of the UK by railroading through Parliament a car-crash plan to leave the EU.

The Secretary of State for Scotland should be ashamed of himself. First, he promised the people of Scotland that the Bill would result in a powers bonanza; then he slapped us with clause 11—the now famous power-grab element of the legislation—the extent of which is not only staggering but an absolute constitutional outrage. Even the hon. Member for East Renfrewshire (Paul Masterton), who is in his place, has been clear, noting in this House that

“clause 11...is not fit for purpose”.—[*Official Report*, 4 December 2017; Vol. 632, c. 731.]

In 1997, the people of Scotland voted for the reconvening of the Scottish Parliament. Clause 11 represents a massive power grab that undermines the very principles on which the Scottish Parliament was established. The Scottish Government have published a list of 111 powers that are at risk from the clause, and just last week the Scottish Parliament’s Finance and Constitution Committee agreed unanimously not to recommend that the Scottish Parliament give legislative consent to the Bill. The Committee found clause 11 to be incompatible with devolution.

The Secretary of State for Scotland himself admitted that the Bill needed to be amended, which brings me to the latest insult that the Government have afforded to all the people of Scotland. In December, the Secretary of State promised that the Government would table amendments to clause 11 on Report. Report has obviously passed and not one single promised Government amendment was tabled to clause 11. Statements and promises made at the Dispatch Box cannot be sidestepped or ignored. The failure to deliver on commitments made at the Dispatch Box undermines the integrity of political office and undermines our democracy, never mind the democratic rights of the devolved institutions that we are seeking to protect. I am not talking about some abstract principle; I am talking about the rights hard won and delivered with, for example, the passing of the Scotland Act 1998, which brought in devolution. It is an insult to the people of Scotland, who are growing weary of a Conservative Government who promise everything and deliver nothing.

Last night, we saw the Scottish Tories traipse through the Lobby under the command of their London leader. They are just Lobby fodder here. How will they explain themselves to their branch manager in Holyrood? The Bill will carry on to the House of Lords. It is almost as if the Government are now acting as the independence movement for Scotland. The arrogance of those who think that the introduction of amendments on the legislative competence of the democratically elected Scottish Parliament can be implemented by unelected peers is an affront to democracy.

I echo some of the fundamental concerns about other parts of the Bill that only compound our opposition to it. There have been some dignified and honourable speeches from Members during the Bill’s journey so far, but the Government’s approach to the Bill and their attitude in respect of clause 11 is simply not good enough. A wise man once said that having a majority of seats did not mean having a monopoly on wisdom. I call on the Prime Minister to heed that advice. The Bill needs to be changed fundamentally, and the Government need to adopt a new approach fast, or they will trigger a constitutional crisis of their own making.

Conservatives should remember that their standing in face of demands for the re-establishment of the Scottish Parliament contributed to the wipeout of Conservative MPs from Scotland in 1997. What happened yesterday was a failure of the Government and Scottish Tory MPs to defend our national interests and those of their own constituents. History is repeating itself. What are the Scottish Tories here for? Will they join us in standing up for Scotland’s interests? Tonight, by supporting our reasoned amendment, Parliament has the opportunity to remove itself from encroaching on the devolution settlement. Members of this House have the opportunity to protect the constitutional rights of devolved Administrations. We cannot allow the responsibility for digging the Government out of their task in this House to be taken by the House of Lords.

In conclusion—[*Interruption.*] The Tories can cheer, but the fact remains that the people of Scotland will be watching and will be aware of the fact that the Scottish Parliament has been stripped of its rights. In declining a Third Reading this evening, we send a clear signal to the Government that this House cannot allow the commitments made and broken to pass. It is the last chance for Scottish Tory MPs to join us and to stand up for the devolved settlement. It is for the people of Scotland to determine their constitutional future. We cannot pass that power to the unelected House of Lords. The irony that the Lords, not the Commons, has the responsibility for protecting Scotland’s interests will not be lost on people. I say to the Scottish Tory MPs that they should join us in the Lobby tonight or ultimately pay the price. Scotland is watching.

6.55 pm

Sir Edward Leigh (Gainsborough) (Con): The shadow Secretary of State said that this Bill is not fit for purpose, and I agree with him. It is not fit for purpose for staying in the EU, but it is fit for purpose for implementing the greatest festival of democracy that this country has ever known. In June 2016, 17 million of our citizens voted to leave the EU, and all this Government are doing is implementing that decision in a positive way that will ensure that we are generous to all the EU citizens who live here, generous in terms of the EU budget and, in this Bill, generous in taking all EU laws and directives into our law.

In Zurich in 1946, Winston Churchill outlined his vision for Europe, but he made it clear that we should not be part of that united Europe. In 1972, plagued with self-doubt, we joined the European Union. Tonight—this historic moment—we plough a new historic course to create a world fit for free trade. Vote for the Third Reading.

6.57 pm

Hilary Benn: This Bill is necessary but, as my right hon. and learned Friend the Member for Holborn and St Pancras (Keir Starmer) so eloquently pointed out, deeply flawed. Despite the changes that have been made, it remains deeply flawed, and their lordships will have a lot of work to do as it passes down the corridor. I welcome the Government’s move to accept the need for primary legislation to implement the withdrawal agreement, but the task now for the House as we watch the Bill depart is to think about the future.

[Hilary Benn]

The hon. Member for Gainsborough (Sir Edward Leigh) talked about a vision, but let us tell each other the truth. At the moment, we have no idea what is going to go into the withdrawal agreement, partly because it has not yet been negotiated, but mainly because the Cabinet is yet to decide what it wishes to ask for, and the House should be really rather anxious about the position that we find ourselves in. The referendum result was 19 months ago, but there are only nine months to go until the negotiations are meant to end, and the discussions on our future trading arrangements may not begin until March. The House will be very concerned about that position.

The truth is that the Government cannot reach agreement. The truth is that they are probably the first Government in history to go into negotiations knowing that they will almost certainly end up with a worse deal than we currently have because of the red lines that they have chosen to put in place, and knowing that it will not therefore be possible to honour the promise that has been made to the people of Northern Ireland and indeed of the Republic about an open border. Therefore, if I have one plea, as we see this Bill depart for now, it is that the Government will, very quickly, do their job and set out for this House and for the British people what it is that they are seeking, because when we come to that meaningful vote, believe you me, this House will ensure that it is meaningful when it comes to decisions about our future.

6.59 pm

Anna Soubry: My right hon. and learned Friend the Member for Beaconsfield (Mr Grieve) will go down in the history books as one of the great parliamentarians, as he has shown great courage and leadership in making what he rightly described a monstrosity certainly more palatable. That is why I and no doubt many others will now vote for this Bill on Third Reading. It delivers what it sets out to do, which is this transposing of law, and that is right, but it is by no means perfect and we have yet to discuss the big issues that divide our nation.

Question put, That the amendment be made.

The House divided: Ayes 295, Noes 322.

Division No. 104]

[7 pm

AYES

Abbott, rh Ms Diane	Bradshaw, rh Mr Ben
Abrahams, Debbie	Brake, rh Tom
Alexander, Heidi	Brennan, Kevin
Ali, Rushanara	Brock, Deidre
Allin-Khan, Dr Rosena	Brown, Alan
Amesbury, Mike	Brown, Lyn
Antoniazzi, Tonia	Brown, rh Mr Nicholas
Ashworth, Jonathan	Bryant, Chris
Austin, Ian	Buck, Ms Karen
Bailey, Mr Adrian	Burden, Richard
Bardell, Hannah	Burgon, Richard
Beckett, rh Margaret	Butler, Dawn
Benn, rh Hilary	Byrne, rh Liam
Betts, Mr Clive	Cable, rh Sir Vince
Black, Mhairi	Cadbury, Ruth
Blackford, rh Ian	Cameron, Dr Lisa
Blackman, Kirsty	Campbell, rh Mr Alan
Blackman-Woods, Dr Roberta	Carden, Dan
Blomfield, Paul	Carmichael, rh Mr Alistair
Brabin, Tracy	Champion, Sarah

Chapman, Douglas	Grogan, John
Chapman, Jenny	Gwynne, Andrew
Charalambous, Bambos	Haigh, Louise
Cherry, Joanna	Hamilton, Fabian
Clwyd, rh Ann	Hardy, Emma
Coaker, Vernon	Harman, rh Ms Harriet
Coffey, Ann	Harris, Carolyn
Cooper, Julie	Hayes, Helen
Cooper, Rosie	Hayman, Sue
Cooper, rh Yvette	Healey, rh John
Corbyn, rh Jeremy	Hendrick, Sir Mark
Cowan, Ronnie	Hendry, Drew
Coyle, Neil	Hepburn, Mr Stephen
Crawley, Angela	Hermon, Lady
Creagh, Mary	Hill, Mike
Creasy, Stella	Hillier, Meg
Cruddas, Jon	Hobhouse, Wera
Cryer, John	Hodge, rh Dame Margaret
Cummins, Judith	Hodgson, Mrs Sharon
Cunningham, Alex	Hollern, Kate
Cunningham, Mr Jim	Hosie, Stewart
Dakin, Nic	Howarth, rh Mr George
Davey, rh Sir Edward	Huq, Dr Rupa
David, Wayne	Hussain, Imran
Davies, Geraint	Jardine, Christine
Day, Martyn	Jarvis, Dan
De Cordova, Marsha	Johnson, Diana
De Piero, Gloria	Jones, Darren
Debonnaire, Thangam	Jones, Gerald
Dent Coad, Emma	Jones, Helen
Dhesi, Mr Tanmanjeet Singh	Jones, Sarah
Docherty-Hughes, Martin	Jones, Susan Elan
Dodds, Anneliese	Kane, Mike
Doughty, Stephen	Keeley, Barbara
Dowd, Peter	Kendall, Liz
Drew, Dr David	Khan, Afzal
Dromey, Jack	Killen, Ged
Duffield, Rosie	Kinnock, Stephen
Eagle, Ms Angela	Kyle, Peter
Eagle, Maria	Laird, Lesley
Edwards, Jonathan	Lake, Ben
Efford, Clive	Lamb, rh Norman
Elliott, Julie	Lammy, rh Mr David
Ellman, Mrs Louise	Lavery, Ian
Elmore, Chris	Law, Chris
Esterson, Bill	Lee, Ms Karen
Evans, Chris	Leslie, Mr Chris
Farrelly, Paul	Lewell-Buck, Mrs Emma
Fitzpatrick, Jim	Lewis, Clive
Fletcher, Colleen	Lewis, Mr Ivan
Flynn, Paul	Lloyd, Stephen
Fovargue, Yvonne	Lloyd, Tony
Foxcroft, Vicky	Long Bailey, Rebecca
Frith, James	Lucas, Caroline
Furniss, Gill	Lucas, Ian C.
Gaffney, Hugh	Lynch, Holly
Gapes, Mike	MacNeil, Angus Brendan
Gardiner, Barry	Madders, Justin
George, Ruth	Mahmood, Mr Khalid
Gethins, Stephen	Mahmood, Shabana
Gibson, Patricia	Malhotra, Seema
Gill, Preet Kaur	Marsden, Gordon
Glindon, Mary	Martin, Sandy
Godsiff, Mr Roger	Maskell, Rachael
Godman, Helen	Matheson, Christian
Grady, Patrick	Mc Nally, John
Grant, Peter	McCabe, Steve
Gray, Neil	McCarthy, Kerry
Green, Kate	McDonagh, Siobhain
Greenwood, Lilian	McDonald, Andy
Greenwood, Margaret	McDonald, Stewart Malcolm
Griffith, Nia	McDonald, Stuart C.

McDonnell, rh John
 McFadden, rh Mr Pat
 McGinn, Conor
 McGovern, Alison
 McInnes, Liz
 McKinnell, Catherine
 McMahon, Jim
 McMorrin, Anna
 Mearns, Ian
 Miliband, rh Edward
 Monaghan, Carol
 Moon, Mrs Madeleine
 Moran, Layla
 Morden, Jessica
 Morgan, Stephen
 Morris, Grahame
 Murray, Ian
 Nandy, Lisa
 Newlands, Gavin
 Norris, Alex
 O'Hara, Brendan
 O'Mara, Jared
 Onasanya, Fiona
 Onn, Melanie
 Onwurah, Chi
 Osamor, Kate
 Owen, Albert
 Peacock, Stephanie
 Pearce, Teresa
 Pennycook, Matthew
 Perkins, Toby
 Phillips, Jess
 Phillipson, Bridget
 Pidcock, Laura
 Platt, Jo
 Pollard, Luke
 Pound, Stephen
 Powell, Lucy
 Qureshi, Yasmin
 Rashid, Faisal
 Rayner, Angela
 Reed, Mr Steve
 Rees, Christina
 Reeves, Ellie
 Reeves, Rachel
 Reynolds, Jonathan
 Rimmer, Ms Marie
 Robinson, Mr Geoffrey
 Rodda, Matt
 Rowley, Danielle
 Ruane, Chris
 Russell-Moyle, Lloyd
 Ryan, rh Joan
 Saville Roberts, Liz
 Shah, Naz
 Sharma, Mr Virendra
 Sheerman, Mr Barry
 Sheppard, Tommy

Sherriff, Paula
 Shuker, Mr Gavin
 Siddiq, Tulip
 Slaughter, Andy
 Smeeth, Ruth
 Smith, Angela
 Smith, Cat
 Smith, Eleanor
 Smith, Jeff
 Smith, Laura
 Smith, Nick
 Smith, Owen
 Smyth, Karin
 Snell, Gareth
 Sobel, Alex
 Spellar, rh John
 Starmer, rh Keir
 Stephens, Chris
 Stevens, Jo
 Stone, Jamie
 Streeting, Wes
 Sweeney, Mr Paul
 Swinson, Jo
 Tami, Mark
 Thewliss, Alison
 Thomas, Gareth
 Thomas-Symonds, Nick
 Thornberry, rh Emily
 Timms, rh Stephen
 Trickett, Jon
 Turley, Anna
 Turner, Karl
 Twigg, Derek
 Twigg, Stephen
 Twist, Liz
 Umunna, Chuka
 Vaz, rh Keith
 Vaz, Valerie
 Walker, Thelma
 Watson, Tom
 West, Catherine
 Western, Matt
 Whitehead, Dr Alan
 Whitfield, Martin
 Whitford, Dr Philippa
 Williams, Hywel
 Williams, Dr Paul
 Williamson, Chris
 Wilson, Phil
 Wishart, Pete
 Woodcock, John
 Yasin, Mohammad
 Zeichner, Daniel

Tellers for the Ayes:

**Marion Fellows and
 David Linden**

NOES

Adams, Nigel
 Afolami, Bim
 Afriyie, Adam
 Aldous, Peter
 Allan, Lucy
 Allen, Heidi
 Andrew, Stuart
 Argar, Edward
 Atkins, Victoria
 Bacon, Mr Richard
 Badenoch, Mrs Kemi

Baker, Mr Steve
 Baldwin, Harriett
 Barclay, Stephen
 Baron, Mr John
 Bebb, Guto
 Bellingham, Sir Henry
 Benyon, rh Richard
 Beresford, Sir Paul
 Berry, Jake
 Blackman, Bob
 Blunt, Crispin

Boles, Nick
 Bone, Mr Peter
 Bottomley, Sir Peter
 Bowie, Andrew
 Bradley, Ben
 Brady, Sir Graham
 Brereton, Jack
 Bridgen, Andrew
 Brine, Steve
 Bruce, Fiona
 Buckland, Robert
 Burghart, Alex
 Burns, Conor
 Burt, rh Alistair
 Cairns, rh Alun
 Campbell, Mr Gregory
 Cartledge, James
 Cash, Sir William
 Caulfield, Maria
 Chalk, Alex
 Chishti, Rehman
 Chope, Sir Christopher
 Churchill, Jo
 Clark, Colin
 Clark, rh Greg
 Clarke, rh Mr Kenneth
 Clarke, Mr Simon
 Cleverly, James
 Clifton-Brown, Sir Geoffrey
 Coffey, Dr Thérèse
 Collins, Damian
 Costa, Alberto
 Courts, Robert
 Cox, Mr Geoffrey
 Crabb, rh Stephen
 Crouch, Tracey
 Davies, Chris
 Davies, David T. C.
 Davies, Glyn
 Davies, Mims
 Davies, Philip
 Davis, rh Mr David
 Dinenage, Caroline
 Djanogly, Mr Jonathan
 Docherty, Leo
 Dodds, rh Nigel
 Donaldson, rh Sir Jeffrey M.
 Donelan, Michelle
 Dorries, Ms Nadine
 Double, Steve
 Dowden, Oliver
 Doyle-Price, Jackie
 Drax, Richard
 Duddridge, James
 Duguid, David
 Duncan, rh Sir Alan
 Duncan Smith, rh Mr Iain
 Dunne, Mr Philip
 Ellis, Michael
 Ellwood, rh Mr Tobias
 Elphicke, Charlie
 Eustice, George
 Evans, Mr Nigel
 Evennett, rh David
 Fabricant, Michael
 Fallon, rh Sir Michael
 Fernandes, Suella
 Field, rh Frank
 Field, rh Mark
 Ford, Vicky
 Foster, Kevin
 Fox, rh Dr Liam

Francois, rh Mr Mark
 Frazer, Lucy
 Freeman, George
 Freer, Mike
 Fysh, Mr Marcus
 Gale, Sir Roger
 Garnier, Mark
 Gauke, rh Mr David
 Ghani, Ms Nusrat
 Gibb, rh Nick
 Gillan, rh Dame Cheryl
 Girvan, Paul
 Glen, John
 Goldsmith, Zac
 Goodwill, Mr Robert
 Gove, rh Michael
 Graham, Luke
 Graham, Richard
 Grant, Bill
 Grant, Mrs Helen
 Gray, James
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Greening, rh Justine
 Grieve, rh Mr Dominic
 Griffiths, Andrew
 Gyimah, Mr Sam
 Hair, Kirstene
 Halfon, rh Robert
 Hall, Luke
 Hammond, rh Mr Philip
 Hammond, Stephen
 Hancock, rh Matt
 Hands, rh Greg
 Harper, rh Mr Mark
 Harrington, Richard
 Harris, Rebecca
 Harrison, Trudy
 Hart, Simon
 Hayes, rh Mr John
 Heald, rh Sir Oliver
 Heapey, James
 Heaton-Harris, Chris
 Heaton-Jones, Peter
 Henderson, Gordon
 Herbert, rh Nick
 Hinds, rh Damian
 Hoare, Simon
 Hoey, Kate
 Hollingbery, George
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Adam
 Howell, John
 Hughes, Eddie
 Hunt, rh Mr Jeremy
 Hurd, Mr Nick
 Jack, Mr Alister
 James, Margot
 Javid, rh Sajid
 Jayawardena, Mr Ranil
 Jenkin, Mr Bernard
 Jenkyns, Andrea
 Jenrick, Robert
 Johnson, rh Boris
 Johnson, Dr Caroline
 Johnson, Gareth
 Johnson, Joseph
 Jones, Andrew
 Jones, rh Mr David
 Jones, Mr Marcus

Kawczynski, Daniel
 Keegan, Gillian
 Kennedy, Seema
 Kerr, Stephen
 Knight, rh Sir Greg
 Knight, Julian
 Kwarteng, Kwasi
 Lamont, John
 Lancaster, Mark
 Latham, Mrs Pauline
 Leadsom, rh Andrea
 Lee, Dr Phillip
 Lefroy, Jeremy
 Leigh, Sir Edward
 Letwin, rh Sir Oliver
 Lewer, Andrew
 Lewis, rh Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Lidington, rh Mr David
 Little Pengelly, Emma
 Lopez, Julia
 Lopresti, Jack
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Maclean, Rachel
 Main, Mrs Anne
 Mak, Alan
 Malthouse, Kit
 Mann, Scott
 Masterton, Paul
 May, rh Mrs Theresa
 Maynard, Paul
 McLoughlin, rh Sir Patrick
 McPartland, Stephen
 McVey, rh Ms Esther
 Menzies, Mark
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Miller, rh Mrs Maria
 Milling, Amanda
 Mills, Nigel
 Milton, rh Anne
 Mitchell, rh Mr Andrew
 Moore, Damien
 Mordaunt, rh Penny
 Morgan, rh Nicky
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morton, Wendy
 Mundell, rh David
 Murray, Mrs Sheryll
 Murrison, Dr Andrew
 Neill, Robert
 Newton, Sarah
 Nokes, rh Caroline
 Norman, Jesse
 O'Brien, Neil
 Offord, Dr Matthew
 Opperman, Guy
 Paisley, Ian
 Parish, Neil
 Patel, rh Priti
 Paterson, rh Mr Owen
 Pawsey, Mark
 Penning, rh Sir Mike
 Penrose, John
 Percy, Andrew
 Perry, rh Claire

Philp, Chris
 Pincher, Christopher
 Pow, Rebecca
 Prentis, Victoria
 Prisk, Mr Mark
 Pritchard, Mark
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Raab, Dominic
 Redwood, rh John
 Rees-Mogg, Mr Jacob
 Robertson, Mr Laurence
 Robinson, Gavin
 Robinson, Mary
 Rosindell, Andrew
 Ross, Douglas
 Rowley, Lee
 Rudd, rh Amber
 Rutley, David
 Sandbach, Antoinette
 Scully, Paul
 Seely, Mr Bob
 Selous, Andrew
 Shannon, Jim
 Shapps, rh Grant
 Sharma, Alok
 Shelbrooke, Alec
 Simpson, David
 Simpson, rh Mr Keith
 Skidmore, Chris
 Smith, Chloe
 Smith, Henry
 Smith, rh Julian
 Smith, Royston
 Soames, rh Sir Nicholas
 Soubry, rh Anna
 Spelman, rh Dame Caroline
 Stephenson, Andrew
 Stevenson, John
 Stewart, Bob
 Stewart, Iain
 Stewart, Rory
 Stride, rh Mel
 Stringer, Graham
 Stuart, Graham
 Sturdy, Julian
 Sunak, Rishi
 Swayne, rh Sir Desmond
 Swire, rh Sir Hugo
 Syms, Sir Robert
 Thomas, Derek
 Thomson, Ross
 Throup, Maggie
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Tredinnick, David
 Trevelyan, Mrs Anne-Marie
 Truss, rh Elizabeth
 Tugendhat, Tom
 Vaizey, rh Mr Edward
 Vara, Mr Shailesh
 Vickers, Martin
 Villiers, rh Theresa
 Walker, Mr Charles
 Walker, Mr Robin
 Wallace, rh Mr Ben
 Warburton, David
 Warman, Matt
 Watling, Giles

Whately, Helen
 Wheeler, Mrs Heather
 Whittingdale, rh Mr John
 Wigg, Bill
 Williamson, rh Gavin
 Wilson, Sammy
 Wollaston, Dr Sarah

Wood, Mike
 Wragg, Mr William
 Wright, rh Jeremy
 Zahawi, Nadhim

Tellers for the Noes:
Mark Spencer and
Craig Whittaker

Question accordingly negated.

*Question put forthwith (Standing Order No. 62(2)),
 That the Bill be now read the Third time.*

The House divided: Ayes 324, Noes 295.

Division No. 105]

[7.13 pm

AYES

Adams, Nigel
 Afolami, Bim
 Afriyie, Adam
 Aldous, Peter
 Allan, Lucy
 Allen, Heidi
 Andrew, Stuart
 Argar, Edward
 Atkins, Victoria
 Bacon, Mr Richard
 Badenoch, Mrs Kemi
 Baker, Mr Steve
 Baldwin, Harriett
 Barclay, Stephen
 Baron, Mr John
 Bebb, Guto
 Bellingham, Sir Henry
 Benyon, rh Richard
 Beresford, Sir Paul
 Berry, Jake
 Blackman, Bob
 Blunt, Crispin
 Boles, Nick
 Bone, Mr Peter
 Bottomley, Sir Peter
 Bowie, Andrew
 Bradley, Ben
 Brady, Sir Graham
 Brereton, Jack
 Bridgen, Andrew
 Brine, Steve
 Bruce, Fiona
 Buckland, Robert
 Burghart, Alex
 Burns, Conor
 Burt, rh Alistair
 Cairns, rh Alun
 Campbell, Mr Gregory
 Cartlidge, James
 Cash, Sir William
 Caulfield, Maria
 Chalk, Alex
 Chishti, Rehman
 Chope, Sir Christopher
 Churchill, Jo
 Clark, Colin
 Clark, rh Greg
 Clarke, rh Mr Kenneth
 Clarke, Mr Simon
 Cleverly, James
 Clifton-Brown, Sir Geoffrey
 Coffey, Dr Thérèse
 Collins, Damian
 Costa, Alberto
 Courts, Robert
 Cox, Mr Geoffrey
 Crabb, rh Stephen
 Crouch, Tracey
 Davies, Chris
 Davies, David T. C.
 Davies, Glyn
 Davies, Mims
 Davies, Philip
 Davis, rh Mr David
 Dinenage, Caroline
 Djanogly, Mr Jonathan
 Docherty, Leo
 Dodds, rh Nigel
 Donaldson, rh Sir Jeffrey M.
 Donelan, Michelle
 Dorries, Ms Nadine
 Double, Steve
 Dowden, Oliver
 Doyle-Price, Jackie
 Drax, Richard
 Duddridge, James
 Duguid, David
 Duncan, rh Sir Alan
 Duncan Smith, rh Mr Iain
 Dunne, Mr Philip
 Ellis, Michael
 Ellwood, rh Mr Tobias
 Elphicke, Charlie
 Eustice, George
 Evans, Mr Nigel
 Evennett, rh David
 Fabricant, Michael
 Fallon, rh Sir Michael
 Fernandes, Suella
 Field, rh Frank
 Field, rh Mark
 Ford, Vicky
 Foster, Kevin
 Fox, rh Dr Liam
 Francois, rh Mr Mark
 Frazer, Lucy
 Freeman, George
 Freer, Mike
 Fysh, Mr Marcus
 Gale, Sir Roger
 Garnier, Mark
 Gauke, rh Mr David
 Ghani, Ms Nusrat
 Gibb, rh Nick
 Gillan, rh Dame Cheryl
 Girvan, Paul
 Glen, John
 Goldsmith, Zac
 Goodwill, Mr Robert
 Gove, rh Michael

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 Grayling, rh Chris
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 Greening, rh Justine
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 Gyimah, Mr Sam
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 Halfon, rh Robert
 Hall, Luke
 Hammond, rh Mr Philip
 Hammond, Stephen
 Hancock, rh Matt
 Hands, rh Greg
 Harper, rh Mr Mark
 Harrington, Richard
 Harris, Rebecca
 Harrison, Trudy
 Hart, Simon
 Hayes, rh Mr John
 Heald, rh Sir Oliver
 Heapey, James
 Heaton-Harris, Chris
 Heaton-Jones, Peter
 Henderson, Gordon
 Herbert, rh Nick
 Hinds, rh Damian
 Hoare, Simon
 Hoey, Kate
 Hollingbery, George
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Adam
 Hopkins, Kelvin
 Howell, John
 Huddleston, Nigel
 Hughes, Eddie
 Hunt, rh Mr Jeremy
 Hurd, Mr Nick
 Jack, Mr Alister
 James, Margot
 Javid, rh Sajid
 Jayawardena, Mr Ranil
 Jenkin, Mr Bernard
 Jenkyns, Andrea
 Jenrick, Robert
 Johnson, rh Boris
 Johnson, Dr Caroline
 Johnson, Gareth
 Johnson, Joseph
 Jones, Andrew
 Jones, rh Mr David
 Jones, Mr Marcus
 Kawczynski, Daniel
 Keegan, Gillian
 Kennedy, Seema
 Kerr, Stephen
 Knight, rh Sir Greg
 Knight, Julian
 Kwarteng, Kwasi
 Lamont, John
 Lancaster, Mark
 Latham, Mrs Pauline
 Leadsom, rh Andrea
 Lee, Dr Phillip
 Lefroy, Jeremy
 Leigh, Sir Edward

Letwin, rh Sir Oliver
 Lewer, Andrew
 Lewis, rh Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Lidington, rh Mr David
 Little Pengelly, Emma
 Lopez, Julia
 Lopresti, Jack
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Maclean, Rachel
 Main, Mrs Anne
 Mak, Alan
 Malthouse, Kit
 Mann, John
 Mann, Scott
 Masterton, Paul
 May, rh Mrs Theresa
 Maynard, Paul
 McLoughlin, rh Sir Patrick
 McPartland, Stephen
 McVey, rh Ms Esther
 Menzies, Mark
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Miller, rh Mrs Maria
 Milling, Amanda
 Mills, Nigel
 Milton, rh Anne
 Mitchell, rh Mr Andrew
 Moore, Damien
 Mordaunt, rh Penny
 Morgan, rh Nicky
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morton, Wendy
 Mundell, rh David
 Murray, Mrs Sheryll
 Murrison, Dr Andrew
 Neill, Robert
 Newton, Sarah
 Nokes, rh Caroline
 Norman, Jesse
 O'Brien, Neil
 Offord, Dr Matthew
 Opperman, Guy
 Paisley, Ian
 Parish, Neil
 Patel, rh Priti
 Paterson, rh Mr Owen
 Pawsey, Mark
 Penning, rh Sir Mike
 Penrose, John
 Percy, Andrew
 Perry, rh Claire
 Philp, Chris
 Pincher, Christopher
 Pow, Rebecca
 Prentis, Victoria
 Prisk, Mr Mark
 Pritchard, Mark
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Raab, Dominic
 Redwood, rh John
 Rees-Mogg, Mr Jacob
 Robertson, Mr Laurence

Robinson, Gavin
 Robinson, Mary
 Rosindell, Andrew
 Ross, Douglas
 Rowley, Lee
 Rudd, rh Amber
 Rutley, David
 Sandbach, Antoinette
 Scully, Paul
 Seely, Mr Bob
 Selous, Andrew
 Shannon, Jim
 Shapps, rh Grant
 Sharma, Alok
 Shelbrooke, Alec
 Simpson, David
 Simpson, rh Mr Keith
 Skidmore, Chris
 Smith, Chloe
 Smith, Henry
 Smith, rh Julian
 Smith, Royston
 Soames, rh Sir Nicholas
 Soubry, rh Anna
 Spelman, rh Dame Caroline
 Stephenson, Andrew
 Stevenson, John
 Stewart, Bob
 Stewart, Iain
 Stewart, Rory
 Stride, rh Mel
 Stringer, Graham
 Stuart, Graham
 Sturdy, Julian
 Sunak, Rishi
 Swayne, rh Sir Desmond
 Swire, rh Sir Hugo

Abbott, rh Ms Diane
 Abrahams, Debbie
 Alexander, Heidi
 Ali, Rushanara
 Allin-Khan, Dr Rosena
 Amesbury, Mike
 Antoniazzi, Tonia
 Ashworth, Jonathan
 Austin, Ian
 Bailey, Mr Adrian
 Bardell, Hannah
 Beckett, rh Margaret
 Benn, rh Hilary
 Betts, Mr Clive
 Black, Mhairi
 Blackford, rh Ian
 Blackman, Kirsty
 Blackman-Woods, Dr Roberta
 Blomfield, Paul
 Brabin, Tracy
 Bradshaw, rh Mr Ben
 Brake, rh Tom
 Brennan, Kevin
 Brock, Deidre
 Brown, Alan
 Brown, Lyn
 Brown, rh Mr Nicholas
 Bryant, Chris
 Buck, Ms Karen
 Burden, Richard
 Burgon, Richard
 Butler, Dawn

Syms, Sir Robert
 Thomas, Derek
 Thomson, Ross
 Throup, Maggie
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Tredinnick, David
 Trevelyan, Mrs Anne-Marie
 Truss, rh Elizabeth
 Tugendhat, Tom
 Vaizey, rh Mr Edward
 Vara, Mr Shailesh
 Vickers, Martin
 Villiers, rh Theresa
 Walker, Mr Charles
 Walker, Mr Robin
 Wallace, rh Mr Ben
 Warburton, David
 Warman, Matt
 Watling, Giles
 Whately, Helen
 Wheeler, Mrs Heather
 Whittingdale, rh Mr John
 Wiggin, Bill
 Williamson, rh Gavin
 Wilson, Sammy
 Wollaston, Dr Sarah
 Wood, Mike
 Wragg, Mr William
 Wright, rh Jeremy
 Zahawi, Nadhim

Tellers for the Ayes:
Mark Spencer and
Craig Whittaker

NOES

Byrne, rh Liam
 Cable, rh Sir Vince
 Cadbury, Ruth
 Cameron, Dr Lisa
 Campbell, rh Mr Alan
 Carden, Dan
 Carmichael, rh Mr Alistair
 Champion, Sarah
 Chapman, Douglas
 Chapman, Jenny
 Charalambous, Bambos
 Cherry, Joanna
 Clwyd, rh Ann
 Coaker, Vernon
 Coffey, Ann
 Cooper, Julie
 Cooper, Rosie
 Cooper, rh Yvette
 Corbyn, rh Jeremy
 Cowan, Ronnie
 Coyle, Neil
 Crawley, Angela
 Creagh, Mary
 Creasy, Stella
 Cruddas, Jon
 Cryer, John
 Cummins, Judith
 Cunningham, Alex
 Cunningham, Mr Jim
 Dakin, Nic
 Davey, rh Sir Edward
 David, Wayne

Davies, Geraint	Hussain, Imran	Onasanya, Fiona	Smyth, Karin
Day, Martyn	Jardine, Christine	Onn, Melanie	Snell, Gareth
De Cordova, Marsha	Jarvis, Dan	Onwurah, Chi	Sobel, Alex
De Piero, Gloria	Johnson, Diana	Osamor, Kate	Spellar, rh John
Debonnaire, Thangam	Jones, Darren	Owen, Albert	Starmer, rh Keir
Dent Coad, Emma	Jones, Gerald	Peacock, Stephanie	Stephens, Chris
Dhesi, Mr Tanmanjeet Singh	Jones, Helen	Pearce, Teresa	Stevens, Jo
Docherty-Hughes, Martin	Jones, Sarah	Pennycook, Matthew	Stone, Jamie
Dodds, Anneliese	Jones, Susan Elan	Perkins, Toby	Streeting, Wes
Doughty, Stephen	Kane, Mike	Phillips, Jess	Sweeney, Mr Paul
Dowd, Peter	Keeley, Barbara	Phillipson, Bridget	Swinson, Jo
Drew, Dr David	Kendall, Liz	Pidcock, Laura	Tami, Mark
Dromey, Jack	Khan, Afzal	Platt, Jo	Thewliss, Alison
Duffield, Rosie	Killen, Ged	Pollard, Luke	Thomas, Gareth
Eagle, Ms Angela	Kinnock, Stephen	Pound, Stephen	Thomas-Symonds, Nick
Eagle, Maria	Kyle, Peter	Powell, Lucy	Thornberry, rh Emily
Edwards, Jonathan	Laird, Lesley	Qureshi, Yasmin	Timms, rh Stephen
Efford, Clive	Lake, Ben	Rashid, Faisal	Trickett, Jon
Elliott, Julie	Lamb, rh Norman	Rayner, Angela	Turley, Anna
Ellman, Mrs Louise	Lammy, rh Mr David	Reed, Mr Steve	Turner, Karl
Elmore, Chris	Lavery, Ian	Rees, Christina	Twigg, Derek
Esterson, Bill	Law, Chris	Reeves, Ellie	Twigg, Stephen
Evans, Chris	Lee, Ms Karen	Reeves, Rachel	Twist, Liz
Farrelly, Paul	Leslie, Mr Chris	Reynolds, Jonathan	Umunna, Chuka
Fellows, Marion	Lewell-Buck, Mrs Emma	Rimmer, Ms Marie	Vaz, rh Keith
Fitzpatrick, Jim	Lewis, Clive	Robinson, Mr Geoffrey	Vaz, Valerie
Fletcher, Colleen	Lewis, Mr Ivan	Rodda, Matt	Walker, Thelma
Flynn, Paul	Linden, David	Rowley, Danielle	Watson, Tom
Fovargue, Yvonne	Lloyd, Stephen	Ruane, Chris	West, Catherine
Foxcroft, Vicky	Lloyd, Tony	Russell-Moyle, Lloyd	Western, Matt
Frith, James	Long Bailey, Rebecca	Ryan, rh Joan	Whitehead, Dr Alan
Furniss, Gill	Lucas, Caroline	Saville Roberts, Liz	Whitfield, Martin
Gaffney, Hugh	Lucas, Ian C.	Shah, Naz	Whitford, Dr Philippa
Gapes, Mike	Lynch, Holly	Sharma, Mr Virendra	Williams, Hywel
Gardiner, Barry	MacNeil, Angus Brendan	Sheerman, Mr Barry	Williams, Dr Paul
George, Ruth	Madders, Justin	Sheppard, Tommy	Williamson, Chris
Gethins, Stephen	Mahmood, Mr Khalid	Sherriff, Paula	Wilson, Phil
Gibson, Patricia	Mahmood, Shabana	Shuker, Mr Gavin	Wishart, Pete
Gill, Preet Kaur	Malhotra, Seema	Siddiq, Tulip	Woodcock, John
Glindon, Mary	Marsden, Gordon	Slaughter, Andy	Yasin, Mohammad
Godsiff, Mr Roger	Martin, Sandy	Smeeth, Ruth	Zeichner, Daniel
Goodman, Helen	Maskell, Rachael	Smith, Angela	
Grady, Patrick	Matheson, Christian	Smith, Cat	
Grant, Peter	Mc Nally, John	Smith, Eleanor	Tellers for the Noes:
Gray, Neil	McCabe, Steve	Smith, Laura	Nick Smith and
Green, Kate	McCarthy, Kerry	Smith, Owen	Jeff Smith
Greenwood, Lilian	McDonagh, Siobhain		
Greenwood, Margaret	McDonald, Andy		
Griffith, Nia	McDonald, Stewart Malcolm		
Grogan, John	McDonald, Stuart C.		
Gwynne, Andrew	McDonnell, rh John		
Haigh, Louise	McFadden, rh Mr Pat		
Hamilton, Fabian	McGinn, Conor		
Hardy, Emma	McGovern, Alison		
Harman, rh Ms Harriet	McInnes, Liz		
Harris, Carolyn	McKinnell, Catherine		
Hayes, Helen	McMahon, Jim		
Hayman, Sue	McMorrin, Anna		
Healey, rh John	Mearns, Ian		
Hendrick, Sir Mark	Miliband, rh Edward		
Hendry, Drew	Monaghan, Carol		
Hepburn, Mr Stephen	Moon, Mrs Madeleine		
Hermon, Lady	Moran, Layla		
Hill, Mike	Morden, Jessica		
Hillier, Meg	Morgan, Stephen		
Hobhouse, Wera	Morris, Grahame		
Hodge, rh Dame Margaret	Murray, Ian		
Hodgson, Mrs Sharon	Nandy, Lisa		
Hollern, Kate	Newlands, Gavin		
Hosie, Stewart	Norris, Alex		
Howarth, rh Mr George	O'Hara, Brendan		
Huq, Dr Rupa	O'Mara, Jared		

Question accordingly agreed to.

Bill read the Third time and passed.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): On a point of order, Mr Speaker. I seek your advice on how to inform the House of some breaking news coming out of the Welsh national Parliament. Assembly Members have unanimously supported the introduction of a Welsh continuity Bill to put a halt to the Westminster power grab. So great is the constitutional encroachment of the Westminster Government that this Bill to support Welsh democracy is supported by not only Plaid Cymru, but the Welsh Conservative party and the UK Independence party. This is of great constitutional significance, with implications for the passage of the European Union (Withdrawal) Bill, which has just received its Third Reading.

Mr Speaker: Whether it is a matter of great constitutional significance is not for me to say. It is, however, not a matter for the Chair. The hon. Lady inquires how she can achieve her objective, and the answer is that she has done so—it is on the record.

Business without Debate

TRADE BILL (PROGRAMME) (NO. 2)

Mr Speaker: We come now to the Trade Bill programme (No.2) motion, in which the Foreign Secretary is displaying an eccentric but insatiable interest.

Motion made, and Question put forthwith (Standing Order No. 83A(7)),

That the Order of 9 January (Trade Bill: Programme) be varied as follows:

In paragraph (2) of the Order (conclusion of proceedings in Public Bill Committee) for “Tuesday 30 January” substitute “Thursday 1 February”.—(*Amanda Milling.*)

Question agreed to.

PETITION

Proscription of Hezbollah

7.31 pm

Dr Matthew Offord (Hendon) (Con): I present this petition on behalf of 896 residents of the Hendon constituency.

The petition states:

The petition of residents of the Hendon constituency,

Declares that demonstrations against the legitimate and democratic state of Israel where offensive and anti-Semitic language is used are not acceptable and that they, the petitioners, condemn such actions; further, that they, the petitioners, note that the police will not take any legal action against perpetrators under the current law; and further, that they, the petitioners, demonstrate their commitment to democracy, tolerance and freedom of speech by seeking the elimination of hatred.

The petitioners therefore request that the House of Commons urges the Government to proscribe the political as well as military arm of the Hezbollah organisation under the Terrorism Act 2000.

And the petitioners remain, etc.

[P002099]

Paradise Golf Resort, Morocco

Motion made, and Question proposed, That this House do now adjourn.—(*Craig Whittaker.*)

7.33 pm

Tom Brake (Carshalton and Wallington) (LD): Tonight's debate is going to be a double act, because the hon. Member for Birmingham, Selly Oak (Steve McCabe) is also going to make a short speech. I would like to thank constituents—I have no doubt that he will want to do the same—in my case, Dave Lansley and the core team of people affected by the Atlantic Paradise golf and beach resort scandal, for the support that they have given us by informing us about the issue.

Back in 2007, roughly 800 people across Europe invested in the project, which was to be a luxury development south of Tangiers in Morocco. They invested, in some cases, their life savings in what they thought was going to be a dream retirement home in Morocco. In return for their investment, they have received precisely nothing. Work on the development stopped completely in 2009.

The fundamental issue is whether the Moroccan Government were behind the project—I think the core group would argue that they very much were, because Ministers expressed support for it and the Government handed over land for the purposes of the development—or whether we accept the Moroccan Government's position, which is that it was a private investment and nothing to do with the Government. We certainly do not accept that, especially as, for example, the Moroccan Government and officials were publicising the scheme at a trade fair for Moroccan property in Paris. We argue that the scheme was strongly supported by the Moroccan Government.

Mr Iain Duncan Smith (Chingford and Woodford Green) (Con): I congratulate the right hon. Gentleman on securing this Adjournment debate, which I fully support. My constituent Dr Shawarna Lasker is in exactly the same position as his constituents and I have written to the ambassador. I agree that the Moroccan Government have to stop hiding and pretending that they are working behind the scenes. Clearly, nothing is happening and individuals who invested for good reasons, and good reasons alone, are being let down.

Tom Brake: I thank the right hon. Gentleman very much for that intervention, which highlights the fact that there are issues on which he and I agree, albeit not many. There is agreement across the House that our Government should have a role in trying to resolve this issue, although I accept that that role is limited.

Let me give some details of the chronology. Deposits were paid by investors, on the basis of the project having Moroccan Government backing, to a developer who was selected by the Government. Unfortunately, the sales agents behind the scheme then disappeared; allegedly, they have been involved in a number of Spanish property scams under a company called Palmera Properties. Construction began in 2007 and was due to be completed in 2010, but as I mentioned, work stopped completely in 2009. At that point, the developer blamed a water company, Amendis, for the delays.

Jim Shannon (Strangford) (DUP): I thank the right hon. Gentleman for securing this debate. I and others present have constituents who have been defrauded. Does he agree that it is past time that our Government stepped up on behalf of the 800 investors who have been defrauded, and used all diplomatic pressure available to achieve a fair solution for those 800 people?

Tom Brake: I could not agree more. I gave advance notice of my remarks, so I hope that the Minister will tell us this evening what our Government are able to do to assist the British investors who have been affected by the scandal.

The developer claimed that Amendis had not supplied the water connection, but subsequently it was shown that, in fact, the developer had not paid the invoices from that water company, so the services were not supplied. The scheme was financed by the Banque Centrale Populaire, which was part-owned by the Moroccan state, who provided some guarantees but then withdrew them without the investors' consent. A critical point is that the Moroccan Government signed an investment agreement in 2015, which stated that the development "golf course is almost completed, and the residential component is finished",

but that is a complete fabrication. That is why I think there is a Government connection that requires the Moroccan Government to take responsibility.

In February 2016, the project was in a derelict state. At that point, the Moroccan Government handed over the land to the development company. Given that a requirement was placed on the Moroccan Government to track the progress of the project and make sure that certain milestones were hit, I wonder why they handed over money when it was clear that there had been no activity on the project for seven years. After the developer was arrested, a Government-owned construction company was appointed to complete the project. Certain reassurances were given by the Moroccan embassy here in London that additional money—130 million dirhams—would be provided to the developer, but that money was then withdrawn.

On 26 January 2017, the developer was found guilty in a penal case and sentenced to 20 months' imprisonment but was released before completing the full sentence in May 2017. Then, on 10 October 2017, the Foreign and Commonwealth Office raised the issue in a meeting with the Moroccan Ministry of Tourism. I hope that the Minister can say whether there have been any developments since then in terms of such contact. The most recent development is that a meeting will take place with the judge involved in the case on 30 January. The core team has asked if someone from the FCO can attend, and again it looks as though the Minister might be able to clarify whether that will be the case. I and the hon. Member for Birmingham, Selly Oak want a formal UK Government representative there.

This scandal raises many issues about the Moroccan Government's involvement and contractual responsibilities. Clearly, if nothing else, they have a moral responsibility, given the many references to their supporting this project, and they need to respond to that. There are indications that they are at least willing to engage in a dialogue, in that both I and the hon. Gentleman have been into the embassy and spoken to staff there, who are well apprised of the issue, but that does not mean that the matter is

resolved. I am sure that the embassy would like it to be resolved, if for no other reason than to stop the very loud protest outside the embassy, which deafens the staff inside the building. There is some incentive, therefore, for them to resolve this.

I acknowledge that the Minister's direct capacity or ability is restricted in this matter, but I hope that he can first confirm whether there is a role for the FCO in terms of providing advice about whether it is sensible to invest in certain countries—it provides advice, obviously, on whether a country is safe—and secondly whether the FCO will be sending a representative to help the core team and their advocates when they appear in front of the judge. Finally, as highlighted in a couple of interventions, we want reassurances from the Minister, whom I am sure will be well informed on the issue, that the UK Government will not let this drop but will take every opportunity they have to raise it, whether with the Moroccan Ministry of Tourism or the Moroccan Foreign Minister. I saw the Foreign Secretary here earlier. I thought he might be responding to the debate, so as to put lots of oomph behind it, but I am sure he will find out about this as well.

I welcome the opportunity I have had to raise this matter, and I hope that it will be appropriate if I leave my remaining time to the hon. Member for Birmingham, Selly Oak so that he might make a contribution before the Minister responds.

7.42 pm

Steve McCabe (Birmingham, Selly Oak) (Lab): I am pleased to have an opportunity to make a contribution, and I am grateful to the right hon. Member for Carshalton and Wallington (Tom Brake) for securing tonight's debate. We have been trying to obtain this debate for some time now.

This is a simple case of injustice affecting British citizens. We are talking about at least 200 people in the core group and perhaps a number of others spread across several constituencies, as we have heard. Indeed, I understand that you, Madam Deputy Speaker, take a keen interest in this matter yourself. Many of these people are retired, having given a lifetime of service to this country, and had hoped to secure part of their retirement funds by buying apartments that they could both enjoy in their retirement and perhaps realise a little extra income from through occasional lets. Many are retired doctors and nurses, and quite a number are former public sector workers. They have been battling on their own to secure these apartments or get their money back for about 11 years now. Some have died without seeing the situation resolved.

We are not talking about fantastically wealthy people. These people were attracted to the investment because of the security that it appeared to offer. As the right hon. Gentleman said, it was sold as part of the King of Morocco's vision to attract tourism and investment. The land was Government land, the Moroccan Government selected the developer, and the various conventions that had to be signed in order for the development to proceed were signed by Government officials. Banque Centrale Populaire, which handled the financial transactions, was part Government-owned. Articles in the British press described this as a project backed by the Moroccan Government, and, as we heard, Moroccan officials even

cited the development at a 2008 meeting in Paris to discuss the short and medium-term priority environmental action programme. Given all that backing, it is hard to imagine a safer investment.

One of the victims is my constituent Dr Saleem, a retired GP who has devoted his life to helping others, both here and in the developing world. He has already been the victim of a fraud over Tangiers City Apartments, which now appears to have involved some of the same people associated with Sirocco Estates and the Urbamed development company. He invested in the Atlantic Paradise golf and beach resort because he believed that it had the backing of the Government and the King of Morocco. He thought that his money was safe. Dr Saleem is in poor health. He may not live to enjoy the property if it is ever completed, but naturally what concerns him now is how he will provide for his wife and family should anything happen to him. It simply is not good enough for the same people to be involved in scams and dubious property transactions, and for the Moroccan authorities to try to wash their hands of the situation.

I am realistic, and I know that it is not within the gift of the Minister to resolve this matter. However, there are things that the British Government could do that would be appreciated by the people concerned. They could apply all possible pressure to the Moroccan authorities, making it clear that they must accept their responsibilities in relation to our citizens. I think that if something like this happened in our country, it would be inconceivable for us to allow the Government to simply walk away. The Moroccan authorities still have time to intervene and instruct another developer to complete the project, or secure compensation for our constituents, but they must be made to feel the maximum pressure.

Following this debate, investors will want to hear from the Minister that they have the full support of the British Government. All conceivable efforts must be made to help the Moroccan authorities to understand that there is a clear expectation on our part that they should bring this matter to a satisfactory and speedy conclusion, and that while it remains outstanding, there can be little prospect of British backing for future investment in Morocco or support for its tourism industry.

As the right hon. Gentleman said, the core group representing the investors has secured a meeting on 30 January before Judge Mustapha Fezzazi at the Cour d'appel in Tangiers. Will the Minister ensure that one of our consulate representatives in Morocco accompanies the group to the meeting, and demonstrates that it has the full support of the British government?

7.49 pm

The Minister for the Middle East (Alistair Burt): I am grateful to the right hon. Member for Carshalton and Wallington (Tom Brake) and, indeed, to the hon. Member for Birmingham, Selly Oak (Steve McCabe) for speaking in the debate and to all the other Members who are present. It is clear that a number of Members have a significant interest in the issue, including those who have intervened—my right hon. Friend the Member for Chingford and Woodford Green (Mr Duncan Smith) and the hon. Member for Strangford (Jim Shannon)—and others who cannot be present. I am aware that others have an interest as well, not least you, Madam Deputy

Speaker, who have made representations on this matter on behalf of your constituents in Epping Forest. I thank colleagues for their contributions and will try to respond to the points raised.

First, let me say that, having been involved in this area for some years, I have known of not dissimilar issues where Governments have taken no interest whatever in what has happened and play no part once a problem has arisen. This is not one of those cases, and I will go on to say what the Moroccan Government have sought to do in relation to this, whatever might be the exact legal position on their responsibility, which is not a matter for the UK Government. However, this is not one of those cases where a Government have shown no interest at all in the problems related to a development and the absolute pain suffered by constituents that Members have described. On Government support for that concern, I say, absolutely, these are people who expected to make a good investment, in most cases at an important stage in their life, and they have been left in a very difficult position.

Diplomatic relations between the UK and Morocco date back 800 years and we enjoy a warm bilateral relationship, with engagement at all levels, from regular working-level contact to constructive ministerial discussions in both Rabat and London. That is not immaterial; it enables us to raise matters on behalf of constituents, as we do. We share similar views on many regional issues and we enjoy good security and trade relations. We are committed to strengthening this close relationship.

For the past few years, we have been working particularly closely with Morocco to strengthen governance and human rights and to support security and counter-terrorism work. This financial year alone, we have funded projects worth over £4 million.

Our relationship is not just confined to our Governments. More than 600,000 British tourists visit Morocco every year, making Morocco one of the UK's favourite tourist destinations, and no doubt time spent as a tourist can lead to thinking of making an investment in a friendly country. We appreciate Morocco's co-operation with us on all matters, including security and first response to ensure the safety of those who visit as tourists and want a relationship with that country.

Morocco is also increasingly attractive as an investment destination. Our bilateral trade in goods and services is worth around £1.8 billion and we are ambitious for the future. Next month, we are hosting an event to promote opportunities in the aeronautics sector, and in April we will be hosting another on financial services. This builds on the links established some years ago by the London Stock Exchange Group with its counterparts in Casablanca. There are other events in the pipeline.

Morocco faces some significant socio-economic challenges, in particular disparities between different regions. After the upheavals that began across the region in 2010 and 2011, Morocco took steps to reform, introducing a new constitutional settlement.

Clearly, UK companies investing overseas has benefits for the UK economy, which is why the Department for International Trade provides support for UK companies looking to make such investments. We expect other countries to treat British businesses operating abroad as we treat their investors in the UK and to provide a stable regulatory framework, so that investors can invest

[Alistair Burt]

with confidence. As has been said, this is to the benefit of those countries with whom we invest, to make sure there is certainty in the outcome to attract further investment.

We recognise that there are times when things go wrong, and the Department for International Trade works closely with the National Crime Agency as part of this Government's anti-corruption efforts. All suspected cases of corruption should be reported to the NCA.

The Paradise Golf and Beach Resort and Atlantic Golf View development project appears to be one such investment opportunity that went badly. It was launched in 2006 and marketed as a luxurious five-star tourist resort. Promotional material showed luxury villas set in beautiful gardens with views over the Atlantic. It was originally due to be completed by 2009, but this did not materialise. It was subsequently promoted in 2010 as part of Morocco's Vision 2020 tourism development plan. We believe that there were some 800 investors from around the world, and that about 300 were British nationals. We understand that £35 million was deposited, of which only £12 million is accounted for.

Last January, the scheme's developer, Larbi Tadlaoui, was jailed for fraud on the orders of the public prosecutor in Tangier. He was sentenced to 20 months in prison and ordered to reimburse investors, with interest. Further charges and hearings are pending. Unfortunately, many of the investors were British. Indeed, we understand that the scheme has attracted as many as 300 British investors since its launch in 2006. This is an extremely troubling situation for the individuals involved. They invested in good faith, attracted by promises of good returns, and now fear that they have lost money as a result of the failure of the scheme. I, and the United Kingdom Government, have every sympathy with their situation and appreciate their desire to resolve the matter as soon as possible. Unfortunately, however, we have to recognise that buying property is a risky business and that this kind of thing can happen anywhere—including here in the UK. I must make it clear that property fraud of this kind is not uncommon in Morocco and in the region generally, as our website makes clear.

The British Government do not offer advice to people seeking to buy property overseas. However, the Foreign and Commonwealth Office website does provide guidance of a practical nature on what to consider when purchasing property overseas. Our general guide offers people top tips on what to consider before they buy: getting things in writing, checking that the seller owns the title deeds, seeking independent legal advice and that sort of thing. It also warns of the particular risks of buying property off-plan and what people might do if things go wrong. In addition to this general guide, we also provide guidance relating to buying property in specific countries, including Morocco. The Morocco guidance sets out quite clearly that there are considerable risks of fraud. It states that

“the list of pitfalls is large, and is almost impossible to number”,

before going on to describe the most common areas where fraud occurs. Our guidance goes on to say that neither the British Government nor our embassies and high commissions overseas have any jurisdiction or authority to become involved in private legal matters.

This includes those connected to property and financial disputes. However, that does not mean we have washed our hands of this issue.

We are unable to intervene in individual cases, as colleagues will know, but we have regularly raised this dispute with the Moroccan authorities to try to achieve a satisfactory resolution for British investors. The Moroccan Ministry of Tourism has taken charge of the issue, and as the right hon. Gentleman mentioned, I discussed the dispute with the Minister of Tourism and Aviation Security, His Excellency Mr Mohamed Sajid, when he visited London last October. Mr Sajid noted that this was a private commercial and legal matter but indicated that he wanted a rapid resolution to the dispute, both to revive the scheme and to ensure that investors were treated fairly. We welcome this intention, for the reassurance it brings not only to investors affected in this case but to others investing in Morocco more broadly.

For completeness and to reassure the right hon. Gentleman and others who have attended the debate that we have taken the matter seriously, I can tell them that our deputy head of mission discussed it with the Secretary General of the Wali of Tangiers in March last year; that our former ambassador discussed it with the Moroccan Foreign Minister in April; that our chargé d'affaires discussed it with the Minister of Tourism and Aviation Security in July; and that our current ambassador discussed it with the Wali of Tangiers in August and September and with the Minister of Tourism and the Secretary of State for Tourism in October and November respectively. Most recently, our ambassador spoke to the Secretary of State in the Moroccan Ministry of Tourism on 15 January this year.

Tom Brake: The Minister mentioned that this was a private dispute. Can he clarify whether that is the view of our Government, or do they consider that this is more than a private development, in the light of the prominence given to the Moroccan Government's support for the project?

Alistair Burt: The right hon. Gentleman is tempting me to give an opinion from the British Government on a property matter that is the subject of recourse to the law in the country that has appropriate jurisdiction. I do not think that I can do that. It is the view of the Moroccan Government that this is a private and commercial matter. As I said earlier, in some circumstances states just walk away and say, “This is a private matter. It has nothing to do with us.” However, the degree of relationship that there has been indicates that that has not been the case here.

I am unable to offer an opinion on what the right hon. Gentleman has said, and it would not be appropriate for me to do so, but that the Moroccan Government feel a sense of responsibility to investors in the broadest sense—I am not making a legal determination—is clear from the actions that have followed, so I will say a little more.

The Moroccan authorities have made it clear to us that they are working to achieve a resolution and that they want to ensure the investors are treated fairly. The Moroccan Secretary of State for Tourism told us that the authorities have found a bank to finance the completion of the scheme and that the Moroccan Prime Minister is taking a close interest in the case. The most recent information we have is that the Government are keen to

revive and complete the scheme and ensure that investors are treated fairly. To that end, they are looking at how to move the land to another developer to complete the resort and to ensure the completion of the project. I suspect there is much more to do, but it indicates an intention of involvement that, in my experience, is unusual in such circumstances.

As the right hon. Gentleman indicated, a further court hearing is coming up on 30 January. The United Kingdom will be represented by the embassy, so we will maintain our interest and continue to pursue matters. I do not know what will come of this relationship, but the sense we get from the Moroccan authorities is that they recognise the public nature of this and that they recognise the reputational issues at stake. They have clearly indicated that, above and beyond a legal relationship that is obviously a matter of dispute, they intend to try to find something because they recognise the hurt that has been caused. We want to see this pursued, and we will continue to make our interests known.

In general, we continue to advise Britons involved in private property disputes overseas to seek independent legal advice on local laws and rights and on methods of redress. We provide a list of English-speaking lawyers in Morocco on our website, but in common with practice all over the world, we do not get involved in legal issues.

However, I hope that what I have said today will reassure the right hon. Gentleman and others who have taken part in this debate and those who will read and listen to it that we are doing what is within our power to help, within the limits of a private legal dispute.

We would like to see British investment in Morocco continue to grow, and we want a strong relationship. We see Morocco as one of the anchors in northern Africa, and we want its economy to be in a good position to provide employment for all the youngsters coming through and to provide everything the area is looking for—all that a thriving economy can deliver. British investment can make a contribution, and therefore ensuring that investors have confidence in the business environment is vital and is something that we share with the Moroccan Government.

With that in mind, and in the interests of the British nationals who invested in the scheme in good faith, we will continue to urge the Moroccan Government to find a resolution to this dispute as quickly as possible. We will maintain our interest on behalf of the House.

8.3 pm

House adjourned without Question put (Standing Order No. 9(7)).

Westminster Hall

Wednesday 17 January 2018

[DAME CHERYL GILLAN *in the Chair*]

County Lines Exploitation: London

9.30 am

Joan Ryan (Enfield North) (Lab): I beg to move,

That this House has considered county lines exploitation in London.

It is a pleasure to serve under your chairmanship, Dame Cheryl. I thank all hon. Members who are here to participate, and in particular my hon. Friend the Member for Stockport (Ann Coffey) for her support before this debate and for her important work as chair of the all-party parliamentary group on runaway and missing children and adults.

London gangs and criminal networks from other major cities are aggressively expanding their illegal enterprises. They are flooding suburban and rural areas as well as market and coastal towns with drugs. They co-ordinate their sales through dedicated mobile phone lines in a practice known as county lines activity.

The latest National Crime Agency report reveals that,

“there are at least 720 lines across England and Wales”,

with

“at least 283 lines originating in London.”

Worryingly, the report states:

“The actual number may well be considerably higher, as many of these areas are likely to have more than one line.”

London is the major urban source of county lines activity, and I will consider how the Met police, local authorities and other agencies in Enfield and across the capital are working to address it. It is spreading out from London and other urban areas, however, to reach into every area of our country. It is a national issue that demands a co-ordinated, nationally funded response that focuses on policing and children’s services.

County lines activity is having a terrible, damaging effect on young people, vulnerable adults and local communities. Children from my constituency and beyond are being exploited by gangs and forced to transport class A drugs, weapons and money great distances away from where they live.

Between November and December 2017, at least nine children from Enfield were reported as missing. Enfield police issued a statement to reassure the public that the borough was,

“not experiencing a disproportionate amount of missing teenagers.”

That was undoubtedly true, but I know from the messages and emails I received that the public were not reassured. If nine missing children in a matter of weeks is not disproportionate and there are 32 London boroughs, that is very frightening. There was genuine alarm about what was happening to those children and speculation that county lines exploitation could be involved.

It is not only vulnerable children and teenagers who are affected. Gangs are taking over the homes of vulnerable adults in those areas to set up drug dens—a process

known as cuckooing—often through violence and coercion, or in exchange for free drugs. Many communities affected by county lines activities are reporting a rise in knife crime offences, violent crime and drug use.

The Government acknowledge that,

“County lines is a major, cross-cutting issue involving drugs, violence, gangs, safeguarding, criminal and sexual exploitation, modern slavery, and missing persons”.

Lyn Brown (West Ham) (Lab): Does my right hon. Friend agree that one of the good advances that we have made over the past year has been to understand that some of our children are being coerced into those gangs? Is she pleased, as I am, that the modern day slavery legislation is being applied in such cases so that those children are understood, rather than condemned?

Joan Ryan: Indeed, I will come to that later. As pleased as I am about the modern day slavery legislation, it has been used very little. In fact, I think there has been only one case, which I will refer to. We need to bear it in mind that those children often do not see themselves as being exploited. They think, “I’m doing rather well here. I’m getting money in.” If they are not cared for children, they feel cared for by their exploiters.

The Government acknowledge that,

“the response to tackle it involves the police, the National Crime Agency, a wide range of Government departments, local government agencies and VCS (voluntary and community sector) organisations.”

However, they must also acknowledge that county lines activity is putting our vital public services in London and across the country under even greater strain. Our health and social care services, police forces, schools and youth clubs are trying to tackle this growing menace at a time of Government-imposed austerity and severe funding cuts to their budgets.

The way in which county lines activity is being carried out changes all the time—the use of social media as a recruitment tool is one recent development. Authorities require the resources to respond dynamically to those changes and be innovative. I call on the Government to establish a national, co-ordinated, inter-departmental and inter-agency strategy to tackle county lines activity. I urge the Government to ensure that they provide our public services and local authorities with the support and financial resources they need to end the exploitation of some of our most vulnerable children, young people and adults.

London is the exporting hub from which county lines activity flows into almost two thirds of police force areas across England and Wales. Every day, older gang members in the capital prey on vulnerable children and young adults, many of whom are from troubled backgrounds, have been excluded from school or are suffering from mental health problems.

It is particularly concerning that almost half the police forces in England and Wales have reported,

“that individuals involved with county lines came from care homes”.

All too often, we take less notice of the safety and security of children who are in care. From cases such as Rotherham, we already know what happens when warning signs of abuse and exploitation are missed or ignored. We cannot allow that to ever happen again.

[Joan Ryan]

Vulnerable children as young as 12 are being groomed by county lines gangs with promises of money, companionship and respect. In reality, they are often forced to go missing from home for long periods of time; they are used as drug mules with their orifices plugged with class A drugs, predominantly heroin and crack cocaine; and they are trafficked to remote areas and forced to deal drugs in squalid conditions. At all times, they are at great personal risk of arrest by the police—in fact, probably the only time that they are really safe—or of physical and sexual abuse from older gang members, local drug users or rival gangs.

We must remember that this activity is associated with a lot of extreme violence. These are cases of modern day slavery. We have seen harrowing cases of vulnerable adults whose homes have been turned into drug dens by urban gangs, such as one individual who was held hostage in their own home and prevented from using their own toilet. Those vulnerable people, young children and adults, are in desperate need of our help.

The National Crime Agency, which has reported on county lines activity since 2015, acknowledges that there “remains an intelligence gap in many parts of the country”.

It states:

“A clear national picture cannot be determined currently”

of accurate levels of exploitation and abuse carried out in county lines activity in many parts of the country.

Lyn Brown: One of the most shocking stories I heard was from a mum whose child had been on the county lines. She told me how she had been trying to stop him, but how he would just come home for a rest before going off again. What was most shocking was that child protection professionals were completely and utterly unaware of him. The gangs played the system really well: social services considered her a bad mum because of the unreasonable demands she was making on her son to stay at home.

Joan Ryan: Absolutely; so much more needs to be done. Let us remember that county lines are somewhat below the radar: we might know about them, but the response to the Twitter reports about missing children in Enfield caused something of a public panic. The public do not know about the issue, so there is not enough pressure to introduce policies to deal with it. Drug dealers like nothing better than operating in the dark, under the radar. Young people especially may not recognise their exploitation.

It is clear that we need to understand the creation, recruitment, opportunities, risks and scale of county lines so much better if we are to address the issue. I therefore urge the Government to commission comprehensive and rigorous research to pull together up-to-date police and local authority data to achieve that aim. After all, how can we hope to tackle the problem unless we understand its true scale? As the NCA’s head of operations for drugs and firearms threats, Vince O’Brien, says:

“This is a national problem...there is still no national response.”

Gangs are aware of the intelligence gaps. County lines activity is exposing the challenges of dealing with offenders

who operate across police force boundaries. Part of the problem relates to police forces’ ability to work together.

Operating across county lines is a fantastic business model for the gangs, because they are opening up new markets and operating below the radar. They have no competition at the early stages of their operation, and very low overheads because their business is based on using vulnerable children and young adults as slaves. In Enfield, a young person who is absent from school may be regularly reported as a missing person, but in Essex the same child could be deemed by the local police to be a street drug dealer or to have been forced into street prostitution. It is very likely that the two police forces could be operating in isolation from each other. Which is responsible for taking the lead? Do we need cross-border crime squad teams, like the old national crime squads?

Progress can be made by improving how Departments and other agencies share data. In spite of the lack of national leadership on the issue, councils across London, led by Islington’s lead member for children and families, Councillor Joe Caluori, have taken proactive steps to understand the county lines that originate in their own boroughs. They are working together to cross-reference data and identify areas where further information and action are required.

My hon. Friend the Member for Lewisham East (Heidi Alexander) may want to go into this in greater detail, but police in Lewisham have also done innovative work by looking at the numbers of missing young people over the previous 12 months, identifying those who may be at risk of exploitation and uploading their information to the police national computer. That means that Lewisham police will be contacted if any of those at-risk young people comes into contact with another police force, which will build a fuller picture of the scale of county lines activity.

I welcome the Government’s implementation of new drug dealing telecommunications restriction orders, which allow the police to shut down phone numbers used for county lines drug dealing. However, while that is an important step forward, how much disruption will it actually cause? How long does it take for a county lines dealer to simply get another phone and begin sending drug offers to their original contact list? A lot more needs to be done to address the problem at its root.

I am concerned that major questions about county lines remain unanswered. The county lines model is being changed all the time. We know that social media are used to recruit children and young people, but do we know enough? Is there enough research and is it moving at the right pace? There also needs to be a much stronger focus on prevention. By the time the police become involved, it is often too late to prevent irreversible harm from being done to a vulnerable child or young adult, or to ever extricate them from the world they have become involved in.

All Government agencies and local authorities need to be able to recognise and act on the warning signs for victims of county lines exploitation. That requires proper funding from central Government, but the reality is that health, social and children’s services are being pushed to breaking point by the Government’s austerity agenda. In Enfield, the Government have slashed £161 million from the council’s budget since 2010, and the council is required to make a further £35 million of cuts by next year. Immense pressure is being placed on Enfield’s

public services at a time when they are already struggling to support a rapidly growing population. How do we expect councils and other agencies to implement strategies to prevent county lines exploitation, when their resources are being cut year on year? I ask the Minister not to simply pass the buck to local authorities by telling us about raising the precept. Hard-pressed Londoners cannot make up the funding gap, and nor could raising the precept. That is not a solution and should not be put forward as one.

Home Office guidance states that tackling county lines will involve working with groups such as voluntary and community sector organisations, providing meaningful alternatives to gangs. What we need is meaningful actions; warm words just will not do it. The stark reality is that the Government cut £387 million from youth service spending across the country between 2010 and 2016. Government cuts to London councils have slashed youth service budgets by £22 million since 2011, leading to the closure of 30 youth centres and the loss of at least 12,700 places for young people. If the Government are serious about tackling county lines exploitation, there needs to be greater investment in youth clubs for children and teenagers and in children's services across the board.

A standout example of best practice to tackle county lines in London is Project Denver, an initiative piloted by the Met's Trident gang crime command unit in Enfield between October 2016 and January 2018. The project's objectives are to dismantle one of the most violent county lines gangs in London, to identify vulnerable people who are at risk of exploitation, and to prosecute the gang members responsible. The team assigned to the initiative is made up of specialist Trident officers and local police from Enfield and other affected forces, working alongside Enfield Council and other councils within and outside London. So far, 20 operations have taken place, leading to more than 100 arrests and the identification of more than 50 vulnerable children and adults. The gang has now largely been dismantled. Formerly one of the most harmful gangs in London, it is now ranked outside the top 20.

Ronnie Cowan (Inverclyde) (SNP): I am interested in what the right hon. Lady says, but there is a slight problem with her argument. Every single time the police intervene and take down one gang, another is only too willing to step into the void. That gang will use increasing violence, because that is how these people operate: the more violent they are, the more territory they control. Every time we pull down a gang, another will step in until we get to the root of the problem: the illegal market.

Joan Ryan: I do not disagree with the hon. Gentleman's points that we must get to the root of the problem and that these gangs operate in a violent manner. However, I do not think that we can leave them in place; we would be abandoning children and young people to their mercy. We need a much bigger, better-resourced operation based on national intelligence about how county lines operate. That may then help us to address the root causes of the issue.

Ronnie Cowan: I think we are trying to achieve the same thing and we are genuinely both looking after the interests of these young adults. However, if we regulated

the marketplace, we would take away all the power from all the criminal gangs and all their production, distribution and selling of the product, and therefore they would not need these couriers to do the job for them. I am talking about re-regulating the drugs market at the top level, which would immediately take all the power away from the gangs.

Joan Ryan: I understand what the hon. Gentleman is proposing, but I do not agree with him and that would not be the solution that I would look for. I do not believe that it would necessarily solve the problem, because violent gangs would either move on to some other product or would want to sell the product at extortionate profits, whether it was legal or otherwise. We see the sale of illegal cigarettes all the time, yet cigarettes and smoking are legal, so I am not sure that I can agree with him. However, I thank him for his intervention.

Ronnie Cowan *rose*—

Joan Ryan: I will allow the hon. Gentleman to intervene again shortly.

I want to finish what I was saying about Project Denver, because when we have an example of something that works, we should pay it some attention. One of the fundamental problems is poverty and the lack of care for exploited young people. We know how effective things like Sure Start were and we know how effective neighbourhood policing, which has been decimated, was. We know what some of the solutions are, without having to legalise class A drugs.

The gang that I was talking about has been largely dismantled and it has gone from being one of the most harmful gangs in London to being ranked outside the top 20. Earlier this month, as part of Project Denver, two drug dealers from Enfield were convicted of human trafficking offences under the Modern Slavery Act 2015, which was the first case of its kind in the UK. Those men were operating a London-to-Swansea county line and they had trafficked a vulnerable 19-year-old woman from London to a house in Swansea, where she was being held against her will, in order to supply class A drugs.

The successful prosecution of those two men shows what can be achieved when police forces, local authorities and other agencies share data effectively. But make no mistake—this work is resource-intensive. It cannot be done successfully unless there are the necessary resources. At the moment, if police forces and local councils put resources into this work, they have to take them from somewhere else, and under the pressure of funding cuts everything is a priority right now.

I believe that Enfield police and the Metropolitan Police Service as a whole are doing a good job, under immensely difficult circumstances, to keep Londoners safe. However, since 2010 the Government have axed more than £600 million from the Met's budget and in the next three years they plan to cut several hundred million pounds more. The Metropolitan Police Commissioner, Cressida Dick, has warned that further cuts to the Met's budget would lead to the loss of 3,000 officers, which is 10% of London's police force, by 2021. That would mean that London had just 27,500 officers, which would be the lowest level in 19 years, at the same time as London's population is growing.

[Joan Ryan]

The latest figures, which are from December 2017, show that Enfield—just one London borough—has just 504 officers, which is 48 fewer officers than the borough's target strength. The police are operating with one hand tied behind their back; they simply do not have the officers to do the job. That comes at a time when knife crime in Enfield has risen considerably; it rose by 48% in the last year alone. If the Government are intent on continuing to cut the Met's budget, what hope is there for vulnerable children and adults who are being exploited by county lines? Do those people not matter? The Government should be under no illusion as to how resource-intensive county lines operations are. The Met must be given the resources it needs to tackle county lines in London.

County lines exploitation is a major issue for London and the UK. As the Prime Minister has said, modern slavery is

“the great human rights issue of our time, and...I am determined that we will make it a national and international mission to rid our world of this barbaric evil.”

Well, Prime Minister, county lines exploitation is modern day slavery, and it is now three years since the National Crime Agency published its first assessment of it. Since then, the police, children's services and other agencies have called for a national strategy to end this exploitation of vulnerable children and adults. On 19 January 2017, which is almost a year ago to the day, a cross-party group of London councils wrote to the Home Secretary to press the Government to implement a national strategy. So where is it?

The Government must show national leadership on this issue. We urgently require a national strategy to ensure that consistent practice in tackling county lines is applied across all local authorities and police forces in London and throughout the country. We cannot allow more vulnerable children, young people and adults, who currently are all too often invisible to the police and child protection services, to fall between the cracks. The Government must make tackling county lines exploitation in London and across the UK a priority.

9.55 am

Will Quince (Colchester) (Con): It is a pleasure to serve under your chairmanship, Dame Cheryl, and I congratulate the right hon. Member for Enfield North (Joan Ryan) on securing this debate and making a very powerful case in relation to tackling county lines and some of the many issues that come with that.

More observant Members will know that Colchester, despite being Britain's oldest recorded town and its first capital, is actually 60 miles from London. Although the subject of the debate is county lines exploitation in London, county lines have a far wider reach and impact, as we all know.

Traditionally, although every town and city across our country has been affected by the scourge of drugs and knife crime, they have largely been the preserve of our capital and our major cities, where the vast majority of those particular types of criminality has been prevalent. However, what we are increasingly seeing, partly because of a saturation of the market in London and in some of our other major cities, is that drug dealers and the

gangs that peddle these disgusting substances are moving further afield to sell their wares and operating county lines.

I represent a seat in Essex and traditionally we saw such activity taking place in some of the towns on the outskirts of London, but more recently—certainly over the past two and a half years—we have seen criminal gangs are moving further and further out from London, to towns such as Colchester and even to towns further afield, because of the opportunity that such new markets present.

The right hon. Lady made a very powerful case about county lines and why we have to tackle them—in particular, because of the young people involved. In my constituency, we have seen an increase in county line activity. Those listening to this debate outside Westminster Hall may not understand what a “county line” is, and it is important that we actually spell out what it is. It is a network of mobile phone lines that are bought and sold like franchises—[*Interruption.*] Perhaps the right hon. Lady did explain: I may have misheard. But it is important that the public have an understanding of what county lines are, because, as she rightly said, they often go under the radar and people do not understand how easy it is—particularly for young people—to be sucked in and trapped by these drug gangs in the conveyor belt and cycle that the county lines operation represents.

County lines are phone lines bought and sold, like franchises or small businesses. Often, the people who own them are never involved in touching drugs at all, but they increasingly use young people to spread their networks up and down the country.

In Colchester, we have seen an increase in knife crime, which is hugely regrettable. However, what is really interesting about that increase, and it is why this debate is particularly important, is that predominantly both the victims and perpetrators of knife crime have not been from our town. They have not come from Colchester; they are from London. On one particular night, we had six knife attacks, and every single one of the individuals involved—both the perpetrators and the victims—was from London. They were part of rival drugs gangs who were coming to Colchester to sell drugs, and bringing with them the knives, the intimidation and the violence that come with that activity.

We have also seen an increase in cuckooing. I know that the right hon. Lady touched on this issue, but it is important to spell out what a scourge on our society cuckooing is. Cuckooing is where a drugs gang, often operating through a county line, will come to a town such as Colchester and pick on a vulnerable person, whether that is someone with mental health issues, someone in social housing, a prostitute or someone who is already addicted to class A drugs. The gang will operate from that person's property, which is often social housing, using that base to exploit that individual or individuals to sell their drugs from the location over the course of a week or two.

An individual came to my constituency office absolutely petrified. He was clearly a class A drug user—he was perfectly honest about that—and he said, “I have had people come to my flat. They came with a gun. They took over my flat.” First, they offered him drugs, which he of course accepted; he was addicted to heroin. He said, “It has got to the point where they will not let me back in my flat. They have taken over.” He was too

scared to go back to the flat, because they said that they would kill him. He came to me, and I gave the only advice I thought I could give, which was to go to the police. He went to the police station and he was subsequently arrested, because they went to the flat and found a large quantity of class A drugs. Despite that perhaps being a regrettable outcome, it was probably the best and safest place for him at that point in time. Cuckooing is becoming a major issue because it is happening more and more frequently.

Ronnie Cowan: What we are seeing here is that a person with a drug addiction went to the hon. Gentleman looking for help and the best outcome he could find was to be arrested.

Will Quince: That is not quite what I said. I said it was the safest place for him because the police were able to take action. What advice should I have given to an individual coming to my constituency office who said an individual with a firearm had taken over his property? What action the police chose to take was up to them. That is not my job as a constituency MP; my job is to protect the individual and other individuals living in my constituency when I hear a report of a firearm. The issue is for the police.

On the wider issue of cuckooing—this is not a party political point; we all agree that we urgently need to tackle this issue across the country—what worries me most is how these drug gangs operating county lines are targeting the young and some of the most vulnerable people in our society. I mentioned that these cases often involve prostitutes, those with mental health issues, those in social housing and class A drug users, but often there are families involved in that scenario, too. Just because someone is a class A drug user, that does not mean they do not have children in the property. If a drug dealer operating a county line comes to a young person's property and threatens them and their mother, I would not blame that young person for taking action to protect their parent, especially if they are young and vulnerable. That is why it is important that we take a long hard look at how we treat these young people and how we intervene.

I take all the points that the right hon. Member for Enfield North made on support services. We have to do more to put support services in place. Where we identify those young people—I take her point about missing people—who are vulnerable and are involved, or in danger of being involved, in a drug gang or a county line, we have to intervene, but we have to be clear about the action we want to take. It is important that we do not criminalise those young people. We should treat them as victims, because it is dangerous to criminalise them.

I predict that the Minister will say that if a young person is involved in a serious crime—especially a crime that affects another person, such as a stabbing—it is absolutely right that the criminal justice system takes full effect. However, if a young person has clearly been a victim and has been exploited and used as a drug mule carrying drugs about their person, as the right hon. Member for Enfield North said, or has been dealing drugs—it could even be a case of modern slavery—it is important that we send a clear message to that young person that we want to help. We should say, “We will intervene. We want to ensure that we get you back on

the path to being fully involved in society.” We should not set them off down the wrong path, which is the danger in labelling them a criminal. What kind of message does that send out? When they are an exploited, vulnerable victim, what path does that set them on for the rest of their life?

We have to be careful how we treat young people in particular. To be clear, drug gangs are increasingly using children as young as eight, nine or 10, potentially entrapping them with gifts such as trainers, phones and other things, at which point they feel completely owned by that individual or drug gang. Sometimes it is worse—sometimes it is physical violence against them or a family member who they love. The point is that we have to intervene and offer them some kind of hope and a way out of a horrific situation.

I am passionate about tackling this issue, and I am keen to work cross-party to ensure we put in place the right measures and make support available, particularly to those young people to help them get out of that potential life of crime. I know the Minister is equally passionate because we have had so many conversations about it. First, I urge her to encourage police forces to work far more closely on the county line issue. We need to get police forces outside London to work far more closely with the Metropolitan police in London, where sadly a lot of the county line activity emanates from. We need to put in more resources to tackle the county line issue. The Government recently put in just under £300,000, so they are taking action, but there is more to do. This is a growing issue that is largely going under the radar. Secondly—potentially this is more of a Justice issue than a Home Office issue—when we intervene and find those young people who are victims, are being exploited and have gone through the most horrific experiences, we should look at them as victims, not criminals.

10.6 am

Ann Coffey (Stockport) (Lab): It is a pleasure to serve under your chairmanship, Dame Cheryl. I thank my right hon. Friend the Member for Enfield North (Joan Ryan) for securing this important debate on county lines; I thought her contribution was absolutely fantastic. I was interested in the description that the hon. Member for Colchester (Will Quince) gave of the impact of county lines on the community he serves. He said that despite the fact that his community is away from London, the county lines have a corrosive effect on it.

The National Crime Agency report “County Lines Violence, Exploitation & Drug Supply 2017”, published in November, mapped the growing extent of the exploitation of children and young people and the shocking levels of violence, intimidation and coercion used. That this has reached such levels in what we all believe to be a civilised society is shameful. The NCA accepts that it does not have a national response at this time, but following its report, it will prioritise county lines and take a co-ordinating role with local and regional police forces. I think we would all agree that that is long overdue, and it would help if the Minister expanded a little on what that might look like.

There has been concern for some time about the growing county lines operations of organised crime gangs based in the big cities. In 2015, Missing People

[Ann Coffey]

and Catch22 presented their report “Running the Risks” in Liverpool. It explored the links between gang involvement and young people going missing. In 2016, our all-party parliamentary group, which is supported by the Children’s Society and Missing People, reported on the safeguarding of absent children. We found evidence that children reported as absent who the police decided were at no apparent risk ended up falling through the safety net, exploited by adults for sex and/or for supplying and selling class A drugs.

The majority of those recruited by gangs are 15-to-17-year-old boys, but boys are more likely to be recorded as absent and at low risk than girls. That is why county lines operations have been able to exist below the radar. Girls who are exploited along county lines are at increased risk of sexual exploitation and trafficking. We should not forget that children can suffer multiple exploitation. We cannot simply deal with that by putting the issues into particular silos; it all has to come together in an understanding of the exploitation of children.

In 2017, the all-party group held a roundtable on children who go missing and are criminally exploited by gangs. We warned that the safeguarding system was failing children because of a lack of understanding of the signs of exploitation and because many children were still being seen as criminals and not victims—a point made by my right hon. Friend the Member for Enfield North and the hon. Member for Colchester. Looked-after children are particular targets for grooming by criminal gangs, and those placed out of the borough can be especially vulnerable, as are young people in pupil referral units. Such children are particularly vulnerable to exploitation because of the circumstances of their lives and their exclusion from schools.

Preventing young people from becoming embedded in gangs has to be a priority. Key to identifying early risk is the sharing of data on missing children. Frequent missing episodes and being found out of area, returning from missing episodes with injuries and unexplained absences from school were all highlighted as being signs that a young person could be involved in county lines activity.

There are issues about how missing data is collected and shared. I welcome the new missing persons database that will be operational later this year, but how effective it will be will depend on the information gathered by local police forces. Will the Minister say when the missing persons strategy will be updated? Recognition of missing episodes as indicators of potential criminal exploitation, followed by appropriate and timely responses, might prevent further exploitation of vulnerable children and young people. Disrupting county lines and convicting the criminals behind them is vital. Organised crime has been getting the message that, provided they use children and young people, we are powerless to do anything about it.

On 4 December, our APPG held an event at the House of Commons, attended by experts, professionals, police and practitioners to discuss the disruption of county lines and how children and young people can be better protected. There was overwhelming support for more use of trafficking legislation and the Modern Slavery Act 2015.

The national referral mechanism was set up in 2009 to identify victims of human trafficking or modern-day slavery. Acceptance by the national referral mechanism clearly identifies the young person as a victim, even if they have committed a criminal act, which is very important in the context of criminal exploitation. Evidence from the Children’s Society and ECPAT shows that the knowledge, understanding and implementation of the national referral mechanism is patchy. ECPAT is also concerned that the national referral mechanism does not necessarily trigger any safeguarding response and should be embedded into the child protection system.

As my right hon. Friend the Member for Enfield North mentioned, there have been very few prosecutions under the trafficking legislation. One of them was at Swansea Crown court—the case that she mentioned, the first of its kind, against the gang operating out of London. There are ongoing cases in London, but, as with any new legislation, the police and CPS will be waiting to see how successful those cases will be.

We need effective tools to prevent young people from being used as drug mules by organised crime. Lewisham has used criminal behaviour orders, which can prohibit a young person from travelling to certain places, which makes them less attractive to the criminal gang. Child abduction warning notices can also be served on individuals suspected of grooming children and young people. Although there are some issues with those, such as the need to consult with parents—we can all see what the problem with that might be—they clearly identify that it is an individual adult who is exploiting children and it is the child who is the victim, which puts the responsibility where it belongs. That might encourage communities to look at the people operating in their communities as exploiters of children and might help to change attitudes towards those people.

However, there should be a notice that is more in keeping with the trafficking legislation than the Child Abduction Act 1984 is, and it should apply to all 16 and 17-year-olds, which child abduction warning notices do not. Breach of the new notices could then be used as evidence to apply for orders that carry penalties under the trafficking legislation. Will the Minister support such an approach?

We have a fragmented safeguarding system that responds to the child as a victim or as an offender and does not recognise that a child can be both. The most powerful contribution to our December meeting was from a parent who had battled hard to get safeguarding agencies to understand that her son, who was being groomed into criminal activities, was an exploited child. Her son became more and more embedded into county lines and ended up being stabbed. The parent said:

“It became so frustrating as all services that were assigned to working with my son in this period were all working as separate entities. With this came, on many occasions, lack of communication, oversight or duplication of what was meant to be done or not take place, and this caused me great distress.”

In the end, she herself set up an email group for all the many agencies to co-ordinate information about her son, which proved helpful. It is important to learn from the experience of parents to make sure that the safeguarding response that a system provides is helpful to both the young people and parents and does not make a bad situation worse. It is important to understand the impact

of out-of-borough placements on young people, which can expose them to further risk rather than protect them.

We need to challenge public attitudes that blame the young person for their own exploitation. This echoes the early cases of child sexual exploitation where the young girls were written off as prostitutes. But who can blame the public when that was the view of the agencies tasked with safeguarding children? Education is crucial. The Greater Manchester police “Trapped” campaign focuses on county lines, aims to raise awareness of the grooming process in communities and schools, and encourages communities to spot and report exploitation of young people.

Greater Manchester police says that county lines is a much broader issue than drugs and also involves the transportation of firearms and money. It is a developing business model, as my right hon. Friend the Member for Enfield North has already said. It is vital for police forces and agencies to work well together, so Greater Manchester police is working closely with forces that have an expanse of rural areas such as Cumbria, Cheshire, North Wales and Lancashire.

The excellent Greater Manchester police YouTube video, made for the “Trapped” campaign, illustrates vividly how a child drawn by the offer of cash becomes more and more embedded in the gang. What at first seems like easy money becomes a miserable existence of escalating violence and threats to life. We know that certain factors make children more vulnerable to exploitation, but all young people can be vulnerable at the time of transition from primary to secondary school. That is why it is important that sex and relationships education in schools involves raising awareness of criminal exploitation and county lines.

Joan Ryan: I completely agree about the transition period being a risk. Does my hon. Friend agree that the pupil referral unit, where we have seen gang members hanging around to recruit youngsters who often are vulnerable, is also a risk?

Ann Coffey: My right hon. Friend is absolutely right. Young people in PRUs are specifically targeted by organised crime because of their vulnerabilities. Vulnerable young people often feel there is nothing else for them on the horizon except what the drug dealer might offer. Poverty, poor housing, unemployment and living in a high crime neighbourhood creates the conditions for county lines to flourish.

County lines is also a public health issue. We cannot ignore the demand for drugs and the impact on individuals, families and children’s health. Health needs to be part of the safeguarding response to county lines at a national and local level. I thank the Minister for meeting me recently to discuss many of the issues.

Recent media coverage has meant an increase in the awareness of the extent of exploitation of children by organised crime, reaching beyond high-crime areas to communities that have never experienced the brutality and violence that comes with county lines. It is progress that there is increasing awareness and that the National Crime Agency is taking a national co-ordinating role. There has to be an effective response by the police leading to successful prosecutions so that county lines are disrupted. Alongside that there needs to be better

identification of children at risk by agencies working together at a local and national level. There need to be better interventions earlier in children’s lives, and more resources.

10.19 am

Heidi Alexander (Lewisham East) (Lab): It is a pleasure to follow the contributions of my hon. Friend the Member for Stockport (Ann Coffey) and the hon. Member for Colchester (Will Quince). Both Members spoke with a huge amount of sense, obvious compassion and a clear understanding of the issues. I congratulate my right hon. Friend the Member for Enfield North (Joan Ryan) on securing the debate. She made a characteristically well-informed and engaging speech, which, as my hon. Friend the Member for Stockport said, was thoroughly excellent.

I agree with my right hon. Friend that there should be a co-ordinated national approach to tackle the running of drugs along county lines and that we need to review the way in which we deal with children, young people and vulnerable adults who get themselves caught up in such activity. I also believe that we need to consider tougher sanctions for those directing and driving such activity and to ensure that the Crown Prosecution Service, the police and local authorities have the resources and powers that they need to tackle the problem.

I first learned about the phenomenon of county lines drug running about four years ago, following a visit to my advice surgery by a distressed mother. I can picture her now: she was a woman living three or four roads away from my home in Lewisham; she was originally from Sierra Leone, and spoke limited English; and she was in a state of desperate confusion. Her teenage son had been arrested the previous day in Portsmouth. I asked, “What’s he doing in Portsmouth?” She did not have an answer, but she was scared stiff about what was going on, and what she feared had been going on for a while but could not describe. She was crying out to me, as her Member of Parliament, for help.

The mother said that she could not cope. She talked about strange men hanging around her front door, and the fact that her son would disappear for short periods. She did not know what he was doing, and she asked me to help her find out what was going on. Her son was involved in running drugs from Lewisham to the south coast. There are currently 317 under-25s from Lewisham believed to be involved in that activity, of which about 200 are of school age. They are supplying drugs in 19 different counties. That is 200 school-age children from one London borough out of 32, so the problem is not insignificant.

Last year, as a result of a two-year operation involving the police and the local authority, 174 arrests were made, including 22 key adults. A number of the individuals who were arrested are still awaiting their criminal justice outcomes, but so far 121 years of prison sentences have been handed out collectively. Some 23 kg of class A drugs were seized, with a street value of £4.5 million. Lewisham Council, thanks to the leadership of officers such as Geeta Subramaniam and elected councillors such as Janet Daby, has taken a proactive approach to tackling the problem. Some of my colleagues have spoken about the sorts of measures that have been taken. Those people at the council are determined to

[Heidi Alexander]

stop the involvement of children, and let us be clear that some of the individuals involved in this activity are children. I get the sense, though, that they are frustrated.

Ronnie Cowan: I may be putting myself on the line here again, but I refer the hon. Lady to Neil Woods, who was an undercover police cop and drug officer for 14 years. He put his life on the line to fight against such people. He probably knows more about cuckooing, county lines, and the production and distribution of drugs than all of us put together. Neil himself estimates, having worked for 14 years and put people away for thousands of years in cumulative prison terms, that he disrupted the supply of class A drugs by a total of two hours across his entire career. I am not saying that we should not be trying to do it, but how we are going about it clearly is not working.

Heidi Alexander: I have some sympathy with what the hon. Gentleman says, because I think that what happens in prison to rehabilitate offenders and to take them off the path that they are on is just as important as how many years they spend there. I am not sure at the moment that the system operates correctly, so I have some sympathy with his point. However, the point I am making is about the scale and significance of the activity in one part of London, and the action that is being taken by the local authority and the police to try to tackle it. As I will come on to say, that is very difficult in a time of constrained resources and with the funding pressure that the Metropolitan police and local authorities such as Lewisham are under.

As I was saying, I get the sense, from talking to police and council staff, that they are frustrated in trying to tackle the problem. A number of years ago, there was an operation called Operation Pibera, in which the local authority, in conjunction with the CPS and the police, tried to bring charges of trafficking under the Modern Slavery Act 2015. Unlike Enfield, they were not successful in securing those prosecutions. They wanted to bring those charges because the sentences associated with that sort of conviction would be longer than for the other lesser offences with which the individuals could have been charged.

The guys who are in control of the activity and who are luring, and sometimes coercing, children, teenagers and vulnerable adults into getting involved should feel the full heat of the law. They are people who will stab someone who wants to get out of doing the drug running. They are taking advantage of kids and adults with mental health problems by, in effect, getting them to do their dirty work. It is despicable, and rather than simply going for the low-hanging fruit of charging the individuals found with the drugs or the money on the day, there needs to be a mechanism in place to hold the guy at the top responsible.

As I understand it, the Modern Slavery Act was drafted primarily to deal with problems around individuals forced into sex work and domestic servitude. The running of drugs along county lines is different. Some of the underlying principles may be similar, but I would be interested to know whether the Minister agrees that it might be sensible to review whether amending the Act

could make it easier to bring successful prosecutions, to ensure that those calling the shots on the county lines are held responsible.

It has been put to me that one of the changes that might be considered is changing the law to require the police and the CPS to prove, in relation to drug offences committed by, for example, teenagers on the county lines, that they were not being exploited, but were knowingly and willingly involved in the activity. The Minister would need to consider that issue in the round, but I would be interested to know whether she is looking at amending the Modern Slavery Act in any way. I believe that some 14-year-olds will know exactly what they are doing, but others will be victims, and we need to take our responsibilities to those children and young people seriously. Just because they might not be cared for, that does not mean that they do not matter.

Lyn Brown: I am grateful to my hon. Friend for giving way; everybody has been very generous this morning. One mum told me what she had heard about how county lines were being run. She told me about the provision of a gift such as trainers to an individual, which is then considered to be a drug debt that has to be paid back. When the child goes on the county run to pay back the debt, they are robbed by the very people who sent them out, which means that the debt gets higher and higher, and the child has to work it off. They cannot go to their parents to ask for money to pay off the drug debt, because they are often not wealthy people, or the individuals simply do not want to burden their parents by asking for that kind of money. It is coercion and slavery, whichever way we look at it.

Heidi Alexander: My hon. Friend highlights the precise problem.

How we prosecute individuals involved in this crime needs attention, but so do the tools that the police and local authorities have at their disposal to detect and disrupt such activity. I know that the Government recently introduced regulations to allow the police to apply to a court to close down the mobile phone being used to receive the drugs orders, for want of a better word for them. I know that those regulations were introduced only in December, but it would be helpful to receive an update from the Minister on whether any such applications have been made, and whether they have been successful.

Will the Minister say what resource is being given to the Metropolitan police, the National Crime Agency and local authorities in London to ensure that the basic tasks that are needed to track and monitor such activity can be carried out comprehensively and in a timely fashion? I know that Lewisham Council is keen to do more work on a pan-London basis, looking at how statutory agencies might use social media more effectively to track and predict county lines activity, but that, of course, needs to be funded.

It also seems to me that the work done by councils and the police in big cities such as London to educate young people about how to stay safe is absolutely critical. We teach young people road safety. We need to have the same focus on bullying, knife crime, drugs and healthy relationships in our schools. We can pretend that this is not happening, but that is not doing anybody any favours. We also need to ensure that parents are

involved in that conversation. All of that costs money and my genuine concern is that it is money that local authorities and the police do not have.

In my first term as a Member of Parliament, I visited the parents of three boys who had been stabbed to death in my constituency. I never want to do that again. My fear is that the postcode wars of seven or eight years ago, where gangs were defined by territory and violence escalated through revenge stabbings, are being replaced with gangs running drugs down to different parts of the country. The outcomes—people being stabbed and poor kids living in fear—are exactly the same. I do not want children growing up in Lewisham to have that on their plate. We need to find a way to join up the pieces of this jigsaw puzzle, treat children as victims when they genuinely are, take tough action against the ringleaders and find a way to stop the problem spreading. It already ruins too many lives in places such as Lewisham. The least we can do in this place is to try to work out a way to tackle it.

Dame Cheryl Gillan (in the Chair): We now move on to the Front-Bench speeches. I am sure the hon. Ladies on both Front Benches will know how to divide the time equitably.

10.31 am

Louise Haigh (Sheffield, Heeley) (Lab): Thank you very much, Dame Cheryl. It is a pleasure to serve under your chairmanship, and it is a pleasure to respond to this debate today, as it has been a fantastic one, with so many well researched, thoughtful and excellent contributions—not least from my right hon. Friend the Member for Enfield North (Joan Ryan). I congratulate her on securing the debate and continuing the discussion on this issue in Westminster Hall. She gave a fantastic and thorough overview of the exploitation and treatment of these young people—many of whom, as she said, do not feel themselves to be exploited—and of the very profitable business model that underpins the crime, which combines kidnap, child abuse, drug dealing, trafficking and violent crime.

Right hon. and hon. Members spoke from personal experience today about their own constituents, whether young victims themselves or the victims of cuckooing, which the hon. Member for Colchester (Will Quince) spoke about. I know he has done a lot of work in this area. He demonstrated the implications of the crime on not just London but towns outside London and spoke of the victims in his constituency. He spoke of the need, as everyone did, to support victims, rather than criminalise those young people. Rotherham was mentioned as a comparator. The similarities are key here. I have spoken to many survivors of the Rotherham scandal who told me that they were treated as sluts rather than victims. I have spoken to Sammy Woodhouse, who has been campaigning for Sammy's law, which would allow their criminal records associated with the grooming to be expunged, and Labour is very happy to support that. The situation has very strong similarities here, because those children and young people were victims, just as many of these young people are.

My hon. Friend the Member for Stockport (Ann Coffey), who is nothing less than an expert on this issue—and has worked on it over many years, in particular on the vulnerability of looked-after children—gave some great examples of good practice in this area on criminal

behaviour orders and child abduction warnings. She made the very sensible case for treatment under trafficking legislation.

My hon. Friend the Member for Lewisham East (Heidi Alexander) gave a very thoughtful and emotional contribution, again distinguishing between victims and offenders, who should face the true sanctions that this horrendous crime deserves. She laid out the scale of the problem in just one borough and police force area out of 32. She made some important points about the Modern Slavery Act, which I will come on to, and the difficulties of prosecutions under that Act, and about how relevant it is for this offence, which is nothing less than slavery. I know how useful it has been as a deterrent in Merseyside, which has had some success in prosecuting offenders under the Act, because those gang members have not been treated as big kingpins in prison. They have been treated differently under the Modern Slavery Act and been isolated in prison and it has served as a deterrent for other people who could potentially be involved. We absolutely support my hon. Friend's call for a review of that legislation.

We have heard shocking examples of the practice from around the country. We know that London is the biggest metropolitan supplier of this crime, but the National Crime Agency has found that 38 of the 41 forces in England and Wales have identified this form of exploitation taking place in their area. The Children's Society estimates that 4,000 children are at risk from this crime every year across England and Wales.

Organised crime and its associated effects lead to hundreds of deaths every year, with figures for 2016 showing 2,479 deaths from illegal drugs alone. Though figures for deaths from the violence linked to organised crime are not specified, it is a significant factor in gun and knife violence. A total of 26 people were shot dead in the year to March 2016, and a further 213 were victims of stabbings.

Mr David Lammy (Tottenham) (Lab): May I recommend my review to my hon. Friend, in which I talk specifically about youth crime and the disproportionality of black and ethnic minority children going into the youth justice system? We have to do more to use the exploitation legislation and understand that these young people are just as vulnerable as many of the young women that we have raised in the past.

Louise Haigh: I have of course read my right hon. Friend's review and thoroughly recommend it to all other Members in the Chamber today. It is a very thorough overview of the criminalisation of black and minority ethnic young people and people of all ages in our criminal justice system and the pervasive attitudes that still exist, sadly, across elements of our criminal justice system, which lead to that over-criminalisation.

It is no surprise that as serious and organised crime grows, as we have heard today, violent crime is rocketing. The threat is growing and the police are struggling to keep up. They have suffered horrific cuts over the last seven years, which have devastated local intelligence collection. Now, in unprecedented fashion, senior officers are sounding the alarm across the UK. Unfortunately, serious and organised crime and violent crime are only one part of the picture of the demand that our police forces face, as 999 and 101 calls are up by as much as

[*Louise Haigh*]

30% on last year. Some 83% of the calls to command centres are non-crime related. They are related to mental health and missing persons—vulnerable people—and the police are not the appropriate agency to be dealing with vulnerable people. In some forces, missing persons are up by 300% in the last five years.

Violent crime is up by 13% on last year. In that time, our police forces have lost more than 20,000 officers and more than 40,000 police staff. As we have heard, the only response from this Government is to require police and crime commissioners to increase the precepts. That will not fill the gap that has been left by cuts to police forces, alongside cuts to the Crown Prosecution Service, courts and local authorities.

The chief constable of Merseyside Police, Andy Cooke, has warned that fewer neighbourhood officers make it harder to win the trust of local communities and make it more likely that there will be a wall of silence to protect local gangs and criminals. The director general of the National Crime Agency is increasingly concerned that organised crime is not being prioritised. She said that the £377 million annual funding handed to the NCA by the Government is nowhere near enough, given the severity of the threat. She said that

“we have got to recognise that it needs investment if we are going to protect the public from some of the most invasive crimes.”

There is simply no precedent in the service’s modern history for tackling the phenomenon of organised criminal gangs while so starkly under-strength. That has hampered the effort to tackle county lines, which has been referred to as a hidden crime. It took time for it to be given the recognition it warrants as a highly exploitative crime, partly because of the difficulty police have in identifying it. The runners involved can appear initially to be voluntary and often a number of red flags would need to be raised before the practice itself is identified. That requires a good deal of police work. Indeed, that was the point in establishing the more elusive form of criminality in the first place—that it would be difficult for the local force to identify non-resident dealers.

The successful prosecution of a leading member of a gang that used county lines in London revealed that the activity regularly brings in up to £150,000 a month for one particular criminal gang, causing incalculable harm in the process. It is the number of exploited children that truly marks out this form of crime as horrifying. One metropolitan force told me that, in one city alone, organised criminal gangs are able to exploit a pool of 20,000 to 30,000 children who are missing or absent from school or home by coaxing them into their criminal networks.

The reach of county lines is deeply concerning, and very few forces are immune. The National Police Chiefs’ Council estimated that there are 282 county lines coming out of London, and that they reach 65% of forces nationwide. The work to break those networks is onerous and costly. Intelligence collection is critical to bringing the leading figures in the networks to justice, but it is through safeguarding that vulnerable youngsters can be protected and the practice disrupted. That is why it was astonishing to learn that, last year, the Government rejected a force’s bid for funding from the police transformation fund to do exactly that kind of safeguarding work, focusing specifically on county lines and stopping

the flow of vulnerable youngsters into the criminal practice. At a time when serious and organised crime is growing, it is perverse that a bid to safeguard youngsters who may fall into criminal gangs was rejected.

I want to leave the Minister plenty of time to respond to all the points raised today. I would welcome some further clarification from her about the operation of the networks and the telecommunications order, which was mentioned. I was pleased to support measures to disrupt these networks’ means of communication at the end of last year, but at the time I raised concerns about the speed and the effectiveness of the measures in taking down the networks of those suspected of dealing in county lines. I also said that criminals could easily switch phones and continue to communicate. The NCA’s most recent report seems to support those concerns. Many forces identify that criminals use more than one phone line. I appreciate that the new measures have been in place for only a month, but I would welcome an update from the Minister on how they are operating.

The NCA also said that we need a more consistent approach to capturing county lines intelligence. What role is the Home Office playing in helping to build a picture of the threat so we can assess the true scale of the practice? It has a clear definition of county lines, but a variation in its application has caused a potential blurring of the threat picture and may account for some perceived discrepancy in activity. What efforts are being made to capture and utilise county lines intelligence to ensure it can be accessed by all relevant stakeholders, not just police forces?

I reiterate my call for a review of the Modern Slavery Act 2015 and the way it is applied to county lines. It is crucial, as all hon. Members said, that such children are treated as victims and are placed on the national referral mechanism. As the Children’s Society said, the response to child victims is too often punitive, rather than protective. We need a national response to ensure that all police forces in all circumstances understand that they are victims, not criminals.

10.42 am

The Parliamentary Under-Secretary of State for the Home Department (Victoria Atkins): It is a pleasure to serve under your chairmanship, Dame Cheryl. I congratulate the right hon. Member for Enfield North (Joan Ryan) on securing this debate on this incredibly important issue, and on making her points in such a compelling fashion. She made clear the very real impact on constituents and the feeling in local communities, as did hon. Members from both sides of the House. This is one of those rare issues on which we can reach cross-party agreement. This debate has made clear the commitment to tackle it—not just in London, but nationally.

Drug gangs target vulnerable young people—including, sadly, as the hon. Member for Stockport (Ann Coffey) said, children in care and those who have had a very difficult time at home. Gangs deliberately target such children because they know they are susceptible to peer pressure and the influence of adults. They beguile, entice, flatter and befriend them, and when they have ensnared them, they put them to criminal work. It is exploitation pure and simple, which is why I am pleased that we are beginning to see such cases prosecuted

under the Modern Slavery Act 2015, which gives them the stigma they deserve, at the same time as tackling criminality.

As we have heard, once caught up in county line gangs, children are at risk of extreme physical and sexual violence, gang recriminations and trafficking. My hon. Friend the Member for Colchester (Will Quince), who has done much work in this area, set out cogently the effect that such violence has had in his market town, 60 miles from London.

County lines gang activity and its associated violence, drug dealing and exploitation has a devastating on young people, vulnerable adults and local communities, including the parents, as the hon. Member for Lewisham East (Heidi Alexander) said. This is a relatively new phenomenon. The hon. Lady said that she met constituents involved in this issue for the first time four years ago. I suspect that that was the beginning of this terrible new phenomenon; we were not debating it in 2010 or 2011 because it was not a problem.

We must give the police and others who have to deal with such gangs a bit of room to pace up and understand the way these cases and gangs are developing, because it is an extremely dynamic situation. We know that gangs are looking for new markets at all times to “diversify” their businesses. It is extremely fast-moving. Everyone involved—the Home Office, the police, local authorities and charities—has to react quickly to these situations.

Please be under no illusion: the Government are determined to crack down on this phenomenon, help those who work so hard on the frontline to support children, and investigate and prosecute the gang leaders. In short, we want to rescue and safeguard the victims, and take the gang leaders off our streets. How do we identify the gangs and support the victims? There must be both a national and a local approach to county lines, given the geographical range of some of the gangs. As hon. Members said, we cannot focus just on law enforcement. We have to look at the care we give to the children who are dragged into the gangs, and prosecute the gang leaders.

We have set up a national group to deliver a co-ordinated programme of action to tackle this issue. Through that group, which includes heads of police and other agencies, we have engaged social workers, health practitioners and law enforcement, as well as trained school nurses and housing support officers to raise awareness among the groups of people who reach into the lives of those children and their parents. We are trying to raise awareness among those groups so they can spot the signs of exploitation and point the young people in the right direction.

We completely understand that we need a multi-agency response, and that is what we are trying to do through the national group. The national group then reports to an inter-ministerial group. I appreciate that, outside Whitehall, all these different groups may not mean very much, but that means that Ministers have an understanding for their Departments. We meet regularly—I chair the group—so we can understand what, for example, the Department for Education and the Ministry of Housing, Communities and Local Government are doing to tackle this dreadful gang crime. We will outline further action on this issue on our forthcoming serious violence strategy, which will be published early this year.

The hon. Member for Stockport understandably focused on the issue of missing people. She has so much expertise on that issue and has worked on it for so long; it was a pleasure to meet her recently to discuss her concerns. The safeguarding response to such children is at the heart of protecting young people involved in such exploitation. We have published guidance to raise awareness of the fact that missing is a clear indicator of potential county lines involvement. We have funded local reviews through our ending gang violence and exploitation programme, which I will talk about in a moment, to improve the multi-agency response.

Missing people, in the context of county lines, will be highlighted in the forthcoming missing people strategy, which we are working hard on. The hon. Lady knows only too well how complex the issue is. We want to get it right, and we hope to publish that strategy in the coming months. I have listened to what she has said about child abduction warning notices, which we will consider carefully.

On tackling gangs, we have the ending gang violence and exploitation programme, which again draws together all the relevant Departments—the Department for Education, the Department of Health and Social Care, and so on—so that we work collaboratively on the complex features of county lines. Through that programme, rather like the national group, we know that health professionals, school nurses, housing officers and so on are being given training and being made aware of the key indicators of involvement so that they can spot victims and give them the help needed.

We also need the public’s help. I have been struck by the submissions of colleagues that some parts of the public are not aware of the phenomenon, and that is why this year we are running a nationwide campaign to ensure that parents know when things are perhaps not going right at home with their children, and where to go to seek help.

Through the national ending gang violence and exploitation programme, we are also trying to help local projects on the ground. That includes £300,000 for a new support service operated by the St Giles Trust and Missing People to provide additional support to young people exploited through county lines. That includes one-to-one support for county lines victims travelling between London and Kent; specialist return-home interviews, with subsequent referral and care plans for victims; and scoping work to identify how our support can be improved.

In addition, we have given £100,000 to 15 local area reviews outside London, because those are the areas the gangs are targeting. We want to enable those areas to look at what they are doing to ensure they are responding to the threats to young people—not just those from London but young people in their areas, because the gangs recruit locally as well.

Vicky Foxcroft (Lewisham, Deptford) (Lab): I am listening intently to the Minister. She has pointed to the ending gang and youth violence strategy and to different areas that feed into her, with lots of different projects working together at different times. However, what many Members have asked about and what I am interested in is: how does this all link up? Are databases being shared, or is there cross-working among the different areas? If not, how will the Government ensure that we manage that better?

Victoria Atkins: We may understand this in Whitehall, but I appreciate that we cannot wander around the streets of London talking about strategies. However, it is through such strategies that we draw all the partners together. There is a great deal of collaborative work on this, because we know that a child may start in London but end up on the other side of the country—north, south, east or west.

I will come to law enforcement in a moment, but there is also a great deal of work going on between police forces. Such things are not always on the front page of the local newspaper, because that would not be appropriate, but we ensure that officers talk to each other and share intelligence, as happened in Swansea, so that they know when gangs in London are coming to an area outside and the police can work together to bring a prosecution.

Young people's advocates are also important. We have heard a lot today about youth clubs and so on. Since 2012, young people's advocates have been funded in London, Manchester and Birmingham. They do an incredible amount of work, in particular with women and girls. We have not spoken much today about the impact of such issues on women and girls, but they can be terribly affected by sexual violence in gangs. Recently, I visited a charity called Safer London, which has young people's advocates working with young women who have been sexually exploited, sometimes pimped out by the gangs or used in gang recriminations. Those advocates can do a great deal to turn around such women and girls' lives.

Other organisations that we are helping include Redthread, which targets—that sounds like the wrong word; I should say “focuses”—on young people in London when they come into accident and emergency with stab wounds. Redthread tries to reach them at that most vulnerable point in their lives to break them free of the gangs. We have also just handed out more than £800,000 to local knife-crime charities—some Members might have received a letter from me about local charities that have received such funds—to ensure a local approach, because areas are different and we do not assume that what will work in one part of London, for example, would work in another. We rely very much on local charities with their expertise on knowing what will work.

Other strands of work include a local projects fund of £280,000. MOPAC, the Mayor's office for policing and crime, and police and crime commissioners play a very important role. We are pleased that the Mayor of London is continuing with the London gang exit scheme, which tries to get young people out of gangs.

I am conscious about leaving time for the right hon. Member for Enfield North to respond, so I will move on to prosecution. I used to prosecute drug traffickers and other criminals for a living, and I am keen that we target the leaders of the gangs. I have heard what has been said about the Modern Slavery Act 2015. To our collective recollection, we have had no request from any arm of law enforcement to review the Act; law enforcement is using the Act as it stands. Of course, if we get such a request, we will consider it, but we have had no such request yet.

The problem, as the hon. Member for Lewisham East emphasised, is getting the people at the very top; sadly, that has always been the case—I speak as someone who

used to prosecute gangs. Trying to get the people at the top, rather than those lower down the rungs, is very difficult, but that is not the fault of the Act; it is the difficulty of drawing the evidence together so as to get, for example, conspiracy to supply class A drugs on the indictment. The police are very much working on that, and the National Crime Agency has prioritised county lines as a national threat. It is working on that across the country. It has had a 100% response rate from all forces with its latest report, which gives the best intelligence assessment we have had so far.

To focus in, however, because I am conscious of the time, I should say that we have had some success in the area of prosecution. I am very pleased that two defendants in Swansea recently pleaded guilty, and other cases under the Modern Slavery Act are in the pipeline. Drug dealing telecommunications restriction orders are in force, but I cannot give any more detail on when the first one will be used, for operational reasons. The police, however, were very excited to have those orders as a power and they intend to use them. I hope that at some point I will be able to update the House on that.

Be under no illusions—as a Government we are very committed to tackling county lines. To quote a police officer to whom I spoke recently, who is tackling such gangs in her local area: “They are stealing our children.” That sums it up. We cannot and will not allow them to do that, and we will do everything we can to stop it.

10.57 am

Joan Ryan: I thank all hon. Members who have taken part in the debate. We have heard some thoughtful, knowledgeable and concerned contributions. There is widespread concern about the issue among all those who know about it.

I accept the Minister's commitment to deal with the issue, which demands a cross-party response, and I accept that the Government wish to deal with it. However, we have to will the means to make an impact. I have found the police refreshingly honest about the need for the resource, the difficulty that forces have working across county lines and, therefore, the need to develop that ability.

The Minister talked about sums such as £300,000 to support exploited children or £100,000 for local area reviews. Of course, that is all very welcome—who is going to refuse funding for such important issues? However, they are tiny sums in the face of the fact that, over a 10-year period from 2010 to 2020, the Metropolitan police will have suffered a cut of £1 billion, and London local authorities anything from £150 million to £200 million.

If we are to make meaningful inroads into tackling this issue, as we all want, we have to will the means, and the resources have to be put in. That is the only way we will make real progress, rather than having one or two examples that we are pleased about, but which will not solve the problem or protect vulnerable children and adults.

Question put and agreed to.

Resolved,

That this House has considered county lines exploitation in London.

Ethics and Artificial Intelligence

11 am

Jo Swinson (East Dunbartonshire) (LD): I beg to move,

That this House has considered ethics and artificial intelligence.

It is a pleasure to serve under your chairmanship, Dame Cheryl. I welcome the Minister to her new role, following the reshuffle last week. She leaves what was also a wonderful role in Government—I can say that from personal experience—but I am sure that she will find the challenges of this portfolio interesting and engaging. No doubt she is already getting stuck in.

I would like to start with the story of Tay. Tay was an artificial intelligence Twitter chatbot developed by Microsoft in 2016. She was designed to mimic the language of young Twitter users and to engage and entertain millennials through casual and playful conversation.

“The more you chat with Tay the smarter she gets”,

the company boasted. In reality, Tay was soon corrupted by the Twitter community. Tay began to unleash a torrent of sexist profanity. One user asked,

“Do you support genocide?”,

to which Tay gaily replied, “I do indeed.” Another asked,

“is Ricky Gervais an atheist?”

The reply was,

“ricky gervais learned totalitarianism from adolf hitler, the inventor of atheism”.

Those are some of the tamer tweets. Less than 24 hours after her launch, Microsoft closed her account. Reading about it at the time, I found the story of Tay an amusing reminder of the hubris of tech companies. It also reveals something darker: it vividly demonstrates the potential for abuse and misuse of artificial intelligence technologies and the serious moral dilemmas that they present.

I say at the outset that I believe artificial intelligence can be a force for good, if harnessed correctly. It has the potential to change lives, to empower and to drive innovation. In healthcare, the use of AI is already revolutionising the way health professionals diagnose and treat disease. In transport, the rise of autonomous vehicles could drastically reduce the number of road deaths and provide incredible new opportunities for millions of disabled people. In our everyday lives, new AI technologies are streamlining menial tasks, giving us more time in the day for meaningful work, for leisure or for our family and friends. We are on the cusp of something quite extraordinary and we should not aim deliberately to suppress the growth of new AI, but there are pressing moral questions to be answered before we jump head first into AI excitement. It is vital that we address those urgent ethical challenges presented by new technology.

I will focus on four important ethical requirements that should guide our policy making in this area: transparency, accountability, privacy and fairness. I stress that the story of Tay is not an anomaly; it is one example of a growing number of deeply disturbing instances that offer a window into the many and varied ethical challenges posed by advances in AI. How should we react when we hear that an algorithm used by a Florida county court to predict the likelihood of criminals

reoffending, and therefore to influence sentencing decisions, was almost twice as likely to wrongly flag black defendants as future criminals?

Lee Rowley (North East Derbyshire) (Con): I congratulate the hon. Lady on this debate; it is a fascinating area and I am grateful to be able to speak. On her last point, I understand that in parts of the United States where that technology is used, there are instances where the judges go one step further and rely on those decisions as reasons to do things. The decision is made on incorrect information in the first instance, and then judges say that because a machine has made that decision, it must be even better than manual intervention.

Jo Swinson: The hon. Gentleman is quite right to raise that concern, because that goes to the heart of the issue, particularly when risk data is presented as incontrovertible fact and is relied on for the decision. It is absolutely essential that those decisions can be interrogated and understood, and that any bias is identified. That is why ethics must be at the heart of this whole issue, even before systems are developed in the first place.

In addition to the likely reoffending data, there is a female sex robot designed with a “frigid” setting, which is programmed to resist sexual advances. We have heard about a beauty contest judged by robots that did not like the contestants with darker skin. A report by PwC suggests that up to three in 10 jobs in this country could be automated by the early 2030s. We have read about children watching a video on YouTube of Peppa Pig being tortured at the dentist, which had been suggested by the website’s autoplay algorithm. In every one of those cases, we have a right to be concerned. AI systems are making decisions that we find shocking and unethical. Many of us will feel a lack of trust and a loss of control.

On machine learning, a report last year by the Royal Society highlighted a range of concerns among members of the public. Some were worried about the potential for direct harm, from accidents in autonomous vehicles to the misdiagnosis of disease in healthcare. Others were more concerned about potential job losses or the perceived loss of humanity that could result from wider use of machine learning. The importance of public engagement and dialogue was acknowledged by the Minister’s Department in its 2016 report. I would welcome an update from her on the kind of public engagement work she thinks is important with regard to AI.

I will turn to the related considerations of transparency and accountability. When we talk about transparency in the context of AI, what we really mean is that we want to understand how AI systems think and to understand their decision-making processes. We want to avoid situations of “black-boxing”, where we cannot understand, access or explain the decisions that technology makes. In practice, that transparency means several things: it might involve creating logging mechanisms that give us a step-by-step account of the processes involved in the decision making; or it could mean providing greater visibility of data access. I would be interested to hear the Minister’s thoughts on the relative merits of those practices. Either way, transparency is particularly important for those instances when we want to challenge decisions made by AI systems. Transparency informs accountability. If we

[Jo Swinson]

can see how decisions are made, it is easier for us to understand what has happened and who is responsible when things go wrong.

Increasingly, major companies such as Deutsche Bank and Citigroup are turning to machine learning algorithms to streamline and refine their recruitment processes. Let us suppose that we suspect that an algorithm is biased towards candidates of a particular race and gender. If the decision-making process of the algorithm is opaque, it is hard to even work out whether employment law is being broken—an issue I know will be close to the Minister’s heart. Transparency is crucial when it comes to the accountability of new AI. We must ensure that when things go wrong, people can be held accountable, rather than shrugging and responding that the computer says “don’t know”.

Lee Rowley: I will try not to intervene too much, but the point about transparency in the process and the decision making relates to the data that is used as an input. It is often the case in these instances that machine learning is simply about correlations and patterns in a wide scheme of data. If that data is not right in the first instance, subjective and inaccurate decisions are created.

Jo Swinson: I entirely concur; one of the long-standing rules of computer programming is “garbage in, garbage out”. That holds true here. Again, that is why transparency about what goes in is so important. I hope that the Minister will tell us what regulations are being considered to ensure that AI systems are designed in a way that is transparent, so that somebody can be held accountable, and how AI bias can be counteracted.

Increased transparency is crucial, but it is also vital that we put safeguards in place to make sure that that does not come at the cost of people’s privacy or security. Many AI systems have access to large datasets, which may contain confidential personal information or even information that is a matter of national security. Take, for example, an algorithm that is used to analyse medical records: we would not want that data to be accessible arbitrarily by third parties. The Government must be mindful of privacy considerations when tackling transparency, and they must look at ways of strengthening capacity for informed consent when it comes to the use of people’s personal details in AI systems.

We must ensure that AI systems are fair and free from bias. Returning to recruitment, algorithms are trained using historical data to develop a template of characteristics to target. The problem is that historical data itself often reveals pre-existing biases. Just a quarter of FTSE 350 directors are women, and fewer than one in 10 are from an ethnic minority; the majority of leaders are white men. It is therefore easy to see how companies’ use of hiring algorithms trained on past data about the characteristics of their leaders might reinforce existing gender and race imbalances.

The software company Sage has developed a code of practice for ethical AI. Its first principle stresses the need for AI to reflect the diversity of the users it serves. Importantly, that means ensuring that teams responsible for building AI are diverse. We all know that the computer science industry is heavily male dominated, so the people who develop AI systems are mainly men. It is not hard

to see how that might have an impact on the fairness of new technology. Members may remember that Apple launched a health app that enabled people to do everything from tracking their inhaler use to tracking how much molybdenum they were getting from their soy beans, but did not allow someone to track their menstrual cycle.

We also need to be clear about who stands to benefit from new AI technology and to think about distributional effects. We want to avoid a situation where power and wealth lie exclusively in the hands of those with access to and understanding of these new technologies.

Luke Graham (Ochil and South Perthshire) (Con): I congratulate the hon. Lady on securing the debate. It is reassuring that Liberal Democrat and Conservative Members are present to debate this important issue, albeit slightly disappointing that ours are the only parties represented. Will she join me in welcoming the centre for data ethics and innovation, which was announced in the Budget at the end of last year? Does she agree that it is important that whatever measures we take are UK-wide, so that statistics, ethics and the way we use data are standardised—to a very high standard—across the United Kingdom?

Jo Swinson: The hon. Gentleman, who is a fellow representative from Scotland, pre-empts the next section of my speech.

We need to develop good standards across the whole United Kingdom, but this issue in many ways transcends national boundaries. We must develop international consensus about how to deal with it, and I hope the UK takes a leading role in that. Parliament has started to look at the issue in recent years: the Select Committee on Science and Technology has produced a couple of reports about it, and the new House of Lords Select Committee on Artificial Intelligence is already doing great work and collecting interesting evidence. The Government have perhaps been slow to engage properly with ethical questions, but I have strong hopes that that will change now that the Minister is in post.

I very much welcome the announcement in the Budget of a new centre for data ethics and innovation. That is a good start, albeit long overdue. I found that announcement while reading the Red Book during the Budget debate—it was on page 45—and I even welcomed it in my speech. I am not sure anyone else had noticed it. I would welcome a clear update from the Minister on the expected timeline for that centre to be up and running. Where does she expect it to be based? What about the recruitment of its chair and key members of staff? How does she see it playing a role in advising policy making and engaging with relevant stakeholders?

I am concerned that the major Government-commissioned report, “Growing the artificial intelligence industry in the UK”, which was published in October, entirely omitted ethical questions. It specifically said:

“Resolving ethical and societal questions is beyond the scope and the expertise of this industry-focused review, and could not in any case be resolved in our short time-frame.”

I say very strongly that ethical questions should not be an afterthought. They should not be an add-on or a “nice to have”. Ethical discourse should be properly embedded in policy thinking. It should be a fundamental part of growing the AI industry, and it must therefore

be a key job of the centre for data ethics and innovation. The Government have an important role to play, but I hope that the centre will work closely with industry too, because the way that industry tackles this issue is vital.

Regulation is important, and there are probably some gaps in it that we need to fill and get right, but this issue cannot be solved by regulation alone. I am interested in the Minister's thoughts about that. Every doctor who enters the medical profession must swear the Hippocratic oath. Perhaps a similar code or oath of professional ethics could be developed for people working in AI—let me float the idea that it could be called the Lovelace oath in memory of the mother of modern computing—to ensure that they recognise their responsibility to embed ethics in every decision they take. That needs to become part and parcel of the way industry works.

Before I conclude, let me touch briefly on an issue that is outside the Minister's brief but is nevertheless important. I am deeply concerned about the potential for lethal autonomous weapons—weapons that can seek and attack targets without human intervention—to cause absolute devastation. The ability for an algorithm to decide who to kill, and the morality of that, should worry us all. I very much hope that the Minister will work closely with her colleagues in the Ministry of Defence. The UK needs to lead discussions with other countries to get international consensus on the production and regulation of such weapons—ideally a consensus that they should be stopped—and to ensure that ethics are considered throughout.

We want the UK to continue to be a world leader in artificial intelligence, but it is vital that we also lead the discussion and set international standards about its ethics, in conjunction with other countries. Technology does not respect international borders; this is a global issue. We should not underestimate the astonishing potential of AI—leading academics are already calling this the fourth industrial revolution—but we must not shirk from addressing the difficult questions. What we are doing is a step in the right direction, but it is not enough. We need to go further, faster. After all, technology is advancing at a speed we have not seen before. We cannot afford to sit back and watch. Ethics must be embedded in the way AI develops, and the United Kingdom should lead the way.

11.17 am

The Minister of State, Department for Digital, Culture, Media and Sport (Margot James): It is a pleasure to serve under your chairmanship, Dame Cheryl. I congratulate the hon. Member for East Dunbartonshire (Jo Swinson) on securing this important debate and on her fascinating and well-argued speech. As she kindly pointed out, I am new to the position of Minister for digital and creative industries. She will know from her ministerial experience that there is a great deal to absorb in any new brief, and I thank her for this opportunity to get involved and absorbed in the ethical considerations of artificial intelligence so early in my new role.

We understand the disruptive potential of transformative technologies, and we stand ready for the adoption of AI, which is going on around us and is important to the future of our industrial strategy. In their review of AI and the industrial strategy, Dame Wendy Hall and Jérôme Pesenti identified a range of opportunities for

the UK to build and grow its AI capacity. The forthcoming AI sector deal will take forward their key recommendations about skills and data, and a wider AI grand challenge will keep the UK at the forefront of AI technology and the wider data revolution. Those ambitions will be underpinned by a new Government office for AI. We are building the capacity to address the issues that accompany these technological advancements: issues of trust, ethics and governance; effective take-up by business and consumers; and the transition of skills and labour requirements.

Regarding trust, AI already delivers a wide range of benefits, from healthcare to logistics, biodiversity and business, but we are fully aware that AI brings new challenges, as the hon. Lady mentioned, in privacy, accountability and transparency as well as the important issue of bias, on which she shared a number of concerning examples with the House.

The uses of data in AI and machine learning are developing in valuable but potentially unsettling ways, because of the pace of adoption, as the hon. Lady outlined. We have different concerns and tolerances about trust and fairness depending on the application of AI, varying, for instance, between retail, finance and medicine. We will need to consider specific answers to those challenges in the different sectors if we are to foster the necessary level of trust. Confidence and trust are essential to driving adoption and innovation.

We must ensure that these new technologies work for the benefit of everyone: citizens, businesses and wider society. We are therefore integrating strong privacy protections and accountability into how automated decisions affect users. A strong, effective regulatory regime is therefore vital. In the UK we already benefit from the Information Commissioner's Office, a well-respected independent body tasked with protecting personal data. Important decisions on everything from autonomous cars to medical diagnosis and decisions on finance and sentencing—and indeed applications to defence—cannot be delegated solely to algorithms. Human judgment and oversight remain essential.

Lee Rowley: I completely accept the principle that strong regulation is required for data, and it is important that organisations such as the ICO lead that—even if I have some concerns about some of what has come out on the general data protection regulation in recent months. Is it not the responsibility of all of us here, the ICO, Ministers and wider civic society to start discussing privacy more over the long term? We have probably got to have a cultural discussion about privacy, because we have ownership of data, but to accrue the benefits that come from some automation and artificial intelligence we must also be willing to give over some elements of that data for the wider good.

Margot James: My hon. Friend touches on some important considerations. There has been a debate in healthcare on how much should be private and how much should be anonymised and shared for the general good, as he outlines. I agree that that discussion needs to involve citizens, business, policy makers and technology specialists.

We will introduce a digital charter, which will underpin the policies and actions needed to drive innovation and growth while making the UK the safest and fairest

[*Margot James*]

place to be online. A key pillar of the charter will be the centre for data ethics and innovation, which will look ahead to advise Government and regulators on the best means of stewarding ethical, safe and innovative uses of AI and all data, not just personal data. It will be for the chair of the centre to decide how they should engage with their stakeholders and build a wider discussion, as my hon. Friend suggested is necessary. We expect that they will want to engage with academia, industry, civil society and indeed the wider public to build the future frameworks in which AI technology can thrive and innovate safely.

We may find the solutions to many AI challenges in particular sectors by making sure that, with the right tools, application of the existing rules can keep up, rather than requiring completely new rules just for AI. We all need to identify and understand the ethical and governance challenges posed by uses of such a new data source and decision-making process, now and in the future. We must then determine how best to identify appropriate rules, establish new norms and evolve policy and regulations.

When it comes to AI take-up and adoption, we need senior decision makers in business and the public sector first to understand and then discuss the opportunities and implications of AI. We want to see high-skill, well-paid jobs created, but we also want the benefits of AI, as a group of new general-purpose technologies, to be felt across the whole economy and by citizens in their private lives. The Government are therefore working closely with industry towards that end. As I said earlier, we will establish a new AI council to act as a leadership body and, in partnership with Government, champion adoption across the whole economy. Further support will come from Tech Nation as it establishes a national network of hubs to support such growth.

A highly skilled and diverse workforce is critical to growing AI in the UK. We therefore support the tech talent charter initiative to gain commitment to greater workforce diversity. The hon. Lady explained well in her speech why diversity in the tech workforce is important to the ethical considerations we are debating. As we expand our base of world-class AI experts by investing in 200 new AI PhDs and AI fellowships through the Alan Turing Institute, we will still need to attract the best and brightest people from around the world, so we have doubled the amount of exceptional talent visas to 2,000. I will take the point about the need for diversity when it comes to reviewing such applications. All of that will ensure that UK businesses have a workforce ready to shape the coming opportunities.

With regard to transition, we will see strong adaptation in our labour markets, where our aim should be lifelong learning opportunities to help people adapt to the changing pace of technology, which will bring new jobs and productivity gains. We must hope that those will increase employment. We know that some jobs may be displaced, and often for good reasons: dangerous, repetitive or tedious parts of work can now be carried out more

quickly, accurately and safely by machines. None the less, human judgment and creativity will still be required to design and manage them.

Luke Graham: On employment, may I impress on the Minister that in that disruption, the Government should be there to help some of those workers pushed out of employment to retrain and find a new place and role in the economy, keeping up with the pace of technology as it develops?

Margot James: I heartily agree with my hon. Friend. He will be pleased to know that the Department for Business, Energy and Industrial Strategy—my former Department—is working closely with Matthew Taylor to consult on all of his recommendations. The Secretary of State has taken personal responsibility for improving the quality of work. Work should be good and rewarding.

A study from last year suggests that digital technologies including AI can create a net total of 80,000 new jobs annually for a country such as the UK. We want people to be able to capitalise on those opportunities, as my hon. Friend suggested. We already have a resilient and diverse labour market, which has adapted well to automation, creating more, higher paying jobs at low risk of automation. However, as the workplace continues to change, people must be equipped to adapt to it easily. Many roles, rather being directly replaced, will evolve to incorporate new technologies.

Jo Swinson: The Minister has mentioned the centre for data ethics. Can she update us on when it is likely to be up and running, what the timetable is for recruiting the chair and so on? It would be helpful to know when we can expect that.

Margot James: We want to proceed at pace, because it is an important part of our programme of dealing with the ethics of this issue. We plan to consult on the plans for a permanent centre in the next few months, and I will welcome the hon. Lady's input.

Undeniably, substantial changes lie ahead. Therefore, in terms of enabling people to reskill and take advantage of the changes and opportunities in the workplace, a national retraining scheme will help people. We also have plans to upskill 8,000 computer science teachers and work with industry to set up a new national centre for computing education, with a brief to encourage more girls to take advantage of the new technologies in their learning.

Substantial changes lie ahead and, as we push these new technologies, we will also strive to keep people and businesses sufficiently skilled, adaptable and assured. The measures are in place, and I have taken heart from the hon. Lady's speech about the importance of these ethical considerations. I assure her that they will be uppermost in our minds as we develop policy.

Question put and agreed to.

11.30 am

Sitting suspended.

NHS Blood Cancer Care

[PHIL WILSON *in the Chair*]

2.30 pm

Henry Smith (Crawley) (Con): I beg to move,

That this House has considered blood cancer care in the NHS.

Mr Wilson, it is a pleasure to serve under your chairmanship.

Like many people in this room today, I have lost a family member to blood cancer. Five and a half years ago, my mother died from acute myeloid leukaemia, also known as AML, an extremely short time after diagnosis. I have been touched by the many stories of families in Crawley and nationwide who have contacted me to share their own experiences of losing a family member to blood cancer. With conditions such as AML, there is an incredibly short time—sometimes just a matter of days—between being diagnosed and this form of blood cancer taking a life.

It was with those stories in mind that in 2016 I was pleased to set up the all-party parliamentary group on blood cancer. I place on the record my thanks to all colleagues, including those who left Parliament last year, for their work in getting the group up and running and in starting our inaugural inquiry on NHS blood cancer care. While the inquiry, held last year, and the report, to be launched in the Palace of Westminster right after the debate, focus on the implementation of the cancer strategy for England, we are keen to learn from examples of good practice in Scotland, Wales and Northern Ireland and have made approaches to the devolved Administrations accordingly.

Nick Thomas-Symonds (Torfaen) (Lab): I would like to talk about a Welsh example: my young constituent Emily Clark, who was diagnosed at 16 and subsequently sadly passed away. During the period of her illness, her work in setting up the RemissionPossible initiative resulted in 4,000 more people joining the stem cell donor register. Will the hon. Gentleman praise Emily, and her mother Donna Dunn, who is continuing the work?

Henry Smith: My condolences to Emily's family. There are all too many examples of young people passing away from blood cancer. I pay tribute to Emily's mother for a fine legacy. It is sad that a young life has been lost to this condition, but wonderful that so much good work has been done as a result. I would be grateful if the hon. Gentleman passed on my best wishes to them.

John Howell (Henley) (Con): I congratulate my hon. Friend on the excellent work he is doing in this sphere. Blood cancer is a bit of a hidden cancer. If someone has a solid tumour, it can be seen and treated and they can see what is happening with it, but blood cancer is difficult to detect. What is he doing to encourage early detection?

Henry Smith: My hon. Friend anticipates some of my remarks in a few moments' time, but he is absolutely right to use the words "hidden cancer". Blood cancer is very different from solid tumour cancers—that is a key point and problem.

I was going to say that, from four o'clock, right hon. and hon. Members are very welcome to come along to Strangers' Dining Room for the launch of our report.

Mark Tami (Alyn and Deeside) (Lab): I join others in praising the hon. Gentleman for securing this debate and for the report, which will be published later. I apologise for having to leave, but I am chairing the all-party stem cell group at three o'clock, so everything is coming together at the same time.

Does the hon. Gentleman agree that in this area, as in stem cell research, great progress has been made over recent years, and we do not want to lose that progress? Financial budgets are tight, and we realise that the health service faces many challenges, but we need to keep the research going. There has been great progress in this area and we must not lose it.

Henry Smith: The hon. Gentleman has a fine excuse for leaving the debate early, and I endorse everything he says. Future stem cell research is critical; this country has made a good start, but we cannot be complacent in any way, shape or form.

The APPG's work focuses on blood cancer—as my hon. Friend the Member for Henley (John Howell) said, it is a hidden cancer—on the differences between blood cancer and solid tumour cancers such as breast cancer and prostate cancer, and on the ways in which patient outcomes can be improved with Government, medical professionals and local healthcare bodies working in partnership.

It is not an exaggeration to say that blood cancer is one of the great public health challenges of our time. We know it is the third biggest cancer killer in the UK, the fifth most common cancer overall, and by far the most common cancer among people under the age of 30, as we heard from an intervention earlier.

Mike Hill (Hartlepool) (Lab): I congratulate the hon. Gentleman on securing the debate. On the point of cure, will he celebrate with me the fact that one of my young constituents, Elly-Mae Waugh, aged 12, was confirmed cancer-free in November 2017, having been treated for two years for lymphoblastic leukaemia? Does he agree that there is hope and that there is a need to better finance research into blood cancer developments?

Henry Smith: I am delighted by the news that the hon. Gentleman's young constituent is cancer-free; that is wonderful to hear. There are positive stories that we can draw on. Antonio, the son of our former colleague Sir Nick Clegg, the former Deputy Prime Minister, was fortunately given the all-clear from the blood cancer he was being treated for. I thank the hon. Gentleman for highlighting those positives.

A key factor in ensuring early diagnosis is a greater knowledge and understanding of the symptoms of blood cancer. Diagnosing one of the 137 different types of blood cancer can be complex because symptoms such as back pain or tiredness can, of course, easily be misunderstood or misdiagnosed. Other symptoms of blood cancer include night sweats, weight loss and bruising, and in the first instance can often appear similar to feeling "run down" or having the flu, as was

[Henry Smith]

the case with my mother. We thought she had flu for a couple of weeks beforehand, and then she sadly passed away in a very short time.

Julia Lopez (Hornchurch and Upminster) (Con): I thank my hon. Friend for securing an extremely important debate. He talks about the trouble of diagnosing hidden cancers such as leukaemia in adults, but it is sometimes particularly difficult to diagnose cancers in children. Before Christmas I had a sad meeting with a constituent of mine whose daughter Isla Caton has neuroblastoma, a particularly vicious form of childhood cancer. He discussed how it took three months to diagnose her, because she was only showing lethargy and people had come up with various different diagnostic ideas. In Japan, they test children from birth—

Phil Wilson (in the Chair): Order. This is just an intervention, not a speech.

Julia Lopez: I am sorry, excuse me. Does my hon. Friend encourage tests from birth to diagnose these sorts of cancers?

Henry Smith: My hon. Friend raises a very valid point. I mentioned best practice for NHS England and talking with the devolved Administrations, but we also have to go internationally for that best practice. She commented on the difficulty of diagnosis and people having to go to the GP many times before diagnosis, which sadly is a common story.

Royston Smith (Southampton, Itchen) (Con): On the point about people and diagnosis that my hon. Friend just mentioned, is there some weakness within the system that means that GPs are not diagnosing early enough? If so, what does he think should be done about it?

Henry Smith: I am grateful to my hon. Friend for his intervention. Yes, that is the problem. One of the issues is just that: the symptoms are all too often commonplace. Particularly at this time of year, many of us are suffering from colds, are feeling tired or have other viruses. I will come on to this later on, but there is a message to GPs that, if one or more of these symptoms is being displayed, they should consider that it could be blood cancer and carry out a relatively simple blood test to try to determine that. Far too often, blood cancer patients have to visit their GPs many times before being referred to hospital.

Mark Tami: My elder son developed a platelet rash, which is a common sign of the disease getting to a certain stage. There is a lot of public awareness about meningitis and what to look for, but that rash does not seem to feature in people's minds, in terms of blood cancer. Does he agree that we probably need to do more to educate not only doctors but the general public on what to actually look for because, obviously, the earlier the diagnosis can be made, the better?

Henry Smith: The hon. Gentleman is entirely correct. I am sorry to hear of his family's experience. The symptoms can often be confused with others, which is why it is important, as was said in an earlier intervention, to stress that GPs should be given the support and the

backing to raise awareness of the symptoms. A simple blood test should be offered to assist with early diagnosis for people displaying one or more of these signs, and GP education and training needs to be improved to increase knowledge of blood cancer symptoms.

As was said in an earlier intervention from my hon. Friend the Member for Henley, unlike solid cancer tumours, blood cancer cannot be surgically cut out, and the experience of blood cancer patients is therefore very different from that of those with other forms of cancer. Blood cancer patients are not currently receiving the treatment and support they deserve, which is one of the key points that I hope the Minister will take from the debate.

Nick Thomas-Symonds: Does the hon. Gentleman agree that one of the keys to treatment is having as many people as we can on the stem cell donor register? There are 660,000 selfless individuals on it at the moment. We should thank them and also encourage those between the ages of 16 and 30 to sign up.

Henry Smith: The hon. Gentleman is again absolutely correct. The stem cell register is vital to our addressing this condition going forward and beating blood cancer in the future. We would all do well to echo his message.

Mr Philip Hollobone (Kettering) (Con): I congratulate my hon. Friend on the tremendous work he is doing with the APPG and also on his superb speech, which I am following closely. One of my constituents, Mr Gaziano, has written to me to say that he suffers from an incurable form of blood cancer called chronic lymphocytic leukaemia, which is apparently the most common form of leukaemia among adults. He makes the same point about the lack of support. Apparently, 66% of people with that type of leukaemia live with anxiety, 50% with stress and 34% with depression, but they are not getting the psychological support from their healthcare teams that they need.

Henry Smith: My hon. Friend is absolutely right. I am sorry to hear of his constituent's experience. He anticipates remarks I will make later, with regard to psychological support for people with chronic, longer-term conditions and the watch and wait approach, as it is sometimes called, for dealing with some forms of blood cancer, particularly in adults.

The Government and NHS England need to address, as a matter of urgency, the specific needs of blood cancer patients and take immediate steps to improve their care. Something that may seem as simple as the terminology surrounding blood cancer can have an effect on ensuring support for patients. As I said, there are 137 different types of blood cancer—we have heard a number of different examples already—including various strands of leukaemia, lymphoma and myeloma. In each of those, one common word is missing: cancer. The lack of that important word when telling somebody they have one of those forms of blood cancer runs the risk of their not fully comprehending the gravity of their condition. The APPG's report found that clinicians and patients said that the increasing use of the overarching term "blood cancer" has helped patients who have been diagnosed recently to gain a greater understanding, not only of how the disease is part of a wider clinical area but that there is an entire community of health professionals, charities, and patient groups to help them.

I am grateful to all those who took the time to respond to our web consultation and answer the questions, including those on early diagnosis. After analysing the responses, the APPG's report outlines three main audience groups where increased awareness could benefit patient outcomes. The first is the general public. While greater awareness of the symptoms would lead to people seeking medical intervention sooner, I also appreciate the words of caution from some in the medical profession, who reiterate that this must be handled carefully to avoid undue concern, particularly given the commonality of the symptoms. There is agreement that blood cancer awareness is far behind that of other common cancers, as we have heard.

The second group is GPs. Recognising and diagnosing blood cancer symptoms can be difficult, and many patients reported frustration at having to see their GP a number of times before their blood cancer was diagnosed, as we have heard. The third—as I turn to the Minister—is cancer policy makers. We heard that blood cancer was not always at the forefront of their minds. As such, we seek the extension of policies and initiatives designed to ensure broad benefit to patients with solid cancer tumours to those with blood cancer.

Much of the work on blood cancer awareness is undertaken by the charity sector. To that end, I pay tribute to the Spot Leukaemia campaign organised by Leukaemia CARE, which I am pleased to say was supported by my local community through Crawley Town football club, which made the cause its charity of the day at a game just last September. I ask the Minister for his assurance that the Department of Health and Social Care will engage with such campaigns, to ensure that the full power of his Department and the NHS can be used not only to work in partnership with such charities but to give greater consideration to non-solid tumour cancers when developing policy.

If blood cancers are taken into greater account, it will lead to improvements in the patient experience. As we heard in an earlier intervention, the patient experience of those with blood cancer differs from those with other cancers. The sad reality is that some patients with some chronic blood cancers will never be cured. They will instead require treatment for the rest of their lives, with the cancer managed as a long-term condition. Patients who have had access to a clinical nurse specialist have been clear on the role that a CNS has in the patient experience. Indeed, respondents to the APPG's report were clear that access to a named CNS was the single most important factor that improved their experience.

Again, the charity sector is working to support patients in this area. By April, the Anthony Nolan charity will have funded nine CNS posts in stem cell transplant centres across the UK. These specialists provide support for patients, including assistance in getting back to work or school, as well as dealing with the physical and emotional aspects of a stem cell transplant—a potentially curative treatment for blood cancer, as we heard in an intervention, for which I am grateful.

Some patients will be put on a watch and wait programme, as I mentioned earlier. That literally means that a patient's blood cancer is monitored, and it can sometimes take years for it to reach a point where treatment can start. The very nature of such a scenario will place unbelievable pressures and strain not only on the patient fighting that cancer, but on their family, friends and wider support network.

Tailored psychological support, which I am grateful to my hon. Friend the Member for Kettering (Mr Hollobone) for mentioning, needs to be made available for patients—particularly those on a watch and wait regime.

Julia Lopez: My hon. Friend talks about the wider strain beyond the physical. Does he agree that a huge financial strain is often placed on families? The family in the case I raised earlier had to spend a lot of money on takeaway food, the congestion charge, parking and hotels just so their daughter could receive what can be very intensive treatment.

Henry Smith: My hon. Friend is absolutely right to raise the spectre of the financial burden, as well as the psychological pressure that patients and their loved ones face when undergoing treatment. There can often be expensive visits into London or other major city centres to undergo treatment.

I pay tribute to organisations such as Macmillan, which is very worthy of our support and does amazing work for those with not only blood cancers but all chronic and terminal conditions. I ask the Minister for his assurance that, as recommended by the cancer strategy, all blood cancer patients have access to a clinical nurse specialist or equivalent model of support.

One of the points raised in the two oral evidence sessions held by the APPG last September was the work of charities to provide support for patients and their networks. As my hon. Friend the Member for Hornchurch and Upminster (Julia Lopez) said, a lot more support needs to be given to patients and their families on issues not related to treatment, such as financial advice, so that they can devote their time and energy to getting better.

I have mentioned a number of organisations, but I reiterate the fine work of Macmillan, which offers help to cancer patients and their families up and down the country. In my constituency of Crawley this week, one of the charity's information hubs will be open in the County Mall shopping centre until Saturday. Its staff are on hand, as they are all the time, to answer questions about symptoms, side effects or any other issue relating to support locally.

We can be thankful that an increasing number of blood cancer patients are living for many years after their diagnosis, and I thank hon. Members for giving examples from their constituencies. The cancer strategy says that all cancer patients will have had access to the recovery package by 2020. That helps patients after their treatment has finished, so that they can return to their normal lives as much as is possible. Of course, there must be recognition that patients can go from having regular access to a healthcare professional while receiving treatment to feeling like they have no support at all after treatment ends. It has been described as like falling off the end of a conveyor belt, with no one to talk to about after-effects, dietary needs and the everyday activities they had enjoyed before treatment started.

I come back to the issue of how blood cancer is different from solid tumour cancers. I hope the Minister and his colleagues at the Department of Health and Social Care will work with NHS England to consider how all patients can benefit from aftercare support, including ensuring that the recovery package takes into account the differences. It is difficult to go from, in some cases, constant access to a CNS during treatment,

[Henry Smith]

including communication being available by mobile phone, emails and texts, to support coming to an end when a patient is sent home. There are long-term effects of blood cancer that need to be taken into account.

In particular, for patients treated with a stem cell transplant, the transplant itself is only the beginning of a long journey to rebuild their lives. By 2020, it is thought that there will be more than 16,000 people living post-transplant, and a significant proportion of those people will experience long-term side effects of their treatment. They will require specialist support, and it is incumbent on us to ensure that people across England receive it with greater consistency.

I move on to the issue of new treatment access and research on the differences between blood cancers and solid tumour cancers. It is important to remember that blood cancers are often not treatable using surgery or radiotherapy. Blood cancer is therefore more dependent on the development of and access to new drugs in order to continue enhancing patient outcomes.

The process of how the National Institute for Health and Care Excellence and the drug manufacturers negotiate can affect patients. Where NICE has offered negative draft guidance on a particular cancer drug that, after further negotiations between NICE and the manufacturer, changes to final positive guidance, the period when patients are left to think that potentially life-changing or life-saving treatment may not be available can cause huge anxiety. Our report calls for final negotiations to be undertaken before negative draft guidance is published.

I have mentioned the work of the charity sector in supporting blood cancer patients. That is perhaps most significantly represented by the financial investment made by blood cancer charities to fund research, develop a good research base and ultimately produce relatively good survival rates. I ask the Minister to ensure that further support is given to that research, to not only provide financial backing but ensure that blood cancer patients are at the heart of cancer policy.

I am conscious of allowing other colleagues the opportunity to make substantive remarks, but on the subject of NHS commissioning, local decision makers should look for opportunities to bring care for chronic blood cancers closer to the patient where appropriate. I will be writing to my local clinical commissioning group in Crawley to share a copy of the APPG's report, and I encourage colleagues to do likewise with their respective CCGs.

I am sure that all of us here today can name people in our local areas, as many hon. Members have, who have experience of dealing with blood cancer in their family and working to raise funds for those who want to make life easier for patients and their support networks. In my constituency of Crawley, I am grateful for the work of the Mark Henry Archer tribute fund at Bloodwise, which was set up by my constituent Jayne Archer in memory of her late husband, Mark, who sadly lost his battle with lymphoma in 2010.

I mentioned at the start of my speech that blood cancer is the most common cancer among people under the age of 30. Someone can be in the peak of physical fitness and it can still strike. Just a week into this new year, Juan Carlos Garcia lost a three-year battle with

leukaemia. He was just 29 years old and a professional footballer who had played in England for Wigan Athletic and at the 2014 World cup for Honduras. Blood cancer quite simply can strike anyone at any time.

I would like to thank the patient advocate and medical professionals who took the time to come to Parliament and answer the APPG's questions at our evidence sessions last September. I also express my sincere gratitude to Bloodwise for providing secretariat support to our APPG, assisting blood cancer patients up and down the country, and playing a leading role in the research that is necessary to improve outcomes and the patient experience.

I know that many people in this room will be aware of one family that has been affected by blood cancer in the last couple of months. The Sky Sports presenter Simon Thomas and his eight-year-old son Ethan lost their wife and mother Gemma, aged just 40, last November. Just three days after being diagnosed with acute myeloid leukaemia—the same form of blood cancer as my own mother—Gemma passed away. Incidentally, my mother's diagnosis came just hours before her death. Our thoughts are with Simon, Ethan and their family and friends, and every patient affected by this disease.

It falls to each of us here to make sure we redouble our efforts to bring as much help, comfort and support to blood cancer patients as possible, and I ask the Minister for his continued diligence in such matters. I have seen at first hand how quickly those who have blood cancer can be taken from us. In a previous debate that I was fortunate to secure in Westminster Hall on 7 July 2016, I said:

“I look forward to ensuring that the issue of blood cancers is further advanced and that awareness is increased.”—[*Official Report*, 7 July 2016; Vol. 612, c. 395WH.]

With the progress of the APPG and the support of colleagues here and those who will be attending the launch of the group's report from 4 o'clock in Strangers' Dining Room, I am pleased to stand here today and say that we are making great strides. There is much more to be done, and we will continue to make progress.

Several hon. Members rose—

Phil Wilson (in the Chair): Order. I want to bring in the Front-Bench spokesperson at 3.30 pm. That gives us about 30 minutes for Back-Bench speeches. I call Colleen Fletcher.

2.59 pm

Colleen Fletcher (Coventry North East) (Lab): Thank you, Mr Wilson. It is a pleasure to serve under your chairmanship. I commend the hon. Member for Crawley (Henry Smith) on securing the debate, which, as we have heard, is particularly timely, given today's launch of the report by the APPG on blood cancer, “The ‘Hidden’ Cancer: The need to improve blood cancer care”. I was happy to be a small part of that. The report makes significant recommendations, all of which I, as a member of the APPG, fully endorse, about improving care for blood cancer patients on their journey from diagnosis to treatment and through to recovery.

I shall focus my comments today on the commissioning of stem cell transplantation and the inconsistencies in post-transplant care. There is a common misconception that if a blood cancer patient finds a matching donor

and undergoes a stem cell transplant, they are out of danger—that that is the beginning of the end of their journey, the point from which they get better. In reality, nothing could be further from the truth. Although a stem cell transplant is a potentially curative treatment for blood cancer patients, recovery can be a long and difficult journey. Many of those living post transplant will experience severe and debilitating physiological and psychological side effects from their treatment, not only in the first few days, weeks and months after the transplant, but many years down the line. Indeed, a transplant patient is often described as “a patient for life”.

The side effects include physiological problems, such as graft versus host disease and a higher risk of second cancers, infections, infertility, premature menopause and fatigue, as well as psychological effects, including isolation, depression, anxiety and post-traumatic stress disorder. Patients dealing with the impact of a stem cell transplant, and particularly those receiving an allogeneic transplant, therefore require ongoing support from appropriately qualified health professionals.

The problem is that the provision of high-quality post-transplant care varies significantly across the country, leaving vulnerable patients at the mercy of the often fragmented and inequitable postcode lottery NHS, in which some get very good support but others get very little.

Recent research by the charity Anthony Nolan reveals that many patients are struggling to access the services that they need post transplant. It is particularly concerning that only half those who need psychological support, such as counselling or group therapy, receive it. The same is true for practical support, such as help at home or with getting back to work; and one in five is not offered any specialist care to help with elements of their physiological recovery, which includes access to physiotherapists, dieticians and fertility experts.

To address the areas of unmet need, we must reform the commissioning of post-transplant care. Currently, responsibility for commissioning services transfers from NHS England to CCGs after only 100 days. There is evidence that that arbitrary cut-off leads to gaps and variation in the care and support that hospitals are able to provide, despite their best efforts. That increases the burden on patients and their families, making their recovery much more difficult. As recommended by both the APPG report and Anthony Nolan, it is essential that NHS England reviews the 100-day cut-off in order to eliminate the inconsistencies and fragmentation in post-transplant care across the country. I hope that the Minister addresses that point in winding up the debate.

As part of the process, we should consider the creation of a national care pathway for patients for at least five years post transplant. That pathway should ensure that patients have access not only to the full range of physiological, psychological and practical support services after their transplant as well as before and during, but to a clinical nurse specialist—or equivalent model of support—who can help them through their recovery journey, managing their care and plugging some of the gaps that would otherwise exist.

Mr Gregory Campbell (East Londonderry) (DUP): The hon. Lady is talking about the system required in a post-transplant period. Does she agree that every individual is obviously significantly different and there may well be

a significant difference in the amount of time required immediately after the transplant and subsequently for a period of years, and that that needs to be taken into account as we go forward?

Colleen Fletcher: I thank the hon. Gentleman for that intervention. Yes, I agree. People are totally different. Some, I know, have sailed through with few problems, and others have had many problems occur after the 100 days.

People may know that my husband, Ian, had a stem cell transplant more than three years ago, just after being diagnosed with acute myeloid leukaemia. What I have said today reflects his journey. He has been a beneficiary of cutting-edge research, which has allowed his cure, but we have also experienced some of the inconsistencies along a journey that has been too long to narrate today. It is from that experience, and from my heart, that I ask the Minister to look at a fully funded care pathway for at least five years post transplant, with the specialist care needed to allow people the chance to live their lives again as fully as they can.

3.6 pm

Colin Clark (Gordon) (Con): It is an honour to serve under you, Mr Wilson. I congratulate my hon. Friend the Member for Crawley (Henry Smith) on bringing the debate to the House. He mentioned the devolved Governments, and I would like to speak about my own part of the country.

In 2015 in the Grampian NHS Board area, which includes my constituency of Gordon, there were 265 new diagnoses of leukaemia, lymphoma or myeloma, forming one in every 12 diagnoses in the area that year. In the same year, 106 lives in the Grampian area were taken by these cancers. It is crucial, therefore, that we leave no stone unturned in the fight against blood cancers. That includes research and development, on which the UK Government have a strong record that I very much hope will continue. The life sciences sector deal announced last year will provide a welcome boost to the industry and help it to strive towards better ways of treating blood cancers.

However, quality NHS care is also important. People with blood cancers deserve the best possible care from the NHS, wherever they are in the country. In that light, I would like to take this opportunity to pay tribute to the dedicated staff of Aberdeen Royal Infirmary, which serves my constituency and covers an area of 500,000 people; indeed, it covers the whole north-east of Scotland right up into the highlands. The work of the staff in its oncology department is second to none and has saved countless lives over the years. The start of treatment in Aberdeen Royal Infirmary's new radiotherapy department in 2014 was a welcome step forward in the treatment of blood cancers and other cancers in the north-east of Scotland. That state-of-the-art new building has enabled the team to deliver new techniques and new forms of therapy to more and more patients—a development that can only be good.

The hard-working staff at Aberdeen Royal Infirmary deserve across the board support from the Scottish Government. However, as with Her Majesty's Government, budgets are constrained. Oncology at the ARI has not been spared, unfortunately, from the long-running

[Colin Clark]

staff shortages. For a department that treats cancer patients not just in Gordon but across the north-east of Scotland and even further afield, that is obviously very concerning. Across Scotland, vacancy rates for consultants and nurses are disappointingly high, with 400 consultant posts now unfilled. Both north and south of the border, shortages are damaging. NHS staff and patients alike must have the security of knowing that their local oncology department is, and always will be, adequately staffed and given the support that it deserves.

My family's experience of the oncology department at Aberdeen Royal Infirmary and of support from Macmillan nurses has been excellent. There are many ways we can take the fight to blood cancers. Research and development, which has been mentioned, is one vital pillar, and encouraging stem cell donations another. We must be sure to put NHS care at the very centre of our efforts.

3.9 pm

Jim Shannon (Strangford) (DUP): I congratulate the hon. Member for Crawley (Henry Smith) on securing this debate and on the hard work that he has done to promote this issue in the House and further afield. I am happy to be a member of the APPG along with others in this Chamber today and to support him in the role that he plays.

As the Democratic Unionist party spokesperson for health, I felt it necessary to make a contribution, even though the onus of where we are is probably England-based. We need to highlight some issues with regard to the NHS and blood cancer care. My father, who is dead and gone almost three years, had cancer—not blood cancer—on three occasions, but he survived those three occasions owing to the skill of the surgeon's knife, the care of the nurses and the prayers of God's people. Clearly, we have made great advances—some magnificent advances—in cancer care over the past few years.

May I say to the Minister, the shadow Minister and the proposer of the debate that I, along with others, have a meeting with the Prime Minister at half past three, so I need to get away for that occasion?

I was delighted to receive information on blood cancer and I take this opportunity to thank all of those who are working so hard to highlight the issue and bring about change, and who supply such enlightening and helpful information. There are almost 250,000 people living with blood cancer in the UK today. Although many forms of blood cancer are rare, as a group blood cancer is Britain's fifth most common cancer and third biggest cancer killer, claiming more lives each year than breast or prostate cancer. Those figures surprised me. We are all grateful for the advertising that highlights breast and prostate cancer, which affects us men. Unfortunately, we are probably loth to see the doctor, but the Minister's Department encourages us to be more active and forthcoming about the problems that we have. Advertising keeps these things fresh in our minds and educates us as to the symptoms to be aware of, but the fact is that blood cancer kills more people and we need to be mindful of that when finding additional funding. The Minister always responds in a positive fashion to the debates in Westminster Hall and tries to help.

Northern Ireland has an average of 123 cases of leukaemia diagnosed annually. That may not seem much, but when we take into account the small size of Northern Ireland it is clearly something that is taking its toll. It is also clear that the aftercare of those cases is essential. Although we are discussing NHS England, there is a need for devolved bodies to work together to ensure that we do not have a UK postcode lottery for the treatment of blood cancers and that an equal level of treatment is available UK-wide. Can the Minister outline whether he has had any co-operation with the Department of Health in Northern Ireland? If not, is he willing to undertake to do that?

Mr Gregory Campbell: On the issue of co-operation, does my hon. Friend agree with me that the excellent news of the opening in the past year of the North West Cancer Centre in Londonderry, which offers opportunities and the skills of many in the nursing profession both in Northern Ireland and in the Irish Republic, is a perfect example of that co-operation and is widely welcomed in the community? Does he agree that that is an exceptionally good development?

Jim Shannon: My hon. Friend has mentioned a supreme example. That is something that we all welcome in Northern Ireland, and indeed across the whole of the United Kingdom of Great Britain and Northern Ireland.

I have been contacted by Myeloma UK, which asked me to highlight its cause and needs. I am happy to do so in Westminster Hall and for the *Hansard* record. Some 5,500 new cases of myeloma are diagnosed in the UK every year, which equates to 15 people a day. Although myeloma is a rare cancer, it is the second most prevalent blood cancer, which has no cure as such. It is important to highlight that in Westminster Hall today and with the Minister.

In the past 10 years, with improvements in treatment and care, survival rates are increasing faster than in most other cancers, so there is some good progress, but there is a long way to go. Myeloma remains a very challenging cancer to live with and to treat. To truly get to grips with that cancer means dedicating funding to finding the cure, but also providing a quality of life for those who suffer from it.

In our debates on cancer the one thing that always comes up is early diagnosis. Whether it is prostate cancer, breast cancer, myeloma or bowel cancer, getting it early is the secret. I mentioned us menfolk earlier and how we respond to things. Maybe we need to be a bit more eager to tell our doctor when things are wrong with us. I commend the many charities and groups such as Marie Curie and Macmillan. Along with those charities we also have many church groups and organisations that help and give succour and support to families at a time when one of their loved ones is very ill.

Another issue is that of the 100-day care by NHS England after treatment, which must be reconsidered to ensure that there are no gaps in service, as has been highlighted by the Anthony Nolan trust. The Minister is nodding; I know that he and others in this Chamber are aware of that. The briefing that was provided made it clear that the steps taken by the Government have been welcome, and yet more leeway is needed to allow complete care packages to be in place. If that means going over the magic number of 100 days, there needs to

be a mechanism that allows that to take place. Will the Minister fully consider that request—I know he will—and provide a detailed response outlining his decision as to whether the extension of care before transfer to local CCGs can be achieved?

I believe we can make decisions in this place, in this House, in Westminster Hall, in the House of Commons and across the whole of the United Kingdom of Great Britain and Northern Ireland that will allow blood cancer sufferers to have a better prognosis and a better treatment plan. We must do all that we can to bring that about.

3.16 pm

Dr Philippa Whitford (Central Ayrshire) (SNP): It is a pleasure to serve under your chairmanship, Mr Wilson. I, too, commend the hon. Member for Crawley (Henry Smith) on securing this debate.

As has been said by Members, blood cancers often represent a hidden cancer, but that applies to solid cancers as well, particularly ovarian and pancreatic, which also tend to present with vague abdominal symptoms that simply could be nothing. The general practitioner sits there seeing cases of back pain and tiredness one after the other, and the challenge is to spot the patient among hundreds who might have something else. Obviously, if someone talks about bruising and night sweats, we hope that a GP would do a simple blood test that might flag up that one patient—that canary among the swallows—who needs to be referred to hospital and diagnosed. At medical school, we medics were taught to have a high index of suspicion, to not just go around assuming everything is nothing, but to try to hold those other things in our heads.

The hon. Member for Crawley mentioned that there are more than 130 types of blood cancers, but there are three main groups: leukaemia, lymphoma and myeloma. As a breast cancer surgeon, I dealt with lymphoma patients because they present with a lump. Lymph glands are all over the body and commonly swell up, so they would present with a lump in their neck or under their arm. A woman would commonly be sent to me with a suspicion of breast cancer.

Blood cancers are grouped together because of the type of cells they come from, but they behave in different ways. As was said, the challenge is how to get them diagnosed: how to have that index of suspicion. When someone moves to treatment, we use radiotherapy in some patients, particularly in lymphomas if the disease is localised or regionalised. The downside is that they might have radiotherapy over a large area of the body. Most of us are aware that radiation is damaging. I had patients in my breast cancer clinic that were under follow-up because they had had radiotherapy to their chest when they were teenagers and now had an additional risk of breast cancer. As we get more people to survive cancer, the challenge is the risk that they have of other diseases or ongoing side effects.

Dependence on chemotherapy and drug treatment has been mentioned. Of course, the biggest breakthrough was bone marrow transplants to deliver healthy stem cells. Radiotherapy is also used as part of that. The dependence on drug treatment and chemotherapy means blood cancers are even more vulnerable than other cancer types to the difficulties of accessing new and expensive drugs. A new drug, daratumumab, was just

passed in Scotland in October. The decision will be made by NICE next month. It is the first immune treatment for one of the diseases in question, and obviously we hope that it will be the first of many that could start to bring about change, but inevitably such drugs, based on monoclonal antibodies, will be expensive, and that raises the issue of drug access.

In Scotland, there is the new medicines fund and in England there is the cancer drugs fund, a slight downside to which is that it is only for cancer. That might not be a problem for the patients that we are concerned about in this debate, but it is for people with some other diseases. However, the fund plays a role for drugs that have not yet reached the point of being passed by NICE, but for which some hope is felt. There was obviously great anxiety when seven key treatments were removed from the cancer drugs fund a few years ago.

Something else that happened a few years ago was that a limit started to be put on the holy grail treatment of bone marrow and stem cell transplant, in that patients with a recurrence were not given the opportunity for a second transplant between the summer of 2016 and the spring of 2017, because that was no longer being commissioned. Politicians and those high up in organisations such as NHS England need to be conscious that trying to balance the books may pull the rug from underneath people. The gap of three quarters of a year will have been catastrophic for some people who might have benefited. That must be recognised when decisions are made.

In the Scottish NHS, we do not have mechanisms such as 100-days commissioning, and hearing about it highlights to me how time, energy and people are wasted in trying to knit together a system that has become fragmented. I hope that the husband of the hon. Member for Coventry North East (Colleen Fletcher) is doing well, and continues to do well; but for the cancer nurse specialists or doctors to have to try to plug a gap, or for patients to fall through the gap because, as was said in one briefing, there are CCGs and commissioning groups that do not even know they are responsible for commissioning that care after the 100 days, is a waste. I spent more than 30 years working as a breast cancer surgeon and I would not want to have to waste clinical time in trying to deal with the gaps between stools. I think that the friction between what NHS England commissions and what CCGs are responsible for must be looked at.

The hon. Member for Crawley highlighted, as did the charity briefings we received, the watch and wait approach taken with patients suffering from one of the more chronic types of blood cancer, such as chronic lymphocytic leukaemia and follicular lymphoma. I do not think that that should be seen as negative. We would not want to put people through tough chemotherapy if they were well; therefore we would not rush to do that. That is probably why many years ago those types were not labelled as cancer: what was referred to as “the C-word” was seen as a catastrophe. There was an attempt to give people the feeling that they were living with a disease; whereas we see cancer as meaning that the clock is running and we must rush to do everything. Therefore using the word “cancer” and then telling someone, “Actually we are not going to do anything about it,” is very challenging. That requires time for the clinician to have an open, honest and informed debate with the patient, so that they understand why they are not suddenly being put through chemotherapy.

[Dr Philippa Whitford]

Data and the auditing of performance are important for driving through the improvement of any service. I do not mean such things as waiting times, on which we all collect data, but actual clinical standards—how someone is treated and what we would expect. What would all the clinicians in the area think was good practice? I do not mean shutting things down, or units being threatened by the Care Quality Commission. Having developed the breast cancer standards in Scotland in 2000, I can say that sitting in a room with all the breast teams of Scotland and looking at the data in a big PowerPoint on the wall is a dynamic tool for getting people to change practice. No one goes to work wanting to be the worst team in their country, region or area. Having access to actual clinical data is a great driver of quality.

In England, work is being done on setting up cancer dashboards for the four commonest cancers. In Scotland, we have them for the 11 commonest cancers. We have had Scotland-wide breast cancer data since 2003. I have seen the quality go up simply from our all meeting every year, looking at the data and challenging each other and discussing the data—and sharing solutions. Whatever problem a unit faces—whatever the reason for their performance going down—someone else in the room will have had that problem before, and solved it. Such peer review and sharing of practice drives things forward. One of our big hopes for the cancer alliances is that they will redevelop what existed in cancer networks, which we still use in Scotland: people meet, support each other, and share practice.

The importance of research has been mentioned. As a great believer in the European Union and the things that we have gained from it, I am anxious about our leaving the European Medicines Agency, about the loss of its support mechanism on rare diseases, and about the possibility that we will be outside the clinical trials regulation system, which is designed vastly to reduce the paperwork involved in taking research forward in a clinical trial. In the end, what we want to come from research is new treatment—new drugs. The UK is dynamic in the life sciences and the development of new pharmaceuticals, but the rather bizarre thing is that often our doctors do not get to use them. For people working in hospitals, that is getting to be a negative feedback loop. We do not get paid extra if we put patients into trials. There is an enormous amount of paperwork, and people inevitably stay well after time to make sure that things function. If suddenly at the end of the trial period, when they might be getting the drug funded, they cannot get access to the drug for several years, until it gets through NICE in England or the Scottish Medicines Consortium, those people feel, “Who is gaining? It is not my patients.”

We require a different conversation with the pharmaceutical firms—some form of risk sharing by which perhaps a drug can be provided at a much lower price to the NHS. Instead of access simply ending and our going generic when the patent is finished, there could be a deal as to how many patients are treated with the drug before the NHS uses generic drugs. In that way the firms would know they would get a return on their money. The way things are at the moment, at the end of all the trials the price is worked out from how much time is left and how many patients are likely to be treated. If, as when Herceptin came in, it is a matter of

thousands of pounds—Kadcyla was £90,000 per patient—it becomes almost impossible. While we tinker at the edges of the pharmaceutical price regulation scheme and what is done with the money we need a much deeper conversation.

Obviously we want to promote awareness of blood cancers. Public awareness of the blood rash was mentioned; but also doctors need to think about having a high index of suspicion, and doing a simple blood test. For legislators and those who oversee the NHS systems in which decisions are made, it must be important that when a patient goes to see the doctor they set off on a smooth pathway that does not involve negotiations, hassles and disruptions, and that we support them all the way through that journey.

3.29 pm

Mrs Sharon Hodgson (Washington and Sunderland West) (Lab): It is a genuine pleasure to serve under your chairmanship, Mr Wilson, and I congratulate the hon. Member for Crawley (Henry Smith) on his good fortune in securing this debate just before the launch of the report by the all-party group on blood cancer, which will take place afterwards. That was very opportune and well done. He made an informative and heartfelt opening speech, and I am sure that he can secure no finer legacy in memory of his mother than what he is achieving in Parliament today. I am sure his whole family are proud of him.

As we have heard throughout this debate, blood cancer is the third biggest cancer killer in the UK, and the fifth most common cancer, with more than 230,000 people living with the disease. For those people and their families—some of whom are here today or watching the debate—action is needed to improve the treatment and support on offer. That includes some of my own constituents who contacted me prior to this debate, and it is for them that we are here today. There is much that we can do to improve treatment and support, as so eloquently put by the hon. Member for Crawley, and others who have spoken today, including my hon. Friend the Member for Coventry North East (Colleen Fletcher), and the hon. Members for Gordon (Colin Clark), for Strangford (Jim Shannon), and for Central Ayrshire (Dr Whitford), who all made excellent speeches.

Blood cancer patients need to see their GP many more times before being referred to hospital than those with other cancers. Indeed, 35% of blood cancer patients had to see their GP three or more times before being referred, compared with only 6% of those with breast cancer, and 23% of those with all other tumour types. Such figures must be the fire beneath that spurs us on to do more, otherwise we will be failing the 230,000 people who live with this disease. Today I want to pick up on three key issues: first, patient experiences, and specifically the “watch and wait” principles of treatment and support; secondly, the improvements needed in research and access to treatments; and finally I will discuss post-stem cell transplant care.

Each year, 5,000 people with slow-growing blood cancers do not start treatment straight away, but instead are placed on a regime called watch and wait. That means that patients are monitored until they reach a point where treatment must start. It can take many years for that to happen, which can add much pressure to a patient's life, including the psychological struggles

that they might face. That is understandable: it must be excruciatingly difficult for someone to live with a cancer, including a blood-borne one, yet not receive any treatment, even though they know they have the disease.

To help fully understand this struggle, I want to read from a case study that was sent to me by Bloodwise, and written by the blogger who writes the “Diary of a ‘Fake’ Cancer Patient”. It states:

“About a month after diagnosis, I went to pieces and sat in front of my consultant panicking, crying and generally not coping.” Reading the full case study is harrowing but heart-warming at the same time. That may sound peculiar, but it shows the scale of the struggle that blood cancer patients face under “watch and wait”, and also that when support is offered they can lead as normal a life as possible, and have the support to cope with the disease and the situation in which they find themselves. That is why Labour supports calls for tailored psychological support for patients who are on watch and wait, and it would be welcome if the Minister addressed that point when he replies to the debate.

It would be of great interest to hear from the Minister whether the Government plan to look at the perceived pitfall in the cancer strategy regarding the recovery package, and the failures to take into consideration the unique characteristics of blood cancer, as well as the use of terms such as “beyond cancer” and “post-treatment”, which can be alienating to blood cancer patients. As we know, blood cancers are very different to solid tumour cancers, and that determines the kind of treatment on offer to patients. For blood cancer patients, treatment is not about surgery or radiotherapy; it is about drugs to help to fight their cancer, and importantly, about access to said drugs. It is therefore crucial that innovation and the development of new drugs is encouraged to help improve patient outcomes. The Government must continue to commit to ongoing research to help save lives, and capitalise on our world-leading position as blood cancer research pioneers.

Lots of this work already happens, including charitable investment and collaboration between public bodies. One such example is IMPACT—a £4 million clinical trials programme that is jointly funded by Anthony Nolan, Leuka, and NHS Blood and Transplant services. By 2020, this exciting and much welcomed project will have established 12 clinical trials involving approximately 1,500 patients. It will play an invaluable role in achieving the vision set out in the Government’s life sciences industrial strategy and—most importantly—it will help to save lives. It is of utmost importance that the Government continue their commitment to this work.

We must also consider how the cancer drugs fund works, and how the temporary collection of data to make appraisal decisions can, for some rare blood cancers, lead to insufficiency in collecting robust data, and therefore to negative appraisals for drugs. I have raised concerns in the past about the way we appraise drugs—indeed, I worked with the hon. Member for Central Ayrshire when we were both co-chairs of the all-party group on breast cancer, and we carried out work on some breast cancer drugs, including Kadcyla. It is therefore disappointing, yet not surprising, that we find similar situations when it comes to blood cancer drugs with, for example, the drug ibrutinib being given to patients with mantle cell lymphoma. That drug received a negative appraisal, and later a positive one. That causes unnecessary distress and anxiety for patients, and it is

important that such problems are addressed. I hope that the Minister will give us some steer on when the Government plan to rectify these matters.

Finally, I will touch briefly on the need for support for those living post transplant, and the care that should be on offer to them. It is estimated that by 2020 more than 16,000 people will be living post transplant, and they will therefore be more exposed to physical and psychological effects, such as graft versus host disease, depression and prolonged duress stress disorder. Although stem cell transplants can save a person’s life—that is fantastic—it is important that when someone’s life is saved, they can live it to its fullest. Sadly, only 54% of those who need psychological support actually receive it. That is down to the commissioning of post-transplant services not working for all patients, especially at the 100-day cut-off after a transplant, when responsibility for services moves from NHS England to CCGs, and therefore leads to gaps in the care and support provided. Is the Minister aware of that, and will he commit to looking at how that gap can be filled so that patients receive the best post-transplant support possible?

This debate has been incredibly important, and I am sure it has given the Minister a lot to think about. I hope that when he gets back to his office, he will look at this issue in depth and read the APPG’s report following its launch today—I am looking forward to that—so that all the 230,000 people living with blood cancer can be confident that the Government are doing their utmost to give them the best chance of living.

3.38 pm

The Parliamentary Under-Secretary of State for Health (Steve Brine): It is a pleasure to serve under your chairmanship, Mr Wilson—I believe it is the first time that we have danced in such a way. I congratulate my hon. Friend the Member for Crawley (Henry Smith) on securing this debate on an issue that I know he feels passionately about, and I commend him for his work chairing the all-party group. We all come to the House with our motivations and experiences, and we all gather more experiences in the House. One reason why this is the job that I always wanted to do in government is because I have fought many types of cancer in many different ways, and lost more than I have won. It is always moving to hear Members speak personally about their experiences and why they have promoted certain issues in their parliamentary career, and I thought my hon. Friend did that brilliantly. Such experiences make us the MPs that we are, and I hope only that the figures for the people watching this Westminster Hall debate match those for people watching daytime television shows instead, because I think they would have a great view of the way that Parliament operates.

Let me start by saying that the Government, and this Minister more than ever, are absolutely committed to transforming cancer services across England, and we take an all-cancer approach to doing so. It is true that cancer survival rates have never been higher, but we want cancer services in England to be the best in the world. We want to ensure that every patient, regardless of the type of cancer that they unfortunately get, has access to the treatment, the services and the support that give them the best possible chance of a successful clinical outcome and a successful recovery back into their lives, which are temporarily paused while they go through treatment.

[*Steve Brine*]

Shortly after this debate, as my hon. Friend the Member for Crawley advertised very well, the all-party parliamentary group will publish its first report. Having chaired the all-party parliamentary group on breast cancer with the shadow Minister for many years—and for a bit with the hon. Member for Central Ayrshire (Dr Whitford)—and produced all-party parliamentary group reports, I know how much work goes into them and how important they are. My hon. Friend should know that they are noticed by Ministers—they are certainly noticed by this Minister. I have here the copy he kindly shared with me. I think it is an excellent and informed piece of work and I congratulate him and the charities that supported him through the secretariat. I assure him that the Government and NHS England will take careful notice of its findings and recommendations. As I always do when I speak in response to the launch of a report, I will see that he gets a response in writing to the recommendations that he has made, in addition to what I will say in today's response.

The report highlights that someone is diagnosed with a blood cancer every 14 minutes. Nearly 250,000 people are living with blood cancer in the UK today, and it claims more lives than breast or prostate cancer. It is the third biggest cancer killer in our country, so this debate is as timely as it is important. I am pleased to say that many of the recommendations in this report mirror the strategic priorities set out in the cancer strategy for England, which outlines how we will implement all of the 96 recommendations of the independent cancer taskforce, chaired by Sir Harpal Kumar of Cancer Research UK, who will shortly step down from that role. What a loss that will be. I wish him well. I hope I can therefore assure my hon. Friend and other hon. Members that two years into the implementation of the strategy, we are already making significant progress in implementing the recommendations of the APPG report.

My hon. Friend the Member for Crawley stated where we must start—a point also made by my hon. Friend the Member for Henley (John Howell)—and that is early diagnosis. We all know that this is key for all cancers and it gives the best possible chance of successful treatment. To improve early diagnosis, the Government made £200 million available to cancer alliances in December 2016 to encourage new ways to diagnose cancer earlier, improve the care for those living with it and ensure that each cancer patient gets the right care for them. The APPG report highlights that early diagnosis of blood cancers is difficult—we have heard different contributions as to why that is—as symptoms such as tiredness or back pain, are often misdiagnosed. My hon. Friend the Member for Crawley mentioned that his mother presented with flu-like symptoms, which maybe threw them off the scent a bit in the early days. That is why, for suspected blood cancers, the National Institute for Health and Care Excellence published a revised guideline in 2015, which clearly sets out that GPs should consider a very urgent full blood count within 48 hours to assess for leukaemia, if adults present with suspicious symptoms. I am very sure that there is more that we can do around education in primary care, but I think that was a positive move from NICE.

Further, I must here mention the accelerate, coordinate and evaluate programme—ACE for short. It is a unique early diagnosis initiative, and a programme of 60 projects

exploring innovative concepts across England. The programme is testing a new multidisciplinary diagnostic centre approach to diagnosing patients with vague or unclear but concerning symptoms, often characteristic of hard to diagnose cancers such as blood cancers. There are ten pilot MDCs across five areas of the country. They are one-stop shops that can ensure patients rapidly receive a suite of tests, reducing the risk that patients bounce around services receiving multiple different referrals for the same problem, having to start that explanation all over again—I know that is incredibly difficult—and do not get that all-important early diagnosis. We know that early analysis of these schemes is very positive and many patients can receive a diagnosis or the all-clear within just 24 hours. I look forward to seeing further analysis of these pilots when that is available and I very much hope that MDCs can become an important tool in helping us to identify blood cancers earlier. We have the new 28-day faster diagnosis standard coming down the track. I always say that 28 days is not a target, it is an end point. If we can beat it and do it in 28 hours, happy days.

Patient experience when it comes to cancer is clearly so important. The APPG's report also rightly highlights the importance of that. Improving patient experience is one of the six strategic priorities set out in the cancer strategy, and cancer patients are receiving better and more effective care, we believe. We are committed to ensuring that this improvement continues. In 2016, NHS England surveyed just over 118,000 people through the national cancer patient experience survey, which I am committed to continuing in one form or another, because I know how important it is. Over 70,000 cancer patients took part in the latest survey. I am very grateful to all of them for giving us their feedback to help to improve the experiences of cancer patients in the future. This feedback is vital to inform and shape the way hospital trusts and clinical commissioning groups achieve further improvements for patients. The Cancer Vanguard has also developed an innovative cancer patient feedback system which is now being used by many organisations that provide cancer care in our country. This new system collects real-time patient feedback at key points in the patient care pathway, which we have heard mentioned today, so that it can be fed back and used by those redesigning services to put patient experience at the heart of improvements in service.

Linked to this point about patient experience is access to a cancer nurse specialist. My hon. Friend made the important point in his opening remarks that access to a CNS can make a hugely positive difference to the treatment experience of patients with blood cancer. Health Education England's first ever cancer workforce plan clearly stated that we will ensure that every patient has access to a CNS or other support worker by 2021, and if we can do it sooner we will. We will do this by developing national competencies and a clear route into training.

I thank my hon. Friend and others for their tributes to Macmillan Cancer Support. I have been to Southampton General Hospital—my neighbour, the hon. Member for Southampton, Itchen (Royston Smith), was here earlier—to visit the acute oncology centre, which is a partnership between the University Hospital Southampton NHS Trust and Macmillan, and a brilliant centre it is too. I met patients undergoing treatment for blood cancers. It was not a planned visit, but it was timely, given this debate.

Macmillan—a brilliant charity—is also currently carrying out a specialist audit to understand the current size and location of the specialist cancer nurse workforce. This will enable us in the Department and NHS England to develop a much more comprehensive picture of how many specialist nurses are working in cancer and what further action and investment might be required to ensure timely and good quality patient care and experience in line with the target that I have set out. Once we have this data, I hope in the spring, we will publish an additional chapter to the cancer workforce plan, and consider the actions needed to support and enhance the wider nursing contribution to cancer.

My hon. Friend the Member for Gordon (Colin Clark) spoke of workforce shortages north of the border. It is a familiar tale. We both face a cancer workforce challenge, which is why HEE produced our cancer workforce plan. It is a significant challenge to the NHS and cancer care, but one that we are absolutely determined to meet head-on and to beat.

My hon. Friend the Member for Crawley and other hon. Members made points about living with and living beyond cancer. I take the point made by the shadow Minister about that term. Obviously the cancer strategy is as published, but in time it will be refreshed, and I take on board the point, which she made well. More than ever, thanks to innovations in treatment there can be a full life beyond a cancer diagnosis. The hon. Member for Central Ayrshire reminded us really well about the C-word. It did used to be the big C. It used to be a terror, and still is for many, but so many people now have a full life beyond a cancer diagnosis.

Dr Whitford: While we are obviously talking in particular about the chronic types of blood cancer, there are also solid tumours. Indeed, hormone positive breast cancer is actually much more of a chronic disease. It carries the same risk into the future and people may be living with it for decades. We have to get round that curve of seeing cancer as something that is dealt with acutely and then is over. There will be many cancers that we control, and we therefore need to help people to accept them as a chronic disease and not torture themselves with the C-word.

Steve Brine: What a good point. I love the term “survivorship”, which we often hear. It is probably an Americanism, but it is one of ours now. It is a great term because it suggests a positive: we have survived and we will continue to survive and to fight. My officials do not like me using the term “to fight cancer”, but I do think that it is a battle, and a constant battle. Macmillan’s brilliantly moving PR campaign at the end of last year talked about life with cancer. There are lots of people living with chronic conditions. When I visit cancer patients, as I did on Friday in Southampton, I always make a point of asking them what they do when they are not in the cancer ward and what they are planning to do when they finish being in the cancer ward, because their lives are more than their cancer, and they are not their cancer.

From the moment that they are diagnosed, patients benefiting from the recovery package, which we have heard mention of, receive personalised care and support. Working with their care teams, patients develop a comprehensive plan that addresses their physical and mental health requirements, which we have also rightly

heard mention of, as well as identifying any other support that they may require. We are working to ensure that every patient in England, including those with blood cancer, has access to the recovery package by 2020. I repeat: if we can do it sooner, we will.

Different cancers affect the body in different ways, and treatment and the recovery journey for someone with blood cancer can vary greatly to those for a patient with a solid tumour cancer. That is why every patient will receive a holistic needs assessment as part of their recovery package. For blood cancer patients, their recovery plan will be personalised to take account of the unique characteristics of blood cancer. My hon. Friend the Member for Crawley described the end of treatment as falling off the end of a conveyor belt, which is an expression that I have heard before. In my job I have seen research to the effect that the end of treatment can be more depressing than the moment of diagnosis. That is a really hard thing to say and to accept, but I can well believe, and know from personal experience, that it is true.

That moves us on to psychological support. My hon. Friend makes the point that many patients with a chronic blood cancer diagnosis will sadly never be cured. They will be on a regime of watch and wait, often over many years, to see if the cancer has progressed to a point where treatment needs to begin. That can, understandably, take a huge psychological toll on the patient and their families. That is why the point made by the hon. Member for Central Ayrshire is so true, and why the recovery package rightly takes a holistic approach and considers the patient’s mental health needs. The Prime Minister has made improving access to mental health services a priority for her Government. There has been a fivefold increase in the number of people accessing talking therapies since 2010, but we know there is much more to do, and I will be watching that like a hawk in my job.

We have heard today about the importance of research. If we are to continue to beat cancer and to better our figures, sustained investment in research is vital. The National Institute for Health Research spent £137 million on cancer research in 2016-17. That represents the largest investment in any disease area. It is thanks to advances in research that more than 90% of children diagnosed with the most common form of childhood leukaemia now survive. However, I recognise that progress in improving survival rates, including for some blood cancers, has been slow and that survival rates remain low. We have heard today that treatment of blood cancer is especially dependent on the development of new drugs and on being able to access them—an obvious truism—and that is why our focus is on not only research, but ensuring that proven innovations are adopted swiftly across the NHS in England. NICE’s fast-track appraisal process, or the FTA, which was introduced in April last year will, we hope, do just that. The FTA process will help to ensure that cancer patients have accelerated access to any clearly effective treatment that represents value for money for what is a publicly funded health service.

Dr Whitford: Will the Minister explain how that interacts with the budget impact assessment that allows drugs to be delayed by up to three years, even if they have been passed by NICE, if the overall cost of them might be more than £20 million? There are many concerns among groups that that might actually delay innovative drugs, which often tend to be expensive.

Phil Wilson (in the Chair): Order. Before the Minister responds, can I say that I would like to see if we can get the Member who moved the motion in at the end for a winding-up speech?

Steve Brine: I thank the hon. Member for Central Ayrshire for that point. I might have to come back to her on it, so that—as is only fair, and bearing in mind the Chair’s point—I am able to cover some of the other points that Members raised in their speeches.

My hon. Friend the Member for Crawley said that he would be sending a copy of his report to his local CCG, and I would echo his call for MPs from England who are in the debate today to do the same. MP and CCG relationships are very important to implementing the cancer strategy and reports such as this one. I have the mobile numbers of my local CCG lead and CCG chair in my phone, and I did long before I was a Minister. How many other Members, not only in this Chamber, but in the House, have that? It is a key relationship and Members have a role to play.

The hon. Member for Coventry North East (Colleen Fletcher) spoke very well, as always, with her personal testimony. She calls for five-year plans for patients who have had a stem cell transplant. As I said, the recovery package is a personalised care plan for all cancer patients, and if the care team feel that a five-year plan is appropriate, I expect it to be considered and, if appropriate, commissioned.

The hon. Member for Strangford (Jim Shannon), who has left his place, spoke, as always, in an informed contribution full of personal testimony. I will say that cancer survival rates in England have never been higher. If we can help his colleagues in the Northern Ireland Assembly, when that is back on its feet, I would be delighted. If he wants to set up a meeting, I would be delighted to attend.

I need to close because I know, Mr Wilson, that you want to move on to the proposer of the debate. I hope that my hon. Friend will agree that implementation of the strategy is already beginning to transform services and to implement a number of the recommendations in

his report, which is an excellent piece of work. Next week I will be meeting Bloodwise, which I know has representatives here today and does excellent work with his all-party group, to discuss further the important issues that Members have raised today. Next month I will be having the second of my big cancer roundtables, which this time will be joined by Cally Palmer, who is NHS England’s national cancer director. That is a great chance for me to bring all the cancer charities together.

I thank my hon. Friend for bringing the report to Westminster Hall today and wish him well with its launch in a few minutes’ time.

3.57 pm

Henry Smith: In the remaining moments of this debate I would like to express my gratitude to you, Mr Wilson, for chairing this very informative and useful debate. I am grateful to right hon. and hon. Members for their speeches, interventions and the many personal accounts that really highlight the importance of ensuring that we properly tackle blood cancer for all our loved ones across the country. I also have real gratitude to those voluntary sector organisations and charities that have been mentioned today for their remarkable work on behalf of so many people and for supporting the all-party parliamentary group on blood cancer. I am also grateful to the many patients and families who have contacted me and have supported the all-party parliamentary group with our report, which—I will mention it one more time—will be launched in the Strangers’ Dining Room in the next few minutes. I thank them for their input.

This is obviously a very emotional issue for many people, and I pay tribute to the courage of patients and their families. Those who have lost loved ones through blood cancer leave a fine legacy in ensuring that we fight—I join the Minister in using that word deliberately—blood cancer, so that we can ultimately find cures and better treatments. Finally, I am grateful to the Minister for his thoughtful reply, his work on cancer issues in the Department of Health and his fine legacy of work in the past.

Motion lapsed (Standing Order No. 10(6)).

Vagrancy and Homelessness: Cleethorpes

4.1 pm

Martin Vickers (Cleethorpes) (Con): I beg to move,

That this House has considered vagrancy and homelessness in Cleethorpes.

It is a pleasure to serve under your chairmanship, Ms Ryan. I welcome the new Minister to her place, as this is the first debate to which she has responded. We expect great things from her.

There is a growing problem of vagrancy in Grimsby and Cleethorpes. In my constituency, the main hotspot is Cleethorpes town centre, particularly around St Peter's Avenue, the High Street and in the marketplace. Its shops and vibrant night time economy make it a natural attraction for people who, unfortunately, have to go begging. That continues through the day and into the evening. Although I seek to address both sides of this complex matter, on this occasion my focus is on vagrancy and begging, as it is clear from what residents and traders have expressed to me and to the local media that they are extremely concerned.

Whatever reason people have for resorting to begging, in almost every case it is extremely complex. Their circumstances are often driven by drug and alcohol addiction. As a compassionate society, we want to do all we can, but we also owe it to business people to address the issue—on many occasions, traders in Cleethorpes have put their life savings and many years' work into establishing and maintaining their businesses. Last Saturday morning, I spent some time speaking to several traders on St Peter's Avenue where the worst of the problem manifests itself. They made it clear that they consider the presence of beggars on the street bad for business.

Begging is a complex issue that is not unique to north-east Lincolnshire—it is a national issue. Caring and unsuspecting members of the public can often be lured into unwittingly giving money with the best of intentions, but without knowledge of the consequences.

At a recent community meeting in Cleethorpes, chaired by the ward councillor, residents and traders complained about vagrancy and expressed a range of concerns to representatives from the local council, Humberside police and Harbour Place, which is a local outreach charity. Dave Carlisle from Harbour Place began the meeting by highlighting that 50 people are sleeping on the streets of north-east Lincolnshire. Sadly, that is roughly double the number of only a year ago. It is clearly something that needs attention and we must do all we can to tackle the underlying problems.

Though linked, the issue of homelessness is separate to that of vagrancy. I have been reassured by the steps that the Government have taken to eliminate homelessness. Last year, the Government supported the introduction of the Homelessness Reduction Act 2017 by my hon. Friend the Member for Harrow East (Bob Blackman), which will provide vital support and is backed up by additional funding for local authorities to cover the costs of their new responsibilities.

The Government have committed to halve rough sleeping over the course of this Parliament and to eliminate it by 2027. The new homelessness reduction taskforce will do vital work to realise that ambition.

In the autumn Budget, the Chancellor announced £28 million for three Housing First pilots in Manchester, Liverpool and the west midlands to support rough sleepers and turn their lives around. I hope that that can be rolled out across the country soon. Although the problem is at its worst in our major cities, I appeal to the Government to recognise that the local economies of smaller towns could be badly affected if the issue is not addressed.

In the areas I have mentioned, there is a serious problem of what the local council refers to as “active beggars”—people who are not homeless but who use begging as a way of making money. One of the main concerns expressed at the recent community meeting in Cleethorpes was that residents simply do not know who is homeless and who is not. A report by North East Lincolnshire Council to its communities scrutiny panel in December stated:

“There are approximately 16 active beggars currently known to agencies in North East Lincolnshire. The local beggars who frequent our public spaces do have complex needs which are predominantly around drug addiction. The vast majority have access to accommodation and are not deemed to be homeless. They have refused to engage with the services and it is evident that they continue to beg in order to obtain money which in most cases will be used to fund their drug addiction.”

According to Thames Reach, in 80% of cases, money given pays for a drug or alcohol addiction and the person begging is not actually homeless. Humberside police advised my constituents,

“to not give them anything directly, and if you want to donate to those less fortunate please do so through reputable sources like Harbour Place and other charities... We understand that the issue needs to be addressed, and our officers have been out and about everyday, with plans to further increase patrols.”

The beggars identified would not engage with the support agencies, so enforcement has been difficult. In the first instance, support is offered to individuals. If enforcement is necessary, it takes the form of community protection warnings and community protection notices, which are issued for unreasonable behaviour and the detrimental effect it has on the area. So far 15 warnings have been used by the council, of which seven have progressed to notices.

The “Think Before You Give” campaign has been launched. Careful joint communications have been developed due to the sensitive nature of the subject and the perception of the general public and the media that the beggars are homeless, vulnerable and in need of financial help. As the authorities continue to curb begging on our streets, the council will keep pushing the campaign and urges local businesses to get behind it.

Both residents and businesses feel intimidated, on some occasions, by the presence of beggars. Local traders feel that their businesses are being affected, particularly when beggars camp outside their premises and ask for money from potential customers. Local traders want the police to move them on more quickly.

Recently, a court heard about elderly people who took pity on Lisa Bentley after she started begging on St Peter's Avenue. Her efforts to make money did not go down well with the Cooplands bakery because of fears that trade would suffer. The police were alerted because the assistant manager felt that Bentley would have a detrimental effect on trade by sitting there. A lot of elderly customers were willing to put money in the cup and, therefore, to act in a way that was not necessarily

[*Martin Vickers*]

in Lisa's best interests. She has breached her bail condition not to go on to St Peter's Avenue and is repeatedly to be seen in the area. There is almost always a beggar sitting next to the cash machine outside the Sainsbury's Local in the avenue, which many constituents find intimidating.

Action is being taken. A fact-finding exercise was carried out early last year, followed by a multi-agency meeting that aimed to identify the genuinely homeless and those who require support, and to distinguish them from so-called active beggars who are not homeless. The initiative was supported by a range of agencies, including the Department for Work and Pensions, the council's strategic housing home options team and antisocial behaviour team, the police and Harbour Place. That enabled work to focus on a specified number of known individuals, with the emphasis on initial support and engagement, followed by a scaled approach to enforcement that utilised the community protection warning or notice approach.

There is concern, however, that a recent crackdown in the neighbouring town of Grimsby has pushed the problem on to Cleethorpes. This problem has been particularly prominent since the police's Operation Hercules, which was aimed at ending the blight of antisocial behaviour and crime. The operation was important work that involved 18 police officers and 12 police community support officers, as well as traffic officers and licensing officials, but it was rather Grimsby-focused. Although Grimsby and Cleethorpes are in effect the same town, such an approach tends to move the problem rather than getting to grips with it. Throughout December, the most prominent locations where vagrants gather in Cleethorpes were patrolled daily by police, with a permanent presence during normal working hours. That presence was welcome, but the strain on resources meant that it could not go on indefinitely.

There is a range of organisations that people in need can reach out to for access to help, including the council's home options team, which will investigate cases of homelessness. The council has a statutory duty to provide temporary accommodation to anyone who presents as homeless, eligible for services and in priority need. Wider support can also be offered, such as debt advice via specialist money advisers. Harbour Place, the charity I mentioned, has been commissioned by the council to provide an outreach service to offer assistance and provide shower facilities, additional clothing and hot meals. St Peter's church on St Peter's Avenue is also actively involved.

The people whom unfortunately we see on the streets obviously have complex needs, but it is important to note that the council, police and local charities are working closely to find solutions. They should be reassured by the support that the Government have offered by implementing measures to provide local authorities with greater powers and resources to eliminate homelessness and vagrancy. My aim in securing this debate was to urge the Government to consider whether further legislation is required for local authorities, police and all the agencies—whether statutory or charitable—to provide a fully co-ordinated approach to the issue.

I acknowledge that, following the 2015 spending review, the Government are spending more than £550 million to tackle homelessness and rough sleeping in England by 2020. The largest proportion of that spending comes

in the form of the £315 million homelessness prevention fund, which goes directly to local authorities. Those who have information about someone begging should draw that person's attention to the proper authorities, which will be able to point them towards the help they need. Ultimately, handing over money is not helpful to the individual in question; it is far better to donate to homelessness charities such as Harbour Place, which are well placed to provide specific assistance.

I recognise that section 3 of the Vagrancy Act 1824 is written in rather Dickensian language, but it enables the police to arrest and charge anyone who is begging. The Highways Act 1980 states:

"If a person...wilfully obstructs the free passage along a highway he is guilty of an offence".

Section 5 of the Public Order Act 1986 also has provisions that can be useful. I have mentioned community protection warnings and notices, which are more about unreasonable behaviour and its detrimental local effect than about gathering evidence to prove an offence beyond reasonable doubt, resulting in a fine imposed by a court.

This could be an early success for the Minister. Whatever the solution is, I urge her to instruct her officials to speak to North East Lincolnshire Council, Humberside police and others to see whether they are content with the legislative regime, whether it could be made more pro-active and whether further powers may be needed. Quite reasonably, the residents and business community in Cleethorpes are concerned about the matter. People in business have devoted their life's work to setting up small shops and the like, and we urgently need to do something to help them.

4.15 pm

The Parliamentary Under-Secretary of State for Housing, Communities and Local Government (Mrs Heather Wheeler):

It is a pleasure to serve under your chairmanship, Ms Ryan. I congratulate my hon. Friend the Member for Cleethorpes (Martin Vickers) on securing this important debate. This is my first opportunity to reply as a Minister; I am delighted that it is to such an old friend of mine.

Let me start with the issue of begging and associated antisocial behaviours. As all hon. Members will be aware, begging is an offence under the Vagrancy Act 1824, and enforcement decisions are a matter for chief constables and for police and crime commissioners. Local authorities and police are equipped with a wide range of enforcement powers to combat issues arising from begging. Particularly flexible are the powers contained in the Anti-social Behaviour, Crime and Policing Act 2014, which has given local authorities a range of tools, from criminal behaviour orders to public space protection orders. To support local authorities and police in making such orders under the Act, the Government have recently published updated guidance on their use and particularly on their application to vulnerable groups. It is very important that those powers are applied at a local level to meet local circumstances, in order to ensure that authorities can provide a targeted approach to tackle the issues they face in their areas, such as those that my hon. Friend outlined.

As hon. Members will appreciate, there are many reasons why people beg. To tackle the issue effectively, it is important that local authorities apply appropriate interventions that seek to address the underlying causes. To achieve that, as my hon. Friend said, it is very

important that agencies across the communities come together, including police, local authorities and support services. I am absolutely delighted to hear of the work of Harbour Place, which sounds like a very interesting charity. I understand that there are a number of positive examples of well established multi-agency teams working with other local public and voluntary sector services to ensure that appropriate support and intervention is put in place to prevent anti-social behaviour in the long term.

Where people are sleeping rough, it is vital that they receive the support they need so that they are able to move away from damaging street lifestyles and into accommodation. As my hon. Friend set out, the Government are taking a number of important actions to meet our objectives of halving rough sleeping by 2022 and eliminating it altogether by 2027. To achieve those objectives, we have embarked on an ambitious programme to reform our response that places prevention right at its heart.

I am delighted that, thanks to my hon. Friend the Member for Harrow East (Bob Blackman) and colleagues across Government, the Homelessness Reduction Act 2017—the most ambitious legislative reform in decades—will be implemented in April. It will fundamentally transform the culture of homelessness service delivery and ensure that local authorities, public bodies and the third sector work together to actively prevent homelessness for all those at risk, irrespective of priority need, intentional homelessness or local connection. It will also require local authorities to work with those in need to develop personalised housing plans tailored to focus on the needs and circumstances of the individual. Those can include actions for other support services that are best suited to assist the individual.

Local authorities are clearly best placed to make decisions about how to meet the unique needs and requirements of their residents. Homelessness is a complex issue and each area is different, so it is right that local authorities have the tools and flexibilities to develop a tailored and holistic solution that works for their communities.

By placing duties on local authorities to intervene at earlier stages to prevent homelessness in their areas, the 2017 Act will ensure that more people will get the help they need before they face a homelessness crisis. To ensure that local authorities have the requisite resource in place to deliver the new duties under the Act successfully, we will provide them with an additional £72.7 million in “new burdens” funding, and I sincerely hope that my hon. Friend makes sure that North East Lincolnshire Council applies for an appropriate amount from that fund.

To support local authorities even further, we have established a homelessness advice and support team, drawn from those with expertise on this issue within local authorities and the homelessness sector. These advisers have been providing targeted challenge and support to help local authorities to prepare for the 2017 Act, and to improve their practice and performance, where appropriate, across all areas of homelessness work. So far, representatives from over 250 of England’s 326 local housing authorities have attended homelessness advice and support team events, and met the team.

We have allocated more than £1 billion to prevent and reduce homelessness and rough sleeping through to 2020. That funding will assist people to get the help they need and prevent homelessness and rough sleeping

from happening in the first place. As part of this package, we have protected £315 million of core funding to local authorities to prevent homelessness. We have also provided local authorities with £402 million in flexible homelessness support grant funding, which local authorities can use to prevent and tackle homelessness in their area strategically.

That funding sits alongside our wider funding on homelessness prevention of £197 million, and specifically our homelessness prevention programme, which includes a £20 million rough sleeping fund. That fund is supporting 48 projects to prevent or reduce rough sleeping in innovative ways, by strengthening and building partnerships with agencies that play a crucial role in helping those who are at risk of sleeping rough, or already sleeping rough, to exit homelessness. With more up-front funding, local authorities will be able to tackle homelessness more proactively, pushing the balance of investment in the future away from crisis intervention and towards prevention.

In the autumn Budget, we made important announcements that will take us even further in achieving our objectives. We announced £28 million of funding to pilot a Housing First approach in three major regions in England. Those pilots will support some of the most entrenched rough sleepers to get off our streets and help them to end their homelessness. Individuals will be provided with stable, affordable accommodation and intensive, wrap-around support. That will help them to recover from complex health issues and to sustain their tenancies. Following completion of the pilots, the impact of the approach will be measured by a rigorous evaluation, which will inform our wider roll-out. Again, if the situation in St Peter’s Avenue in Cleethorpes should continue, I sincerely hope that North East Lincolnshire Council can be encouraged to join in this work after the pilots have finished.

We also know that a challenge for those who are homeless is to access tenancies in the private sector. That is why we announced funding of £20 million for schemes that will enable better access to new private rented sector tenancies or provide support in sustaining tenancies for those who are already homeless or sleeping rough, or at risk of becoming homeless or sleeping rough.

Hon. Members will be aware that tackling homelessness and rough sleeping is a complex challenge. My hon. Friend really gave us the nuts and bolts about that challenge. He has obviously gone into it incredibly deeply in his constituency and his constituents should be very grateful for the amount of time and effort that he has put into this issue, and I am sure that the traders on St Peter’s Avenue will be very grateful to him, too.

Homelessness is a complex challenge and we must adopt a truly holistic approach if we are to achieve our objectives of reducing homelessness and rough sleeping. It is for this reason we have established a rough sleeping and homelessness reduction taskforce, which will oversee the implementation of a cross-Government strategy and drive wider action to reduce homelessness and rough sleeping. The taskforce will bring together Ministers from key Departments with a role in preventing and reducing rough sleeping and homelessness, to establish a fully cross-Government approach to these issues in England.

The remit of the taskforce will be, first, to develop a cross-Government strategy to help rough sleepers, many of whom are entrenched and have complex needs. However,

[Mrs Heather Wheeler]

the taskforce will also focus on the wider issues of homelessness prevention and affordable housing. In order to help the taskforce to deliver its objectives, we have put in place a rough sleeping advisory panel, which I will chair and which will comprise key figures from local government, central Government and homelessness charities.

I know that everyone here today will share my firm commitment to reduce homelessness and eliminate rough sleeping. Local authorities and the police are equipped with a range of powers to deal with the issues of begging and the antisocial behaviours that can be associated with it that they experience in their areas, and I encourage multi-agency working to tackle this problem, in particular in my hon. Friend's constituency of Cleethorpes. If the police in Cleethorpes want to come and talk to us about any more legislation that they think is appropriate, I sincerely hope that, once the pilots that I mentioned are finished, they will consider that these matters are in hand. Nevertheless, our door is always open.

Once again, I thank my hon. Friend for securing this debate and Ms Ryan for chairing it. It has given me the opportunity to set out the Government's approach to tackling these important issues.

Question put and agreed to.

4.25 pm

Sitting suspended.

Drug Consumption Rooms

4.29 pm

Ronnie Cowan (Inverclyde) (SNP): I beg to move, That this House has considered drug consumption rooms. It is nice to see you again, Ms Ryan.

Let me start with a few undisputed facts. Drug deaths due to overdose are increasing year on year in the United Kingdom. People have been taking drugs of various types for thousands of years. In the last 100 years or so, we have run a campaign to criminalise and persecute people who take certain categories of drugs. We decide which drug belongs in which category. Some criminals have become staggeringly rich through their involvement in the production and supply of drugs. Users are stigmatised as junkies, crackheads and stoners. Society adopts this language to dehumanise and ostracise sections of a community. That facilitates their abuse and allows them to be used as scapegoats.

Where are we now? The drive to arrest and incarcerate the producers, distributors, dealers and users—often referred to as the war on drugs—has seen a massive increase in violent crime and corruption, along with hundreds of thousands of deaths and the criminalisation of some people for the most minor offences. The perceived problem that the war on drugs set out to solve has been compounded by the war. As a result, time, money and lives have been wasted. *[Interruption.]*

4.30 pm

Sitting suspended for Divisions in the House.

6.27 pm

On resuming—

Ronnie Cowan: As I was saying before we were so rudely interrupted, we created this situation and we can fix it, but doing so will take a change in attitude at governmental level. Rather than pay lip service to people with an addiction, we need to start listening to what they are asking for. We need to treat addiction as a health issue rather than a criminal justice issue, not just in part but in its entirety.

Drug consumption rooms are part of the solution. Supervised drug consumption facilities, where illicit drugs can be used under the supervision of trained staff, have operated in Europe for the past three decades. Those facilities aim primarily to reduce the acute risk of disease transmission through unhygienic injecting, prevent drug-related overdose deaths and connect high-risk drug users with addiction treatment and other health and social services.

Caroline Lucas (Brighton, Pavilion) (Green): Does the hon. Gentleman agree that one of the big strengths of DCRs is their ability to reach people with drug addiction problems who are not otherwise known to the services? If we build relationships and trust with such people over time, we are much more likely to get them into services that can begin to address the reason for their addiction.

Ronnie Cowan: I completely agree. The first step of the healing process is building a working relationship with someone and earning their trust, so that they come back and do not have the suspicions that we have built among drug users.

Drug consumption rooms also seek to contribute to reductions in drug use in public places, in discarded needles and in public order problems linked with open drug scenes. Typically, they provide drug users with: sterile injecting equipment; counselling services before, during and after drug consumption; emergency care in the event of overdose; and primary medical care and referral to appropriate social healthcare and addiction treatment services.

Currently, people are sharing needles, using a product that may kill them instantly, and living chaotic lifestyles that harm them, their friends and their families. DCRs provide needles, which instantly reduces the spread of HIV and hepatitis C, instantly improves the health of the user and instantly engages users back into society, where they can be signposted to relevant services. Needle exchanges also go some way towards doing that, but the paraphernalia leave the premises and are often discarded in public places or shared with other users. Users may choose to inject themselves in streets, doorways or gardens near to the exchange, which is unsuitable for users and local residents.

The great thing is that we have evidence from 10 other countries that DCRs work. The first supervised room was opened in Berne, Switzerland, in June 1986. Further such facilities were established in subsequent years in Germany, the Netherlands, Spain, Norway, Luxembourg, Denmark, Greece and France. Outside Europe, there are facilities in Australia and Canada. A total of 78 drug consumption facilities currently operate in seven European monitoring centre for drugs and drug addiction-reporting countries.

Grahame Morris (Easington) (Lab): I congratulate the hon. Gentleman on securing this debate on a potentially controversial subject, but perhaps one where we need to look at the evidence. Does he agree that there are not only health benefits but other benefits in terms of crime prevention and reduction? The Home Office's figures say that 45% of crimes are caused by drug users stealing in order to feed their habits. Tackling that through the introduction of consumption rooms would bring considerable benefits.

Ronnie Cowan: Absolutely. To my knowledge, the closest thing we have had to that in UK was opened by John Marks in the Wirral back in the 1980s. At that time, local crime dropped by more than 90%. We have the information at our fingertips.

Most interestingly, no country that has adopted DCRs has ever regretted it and subsequently closed them. Switzerland and Spain have closed DCRs, but only because the need for them reduced significantly—they were so successful that they put themselves out of business.

Before the festive recess, I asked the Prime Minister at Prime Minister's questions to change the law to facilitate DCRs in the UK—or, if not, to devolve the relevant powers to the Scottish Parliament so the Scottish Government could do so. The law needs to change to protect the people who supervise the rooms and to enable the relevant police forces to take a consistent stance that does not set them apart from the rest of the judicial system.

Ian C. Lucas (Wrexham) (Lab): Like my hon. Friend the Member for Easington (Grahame Morris), I think the evidence is important. I am confused about the

position in Scotland, where criminal justice is devolved. The hon. Gentleman referred to devolution, so will he clarify why the UK Parliament needs to take that step? I am genuinely interested.

Ronnie Cowan: Certain aspects of the law are not devolved to Scotland and the laws we require to allow people to work in these facilities with impunity rest here at Westminster. I want those laws to be devolved to Scotland, because we have the appetite to do the job.

The Prime Minister's response was that she knows some people are more liberal about drugs than she is. She is not minded to do anything, which completely misses the point. It is not about having a liberal attitude but about compassion and treatment for vulnerable people.

Douglas Ross (Moray) (Con): Before we move too far away from law enforcement in Scotland, will the hon. Gentleman explain what the police's response would be if he were to get the powers devolved? Would they be asked to ignore people in possession on their way to such venues, regardless of how far away they were?

Ronnie Cowan: The police would have the authority to stay within the law. We would not ask them to turn their eye from people who were breaking the law. The law would allow people to carry in their own drugs.

Douglas Ross: From how far?

Ronnie Cowan: The limit from which a drug may be carried in has not been defined. The point is that the Scottish Government and the Lord Advocate have asked for this facility to happen.

Douglas Ross: The Lord Advocate?

Ronnie Cowan: The alternative would be having people shooting up in alleys and contracting HIV and hepatitis C. That might be what the hon. Gentleman wants to see in Scotland; it is not what I want to see anywhere in the United Kingdom.

Nobody is saying that drugs are for everybody or that drugs are great. What I and many others are saying is that if we want to stop damaging society and help the many individuals who have a drug addiction problem, we need to change our approach. DCRs are not a magic wand or a silver bullet and they will not resolve every issue, but they are humane, productive and cost-effective. The total operating costs of the Glasgow safer drug consumption facility and heroin-assisted treatment facility are estimated at £2.3 million per annum. A 2009 Scottish Government research paper suggested that in 2006, the cost attributed to illegal drug use in Scotland was around £3.5 billion.

The Vancouver Insite DCR costs the Canadian taxpayers 3 million Canadian dollars per year. The facility claims that for every dollar spent, four are saved, as they are preventing expensive medical treatments for addicts further down the line. That figure is recognised in many other countries. A 2011 ruling by the Supreme Court of Canada concluded that Vancouver's Insite safe injecting room saves lives with no negative impact on public safety in the neighbourhood, and that between eight and 51 overdose deaths were averted in a four-year period.

[*Ronnie Cowan*]

A study in Sydney showed fewer emergency call-outs related to overdoses at the time safe injecting rooms were operating. A study of Danish drug consumption found that Danish DCR clients were empowered to feel “like citizens rather than scummy junkies”

—their words, not mine.

These findings corroborate other investigations that DCRs are an essential step towards preventing marginalisation and stigmatisation. NHS Greater Glasgow and Clyde estimates that the annual cost to the taxpayer of each problem drug user is £31,438. It further estimates that the introduction of a new heroin-assisted treatment service could save over £940,000 of public money by providing care for just 30 people who successfully engage with the treatment. Even if we did not give a damn about people with addictions, it would make good financial sense to provide those facilities. It is more cost-effective to provide DCRs than it is to pick up the bill after the damage has been done.

DCRs are more than just a practical solution; they are humane, compassionate and financially effective. I can think of only two reasons why the UK Government are so resistant to the proposal: either they are stuck in an ideological mindset that people with addictions are not ill but are the product of poor lifestyle choices, or they simply do not care. The UK Government have stated:

“It is for local areas in the UK to consider, with those responsible for law enforcement, how best to deliver services to meet their local population needs.

We are committed to taking action to prevent the harms caused by drug use and our approach remains clear: we must prevent drug use in our communities, help dependent individuals recover, while ensuring our drugs laws are enforced.”

That cowardly stance simply underlines the UK Government’s disengagement from the reality of the situation. It pushes responsibility on to the shoulders of local administrations and the police force, while refusing to furnish them with the legal powers to act responsibly within the law. The Home Office-led study “Drugs: International Comparators” from 2014 concluded that there was

“some evidence for the effectiveness of drug consumption rooms in addressing the problems of public nuisance associated with open drug scenes, and in reducing health risks for drug users.”

It also said that the ECMDDA report

“considers that on the basis of available evidence, DCRs can be an effective local harm reduction measure in places where there is demonstrable need”.

Despite the evidence that DCRs are financially viable, the United Kingdom Government have chosen to ignore it. Can the Minister please tell me why?

In conclusion, I once again ask: will the UK Government look at the growing body of evidence and change the law to allow DCRs to be opened in the UK without fear of prosecution? Will the UK Government devolve the relevant powers to Scotland to allow the SNP Government to pursue ambitious and innovative new measures to tackle the public health issues of unsafe drug consumption?

6.39 pm

Douglas Ross (Moray) (Con): It is a pleasure to serve under your chairmanship, Mrs Ryan. Thank you for understanding that I am unable to stay until the end of the debate and still calling me to speak.

I congratulate the hon. Member for Inverclyde (Ronnie Cowan) on securing the debate, but I must say from the outset that I am against the introduction of these facilities. The problem with support for drug consumption rooms is that it is based on a faulty assumption that the issue with class A drugs is the circumstances in which they are consumed. It is true that many users of class A drugs are killed, injured or exposed to infection by particularly unsafe means of consumption, such as dirty needles. However, the answer is not to create state-sanctioned drug consumption rooms, but to address the real issue: the consumption itself. Our efforts must be focused on getting people off these drugs. Diversions such as drug control rooms only serve to distract from that purpose, or even make matters worse.

Dr Dan Poulter (Central Suffolk and North Ipswich) (Con): I congratulate the hon. Member for Inverclyde (Ronnie Cowan) on introducing the debate. My hon. Friend makes a point about helping people to get off drugs. Surely the first step is engaging those people with medical services? The purpose of drug consumption rooms is to do exactly that, and to help people to engage in a safe way. That can be the first step to getting them off the drugs.

Douglas Ross: I agree that engagement is important; I disagree that the only place in which that engagement can take place is in these drug rooms. I stick by what I said earlier. We really have to ensure that we do not go down this route, because there is ultimately no safe way to take class A drugs—that is why they are classified as such.

Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op): Will the hon. Gentleman give way?

Douglas Ross: I will give way in a moment. Someone may use a drug consumption room once—they may even use it regularly—but there is no guarantee that they will use it all the time. As long as someone is addicted to these drugs, they cannot be kept safe. They certainly cannot be set on a course towards recovery, and the drug-free life that every human being deserves.

Caroline Lucas: Will the hon. Gentleman give way?

Douglas Ross: I think we are short of time, so I want to keep going.

Drug consumption rooms could even make things worse. Some drugs, such as heroin, work in such a way that many people build up a tolerance to them, so in order to get the same high and to satisfy their addiction, they end up having to take more and more of the drug. We therefore could be faced with the prospect of the state building a facility to passively watch over someone sinking deeper and deeper into an addiction that becomes more and more likely to kill them with each hit. Instead of building drug consumption rooms and trying in vain to make addiction to these drugs safer, we should be redoubling our efforts to help people overcome their addictions altogether.

When it comes down to it, the only safe approach, and the only thing that we should be encouraging, is detox and abstinence. That approach also has the added benefit of being less regionally biased. I for one cannot foresee many drug addicts in Moray, which I represent, making use of a drug consumption room in Glasgow,

but drug addiction is not limited to the large cities or the communities close to them. This issue affects all parts of the country, including small and relatively remote rural communities such as my own. There may be fewer addicts in Moray than in other parts of Scotland, but they deserve the same level of support. The issue should not be reduced to a postcode lottery.

Grahame Morris: Members of this House and members of the public have strong feelings on this issue, so it is important that we consider the evidence and the arguments. The hon. Gentleman says that he is against drug consumption rooms. I am not familiar with the situation in Moray, but I understand that shooting galleries exist. In my constituency, they are located in private dwellings, with drug addicts using dirty needles and tainted drugs of unknown quality and strength. Why does he believe that dangerous, private shooting galleries are preferable to drug consumption rooms?

Douglas Ross: The hon. Gentleman started his remarks by saying that we must base our decisions on evidence. The evidence from Professor Neil McKeganey, founder of the Centre for Drug Misuse Research said:

“we surveyed over 1,000 drug addicts in Scotland and we asked them what they wanted to get from treatment. Less than 5% said they wanted help to inject more safely and the overwhelming majority said they wanted help to become drugs free.”

That is the evidence that I am looking at.

I want to further explain how this issue has an impact on more rural areas. The opioid epidemic in the United States has shown us how drug addiction crises can become a dispersed and largely rural phenomenon, rather than something confined to parts of cities within reasonable distance of a drug consumption room.

There are, of course, other issues, such as policing—an issue that is close to my heart, given that my wife is a police officer. We obviously could not have police officers standing outside a drug consumption room ready to arrest anyone who walks in for possession, but where do we draw the line? Do we have an exclusion zone, within which the police do not arrest people for possession? As I was trying to ask the hon. Member for Inverclyde, what if someone is further away, but still claims to be en route to the consumption room? Do we prosecute them? Could it even be used as a valid legal defence? After all, it would be the Government actively setting up these places where drug possession and consumption are condoned. That would set us on the road to a sort of selective decriminalisation.

The hon. Member for Glasgow Central (Alison Thewliss) and the Scottish National party want powers over drugs, including the Misuse of Drugs Act 1971, to be devolved to the Scottish Parliament, but I believe the UK Government are correct to expect the police to enforce the law. I do not support SNP Members on that matter. We all want to help drug addicts, bring addiction levels down, reduce the number of deaths and injuries, and cut the crime rate, but drug consumption rooms are not the best way to do that. The best and right thing to do is to enforce the law and focus on getting people off drugs altogether.

6.45 pm

Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op): One of the clearest failings in public policy has been the war on drugs. Treating addicts as criminals has clearly failed; it does not work. It led to 3,744 deaths last

year alone. If hon. Members think more enforcement will work, I am afraid they are sadly deceived. The evidence from around the world shows time and time again that DCRs are a way to help people stop taking drugs. They are places where people can engage safely.

Let us take Sydney as an example. In 1999, the Kings Cross area of Sydney was known particularly for its large number of overdoses and deaths. In the British national picture, I see similar patterns in parts of Brighton and Hove. I remember visiting Sydney at that time, and it was a problem. Drug consumption rooms were trialled, and after 10 years KPMG commissioned an independent report, which found that in those 10 years there was not one single fatality among any of the users who had attended the rooms. Let me repeat that, because some hon. Members do not seem to get the difference. In Sydney, where there were 4,400 drug users, not one single person died, whereas 3,744 died in Britain last year. I know which system I would prefer: the one that led to no deaths on my hands. People who advocate for a cracking down are advocating for the deaths of sons, daughters, friends and family members. That is the cruel reality of the current policy.

Bill Grant (Ayr, Carrick and Cumnock) (Con): For clarity, is the hon. Gentleman saying that, after the introduction of DCRs in Sydney, there were no drug deaths whatever as a result of the introduction, or were there no drug deaths among the users of the rooms?

Lloyd Russell-Moyle: The KPMG study found that there were no drug deaths among the people who had used and engaged with the rooms, of whom there were 4,400 over that time. During that period, there was an 80% reduction in the number of ambulance call-outs relating to drug issues in Sydney, and a reduction in the average number of overdoses in public locations by more than three quarters. The rooms provided 9,500 referrals to welfare services in the wider communities. Most importantly, they won the support of residents and neighbours.

One of the things we hear time and again—I am sure this will be brought up—is that people do not want these things in their backyard. As colleagues have said, the reality is that they are in people’s backyards—quite literally. I remember canvassing up flights of stairs in tower blocks, and people were shooting up right in front of me. They had nowhere to go and no support was offered. The only thing we can do is ring the police, but we know that in a day or so the revolving door will start again. How does that help with the pressure on our police? How does that help with the pressures on our communities? The reality is that it does not.

Globally, countries have gone down two tracks: the prohibition track or the treatment track. At the same time, in all those jurisdictions, usage has slightly decreased. However, in jurisdictions that go down the prohibition route, the harm caused by those harder drugs has rocketed and the number of people getting stuck in long-term habits has increased. Under the treatment route, as we have seen in Portugal and so on, we have seen long-term usage go down and the harm slashed. Surely that is what our policies must be about: the harm to communities and individuals.

I will not speak for much longer, because I know that lots of other colleagues want to speak, but I will touch on some of the issues that have been raised about policing.

[Lloyd Russell-Moyle]

I feel the policing issue is something of a straw man argument. If there is a centre that people are asked to go to for treatment and to abstain from drugs and stop their addictions entirely, should those people be stopped from going to the centre on the off chance that they might have drugs on them because they are addicts? Should they be followed home? Should we try to entrap them? We do not do that at the moment, so suggesting that the police would need to do that with DCRs is a straw man argument.

No law is perfect, and there are grey zones, but surely it is better to work within those legal grey zones, deal with issues through dialogue with the police and save lives, than to have a system in which we have a hard and fast rule and thousands and thousands of people die. Some 56 people died from 2014 to 2016 in my city of Brighton and Hove—it is also the city of the hon. Member for Brighton, Pavilion (Caroline Lucas), who I am sure will testify—which is actually lower than in previous years.

Douglas Ross: To clarify, I was not suggesting that the police are going out and searching everyone on the way in to DCRs. I was suggesting that there is a reasonable concern that, if someone in the vicinity of a drug room is stopped and searched and found to be in possession of something like heroin, they could say they are on their way to the drug room and may therefore not be charged. That is why the Lord Advocate in Scotland was not able to give his permission for the example in Glasgow.

Lloyd Russell-Moyle: It is interesting that that does not seem to be a problem elsewhere. That is all I can say. Let us base this on evidence from elsewhere. I have spoken for long enough, so I shall sit down.

6.53 pm

Crispin Blunt (Reigate) (Con): I am delighted to follow the hon. Member for Inverclyde (Ronnie Cowan) and I congratulate him on securing the debate. I recognise that we have a shared interest in the work that we jointly do as officers of the all-party parliamentary group on drug policy reform.

The hon. Gentleman will be unsurprised that I largely agree with his analysis. My hon. Friend the Member for Moray (Douglas Ross) might be a little more surprised about that, but I congratulate him on his speech and on taking part in the debate and representing a view that appears to represent the majority in Parliament. That is an example of the challenge one faces in getting consideration of this issue into the era of evidence and in getting it addressed around the issue of public health.

The Under-Secretary of State for the Home Department, my hon. Friend the Member for Louth and Horncastle (Victoria Atkins), who will reply to the debate for the Government, is entirely typical in that in nearly all the nations of the world drugs policy sits in an interior or Home Department where drugs policy sits. That is frankly wrong. It ought to be sitting in Health. We are dealing with a very serious health issue.

It would be very nice if the world's objective to deliver detox and abstinence, as elucidated by my hon. Friend the Member for Moray, was realistic. The world has been trying to do that collectively for nearly 60 years,

and the position continues to get worse and worse. The criminal justice consequences of this policy are utterly appalling, and I speak from experience, having served as the Minister responsible for prisons, probation and criminal justice for two and a half years. That is just in the United Kingdom. Half of acquisitive crime is driven by addiction, and if we cannot do anything about addiction, we should be not remotely surprised that the cost to our country of the criminal justice impact is in the order of £13.5 billion, which I think was the figure given in the Government's latest drug strategy.

From a criminal justice perspective, I would have traded the massive savings we make in criminal justice to get this issue out of criminal justice and into public health. As I have got into this issue and understood it better, I see that these two things go hand in hand. We would get a significant public health advantage by being more transparent and open about our treatment of addiction. Even if a country was not prepared to go outside the global convention and global policy on the war on drugs—to go as far as Portugal has gone—and simply decriminalised low-level use, it would see a massive improvement in its public health outcomes.

Dr Poulter: My hon. Friend is making a characteristically constructive and well-informed speech about a matter he knows well. One of the problems with the current approach is that by punishing people who, through addiction, are medically unwell—that is the way I see it, as a doctor—we are worsening the ability to engage with them effectively in healthcare terms and worsening the spiral of addiction through debt and the criminal justice consequences. Does he agree that that needs to change?

Crispin Blunt: I wholly agree. My hon. Friend, with his medical background, speaks with authority on this matter. Drug consumption rooms plainly, on the basis of evidence around the world, ought to be part of our attempt to treat people who find themselves in the wretched position of being addicted to the most difficult and dangerous drugs. It is simply about the evidence. No one has died globally in a properly overseen drug consumption room, and yet in our country, 1,707 people died as a result of illicit heroin use in 2016. The extraordinarily stark contrast between the figures in Portugal and Scotland alone ought to make all of us think very carefully about the implications of our current policy.

Douglas Ross: I hope my hon. Friend will agree that while no one has died in a drug consumption room, that does not mean that no one who has used a drug consumption room has died as a result of drug taking. As I said in my speech, we cannot get everyone to go every time. Some go once, and some go every now and then. We cannot force them to go every time.

Crispin Blunt: No, of course my hon. Friend is right, but I am not entirely sure what the merits of his point are.

Douglas Ross: It does not solve the problem because people still die.

Crispin Blunt: The truth is that we will never solve the problem. Humanity has been using drugs in one form or another for thousands of years. My hon. Friend almost certainly uses a drug, unless he is a teetotaler.

Douglas Ross: This month I am.

Crispin Blunt: Then frankly my hon. Friend is in quite a rare position. The vast majority of people—certainly Members of this House—use a drug perfectly legally, and that drug is called alcohol. It happens to be the drug that the Advisory Council on the Misuse of Drugs said is probably the most dangerous drug in use in the United Kingdom in terms of its impact. He is a football referee, and having seen football crowds he will know the difficulty of policing crowds under the influence of alcohol. Alcohol is a significant and difficult drug.

Caroline Lucas: The hon. Gentleman mentioned the Advisory Council on the Misuse of Drugs, and that body has recommended that DCRs are a policy that we should pursue. Would he agree that it is the case that not only have DCRs not been a venue where people have died, but they have been one of the most effective interventions at getting people away from addictions? DCRs are not being complacent about addiction; they are being realistic—*[Interruption.]*

Joan Ryan (in the Chair): Order. We have two more speakers, and they will be able to get in. We will resume immediately once everyone is back from the Division; we will not take the 15 minutes. If there are two Divisions, the same applies. As soon as the second one is done—I think there will be two—I ask everyone to get back quickly, apart from Members who have informed me that they cannot do so.

7 pm

Sitting suspended for Divisions in the House.

7.24 pm

On resuming—

Crispin Blunt: I shall conclude by saying that one should recognise the challenge facing the Minister, given the circumstances she faces. It is difficult enough when our policy and, I believe, global policy are stuck in absolutely the wrong place; we have had 60 years of the policy not working. She then has to deal with the legislative framework that she has to operate within. She then has to try and find a way actually to get drug consumption rooms working, when the overwhelming evidence on the ground is of the benefits they can bring to the communities in which they are placed. They get needles and addicts off the streets, stop people shooting up on the streets, and put addicts on the route to recovery. That is able to happen in an entirely safe place. The public health outcomes need to be a priority for us.

Recognising those difficulties, all I ask of the Minister is that she learns, as I am learning about this issue as I engage with it, and that she and the Government remain open to all the evidence that is coming in from all around the world, through all the different examples. On drug consumption rooms, I very gently suggest that the evidence from around the world is utterly overwhelming about their merits.

Joan Ryan (in the Chair): May I just say that if Back Benchers who wish to speak stick to three minutes each, everybody will get a turn to speak?

7.26 pm

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): Thank you, Ms Ryan, for your agile and dynamic chairing of this debate, and congratulations to the hon. Member for Inverclyde (Ronnie Cowan) on securing it. It is on a vital issue that we need to address in this House.

The Glasgow safer drug consumption facility and heroin-assisted treatment pilot project were initially advocated by the Labour administration on Glasgow City Council. It was led by Councillor Matt Kerr, who was convenor of social work at the time, acting on a recommendation from the Glasgow City Alcohol and Drug Partnership that it was a worthwhile and heavily evidenced method to improve the safety and hygiene of intravenous drug use in the city. Indeed, it received cross-party support and benefited from wide support, including that of the hon. Member for Glasgow Central (Alison Thewliss), who at the time was serving on Glasgow City Council.

As many Members may be aware, the issue of drug use and drug-related mortality in Glasgow is particularly acute, and it is a problem that necessitates radical and disruptive new approaches. Almost a third—267—of all Scotland's drug deaths in 2016 occurred within the Greater Glasgow and Clyde NHS health board area. Per 1 million people, there are 283 drug-related deaths in Glasgow, but the average across the EU is just 20. That means that Glasgow's drug death rate is an appalling 1,315% higher than the EU average and 329% higher than in England and Wales.

Last year, 1,707 people died in the UK from a heroin overdose, yet no one has died from an overdose in a supervised drug consumption room anywhere in the world at any time. That is due to both the hygienic environment and medical supervision, as well as the readily available supply of life-saving overdose drugs, such as naloxone.

According to the most recent estimates, around 13,600 people aged between 15 and 64 in the Glasgow City Council area are problematic drug users. That represents 3% of the population, which is the highest prevalence rate of all local authorities in Scotland and significantly higher than the Scottish average of 1.75%.

In my constituency of Glasgow North East, there are particularly high levels of drug use in Possilpark and Springburn, which are two of the most economically deprived areas of the constituency following eight long years of brutal austerity. That serves only to drive up levels of despair and alienation in these communities, which is one of the main reasons why people fall into the pernicious trap of hard drug addiction. These areas have also been plagued by the brutal organised crime war between rival factions seeking to control the supply of drugs in the city.

Drug consumption rooms offer hope in this otherwise bleak landscape of despair. They are used as an effective public health measure in the Netherlands, Germany, Denmark, Spain, Norway, France, Luxembourg, Switzerland, Canada and Australia, with 90 facilities currently operating in 61 cities.

It is clear that drug consumption rooms are a worthwhile and practical measure to introduce to Glasgow. They benefit society, for example by reducing drug-related litter and needle-stick injuries, reducing the spread of disease and making our streets safer, as well as having

[Mr Paul Sweeney]

significant health benefits for those who use drugs. Drug consumption rooms significantly reduce fatal overdoses and the needle-sharing that can lead to infections, including HIV and hepatitis, by providing people with sterile equipment. They have also been shown to increase the number of people entering treatment programmes.

Use of a safe space provides the opportunity to start engaging people and to build up trusting relationships with appropriate professionals, which supports them to take those first steps towards dealing with their addictions. The benefits of DCRs have already been demonstrated elsewhere, yet attempts to set up the UK's first DCR have been blocked. That is despite the idea being supported by the British Medical Association.

That decision is typical of a Government who take little heed of scientific evidence of what works and what saves lives. This is primarily a question of public health, as has been said before, and not one of criminal justice. I therefore urge the Government to adopt an open-minded approach, heed the consensus of all relevant parties and expert bodies in Glasgow, and reconsider amending the obsolete Misuse of Drugs Act 1971 to permit the piloting of the safe drug consumption facility in Glasgow. That will allow them to assess the opportunity that that facility may bring to mitigate and solve the extensive harms caused by the unregulated and unsafe drug consumption environment in my city.

7.30 pm

Thangam Debbonaire (Bristol West) (Lab): Thank you for your patience with the many Divisions throughout the debate, Ms Ryan. I will not repeat what other hon. Members have said, but make some specific, Bristol-related remarks.

I understand why people have an instinctive reaction that drug consumption rooms must be harmful, because they appear to facilitate the use of drugs. To hon. Friends who have doubts, however, I say that we already have a drug consumption room in Bristol: it is called Bristol. It is called the square outside my office, the doorstep into my office and the blocks of council flats at the side of my office. It is called virtually every part of the city centre.

The harms caused by that existing drug consumption room from the drug consumption that goes on there, the resulting drug litter, and the visible harm to drug addicts and to bystanders—people who have no interest in taking drugs but want their children to be able to play in the local playground—are many and varied. They hurt the most vulnerable and the very people we on this side of the House are here to represent, so I encourage all hon. Members to consider the use of drug consumption rooms.

In Bristol, we have very high rates of injecting and of poly-drug use, particularly crack cocaine mixed with heroin that is then injected. Public Health England recognises that we have high levels of complexity in the people who use such drugs and in the high levels of admission to hospital for drug-related harms.

Another harm is more widely shared among us all: the cost of the existing drug consumption room regime to the health economy. The total length of stay in the Bristol Royal Infirmary in 2015-16 for drug-related admissions was 2,758 days, with an estimated cost of

£1,103,200. I thank Jody Clark for providing those figures from Bristol City Council's "Bristol Substance Misuse Needs Assessment". Hospital admissions specifically for injuries caused by injections accounted for 1,005 bed days—36% of all drug-related stays. That is from just 71 individuals who had an average stay in hospital of 14 days each—more than twice the average 6.6-day stay for all drug-related admissions—and an estimated cost of in excess of £400,000.

I urge all hon. Members to consider that if we want to give our health service more money, if we want to make our streets safer, and if we want to save the lives of people who have drug addictions, as I do, we need to invest in drug consumption rooms. However unpleasant it is to have to step over a very aggressive and slightly frightening—sometimes very frightening—drug addict on my office steps, I do not want them to die. I want their lives to be saved and I want the people who live in the blocks of flats near my office to be able to send their children out to play.

For all those reasons, and because nobody has ever died in a drug consumption room that was officially sanctioned and clinically run, I urge all hon. Members to consider the drug consumption rooms we have at the moment and support this alternative.

7.33 pm

Alison Thewliss (Glasgow Central) (SNP): I congratulate my hon. Friend the Member for Inverclyde (Ronnie Cowan) on securing this important debate. In Glasgow city centre, there are around 500 people who inject drugs on a regular basis. Someone who comes to Glasgow will probably not see it, but for many of my constituents it is a huge issue.

Before I was elected in 2007, the issue of discarded needles was raised by a resident, who pointed me to a bin in a children's play park. I have an enduring horror that sooner or later a child will get pricked by a contaminated needle, which is a daily hazard for our council cleansing staff. No one should have to live with that risk.

The issue has never gone away, but has simply moved around. Earlier tonight, a constituent, Andy Rae, told me that he had come home to find two contaminated needles on his doorstep. As the hon. Member for Bristol West (Thangam Debbonaire) said, the problem is already there. It is on my office doorstep too.

A constituent wrote to me over the weekend to say:

"In the 18 months that I have lived here there have been countless times that I've seen people injecting drugs in the bin area, doorways, and carpark...They leave behind their needles, bloody wipes, spoons, and bottles all over the area, strewn all over the ground/grass/hedges, as well as urine, vomit and blood on the ground...This is a nice, quiet, residential area, home to people both young and old, families with children, students, people taking their dogs out, and is also in very close proximity to the children's play park directly across the road."

Another constituent, who I spoke to on Monday, told me about witnessing prostitution in bin shelters and groups of people taking drugs under the stairs.

I regularly walk around that part of my constituency, reporting needles as I find them. After my surgery on Friday, I saw among the usual places a young woman injecting herself behind a derelict building. There is no dignity for that woman—only desperation. That is the reality of life for intravenous drug users in Glasgow,

and of the impact of their behaviour on residents. It is deeply damaging for everyone involved. Each of those people injecting drugs is someone's child, is loved by somebody, and we owe it to them to find a better way.

There has been no means of dealing with the situation. It is imperative that we do something different. The Glasgow health and social care partnership has concluded that the only way to deal with public injecting is to provide a safe, managed space for people to inject. By doing so, we can also respond to the concerns of residents and businesses and meet the needs of a very vulnerable and marginalised population who do not engage in services. The partnership has a clear and well thought through proposal for a drug consumption room. I commend its report, "Taking away the chaos"; if the Minister has not already read it, I urge her to look at the evidence that it has gathered.

I pay particular tribute to Saket Priyadarshi for his work, to Susanne Miller of Glasgow City Council for her commitment, and to people like Kirsten Horsburgh of the Scottish Drugs Forum for their advocacy of this important project. The health and social care partnership has done significant work on establishing needs and protocols on how it would work, on listening to a range of health professionals as well as to those who use drugs, and on finding a means of funding the project. It would be more than just a room; it would be a service—a bespoke service staffed by health professionals, with a wrap-around service to help people to reduce their drug use and stabilise their lives. There would be opportunities for people not currently accessing health services to do so, and for people to get assistance to rebuild their lives. The proposed Glasgow model is all about engaging with drug users to promote treatment, rehabilitation and social integration, as well as providing harm reduction services.

The Minister must recognise that not taking action, but rather just doing what we have already done, comes at a cost that has manifested itself in the treatment for the latest HIV and hepatitis C outbreak in Glasgow. Inaction also comes at the cost of emergency admissions to hospital. As the report notes:

"Over the last five years, the Scottish Ambulance Service has recorded an annual average of 232 ambulance attendances at suspected overdoses"

just in Glasgow. The hon. Member for Brighton, Kemptown (Lloyd Russell-Moyle) mentioned the Australian example, which shows how such costs could be saved.

There is a risk to council staff and housing association staff from clearing up needles—sometimes in their hundreds—on sites. As soon as those needles are cleared, they come back again and again. There is also a human cost—the cost of lives written off and wasted. The hon. Member for Glasgow North East (Mr Sweeney) cited some of the figures, including the 867 drug deaths in Scotland in 2016 alone. We cannot put a price on that. For every person lost to addiction a family is bereft.

Anyone's Child: Families for Safer Drug Control supports drug consumption rooms. I have listened carefully to people who have lost family members, and they made it clear that drug consumption rooms would be a positive intervention. At the very least, their loved one would not risk dying alone in a filthy lane. Instead, they would be in a place of safety, supervised by medical professionals. As hon. Members have mentioned, there has been not one single death in any drug consumption room anywhere.

Our difficulty in Glasgow is that the project cannot go ahead without the permission of the UK Government, unlike in Ireland, where the Ana Liffey project and the then Minister—now Senator—Aodhán Ó Riordáin changed the law to allow it. The Lord Advocate cannot pursue the matter. An exemption from the Home Office has been refused. I have a cross-party letter signed by the majority of MPs in Scotland, requesting leave for the pilot to go ahead. If it does not work, fine, but at least let us try. The status quo is not acceptable.

I invite the Minister to come to my constituency in Glasgow and see how people are living. She could then see whether she would like to put up with what my constituents put up with every day, or whether she would find it acceptable for somebody she cared about to drop their trousers and inject heroin into their groin in a manky back court surrounded by excrement and contaminated needles.

I will end with words quoted in the health report from someone in recovery:

"You need to think about it differently. That's where I think safe injecting routes and injecting heroin...you take away the chaos. Then you have a chance to work on the attitude."

7.39 pm

Carolyn Harris (Swansea East) (Lab): I congratulate the hon. Member for Inverclyde (Ronnie Cowan) on securing this important debate. I thank all hon. Members not just for their contribution, but for sticking with us through this very disturbed debate. I congratulate you, Ms Ryan, on steering the ship safely to the end.

The Opposition have made no secret of our disappointment in last year's drug strategy. We waited nearly two years for it; frankly, we expected something more radical, more substantial and certainly with more funding. No amount of gloss can hide the significant problems with the approach to drugs policy that the Government have taken since taking power in 2010: it has been ideological and plagued with irresponsible cuts.

All the Members in the debate have expressed the truly shocking scale of the problem. The UK has the highest recorded level of mortality from drug use since records began. There are record numbers of deaths from morphine, heroin and cocaine use. There are more deaths from overdoses than from traffic accidents, and there is an ever-increasing incidence of HIV and hepatitis transmitted via unhygienic injecting.

Drug consumption rooms have operated in Europe for three decades, most notably in countries that have had greater success in reducing drug deaths than we have. Even if the Government are misguided and will not look at evidence from other countries, I would have thought that they would have taken the advice of their Advisory Council on the Misuse of Drugs. In 2016, in response to the unprecedented drug deaths, it recommended that the Government consider the introduction of drug consumption rooms. I believe the response was:

"It is for local areas in the UK to consider, with those responsible for law enforcement, how best to deliver services to meet their local population needs."

I agree that the local authorities are best placed to deliver such services. However, when responsibility for alcohol and drug treatments was transferred from the NHS to local authorities in 2013, it signalled the most significant and problematic change to funding. Although

[Carolyn Harris]

I am not criticising our overstretched local authorities, the transfer of responsibility brought an end to the ring-fenced budget for drug treatment, resulting in a reduction of services.

In an ideal world, no-one would take those harmful substances, but we do not live in an ideal world. Therefore, we cannot base life or death decisions on ideology. We have to go with what works. If the evidence is clear that drug consumption rooms prevent overdose deaths and the spread of disease, we at least need to trial them. Glasgow was set to do that until it was blocked by the Government. The Member for Inverclyde secured the debate for the main purpose of calling for the devolution of drug legislation to Scotland, but the drugs problem is UK-wide and we need a UK-wide solution.

Like many, I am uncomfortable with the uncertainty we often find ourselves in when it comes to drugs and the law: legal highs, more widespread drug use, changes in legislation in other countries, decreased prosecutions for lesser drug offences and even festivals such as Glastonbury offering drug testing facilities. We have been sending mixed messages for far too long. We must address that before we are to move forward in a meaningful way.

The Opposition are clear: the ever-increasing spread of disease and record number of deaths from drug use are unacceptable. This must be dealt with as an urgent public health issue. The Government must take responsibility and they must review the legislation as a priority.

7.43 pm

The Parliamentary Under-Secretary of State for the Home Department (Victoria Atkins): It is a pleasure to serve under your chairmanship, Ms Ryan. I join others in congratulating you on your skilful navigation of the timetabling and the Divisions this evening. I am grateful to the hon. Member for Swansea East (Carolyn Harris) for giving me a little extra time to respond in what is a very complex debate. I thank the hon. Member for Inverclyde (Ronnie Cowan) for bringing the debate and for his obvious passion and commitment to this topic.

I will start from a position of agreement: nobody in this House wants people to become addicted to heroin, crack cocaine or any drugs. We are all grappling with the ways in which we can fight that drug battle, help addicts and ensure that gangs do not lead young people on to the wrong paths and into taking drugs. We want to rid our country of these awful substances if we possibly can. It has already been said that that is incredibly difficult, as it is in every country in the world, and nobody has the answer yet.

To be very clear from the start, the Government do not agree with the hon. Gentleman's suggestion. We have no intention of introducing drug consumption rooms, nor do we have any intention of devolving the United Kingdom policy on drug classification and the way in which we deal with prohibited drugs to Scotland. Drug barons do not respect geographical barriers or boundaries and I dread to think what would happen if we devolved our UK-wide policy in the way that the hon. Gentleman suggests—it would then create an internal drug market within the UK, adding further to the pressures on law enforcement.

The hon. Member for Inverclyde is looking a bit askance at me. He knows my background. I used to prosecute criminals for a living. I prosecuted drug gangs; I prosecuted international drug gangs, so I know whereof I speak. There has been a certain naivety in some of these arguments about what these international gun-toting criminals will do if we, the UK, regulate prohibited drugs. They are not going to run away and study university degrees and lead law-abiding lives. They are going to find ways of undercutting the regulated market, which presumably the hon. Gentleman is calling for, with prices. They will find ways of getting to their addicts. They will still continue their awful trade; it is just that under the hon. Gentleman's model, as I understand it, it will be the taxpayer who is helping to pay for some of the drugs that we are against.

Ronnie Cowan: Imagine the people whom we would drive out of business! This will do the same thing as it did in the 10 other countries where it has been introduced. I am talking about drug consumption rooms to help people with addiction problems through that phase of their life. Some 90% of people who use drugs in a recreational fashion do not have an addiction problem. We are talking about people with an addiction problem and helping them through that in a compassionate and humane way. That is what DCRs are about.

Victoria Atkins: I will come to what DCRs are about, because their purpose is not recovery. Their purpose is to provide a place where illicit drugs that have been bought in the local area are then consumed in a place funded either by the taxpayer or charities. Recovery is an optional part of that usage; it is not the sole purpose of it. That is very different from our drug strategy. I will come on to that in a moment.

Let me first of all deal with the international comparisons, because much has been made of the evidence from abroad. I accept that there is no clear answer here, but I am obliged to put into context some of the evidence that has been put to this Chamber by the hon. Member for Inverclyde and the hon. Member for Brighton, Kemptown (Lloyd Russell-Moyle). Ten countries have DCRs. Seven of them are in the European monitoring centre for drugs and drug addiction, and in those seven countries, 78 facilities exist. When we are talking about changing our national drugs policy, we have to be very clear about the limits of the evidence on which the hon. Gentlemen are relying.

The hon. Member for Inverclyde mentioned some countries. Canada has kept its provider, Insite, not because of the evidence that the services provided by Insite work, but because the users of Insite brought two court actions, and the Canadian Supreme Court ordered the Minister who wanted to close them to grant an exception to Insite in order to respect the constitutional rights of facility users and staff. I read that, with my legal hat on, not as an endorsement of the effect of DCRs but as a constitutional issue.

France has not agreed to use these rooms permanently. It is running a pilot project for six years. In terms of Spain, the evidence I am given by those who sit behind me is that there is one room open in Catalonia for one hour a day from Monday to Friday. When we hear that there have been no deaths in DCRs, which I accept, we have to understand the context in which these rooms are

operating. I suggest that one hour a day from Monday to Friday does not support a great deal of people; we are not talking about the majority of heroin users in that town in Catalonia.

The hon. Member for Brighton, Kemptown talked about there being no deaths in Sydney. I was grateful to my hon. Friend the Member for Ayr, Carrick and Cumnock (Bill Grant) for clarifying that the hon. Gentleman was in fact saying that there were no deaths in DCRs, not that the introduction of DCRs has stopped deaths from heroin in Sydney as a whole.

We do not know, because nobody has done the research yet, what happens to addicts when they leave DCRs. DCRs are not residential. Addicts are there for a

number of hours. We do not know what happens when they leave those clinics and walk down the street. We do not know the impact. As we have heard, they are not there every single day. This is not a regular form of treatment, and that is precisely why I will now turn to the drug strategy. Recovery is at the heart of the Government's drug strategy. We have brought together Health, Education and all of the relevant Departments to tackle drug addiction and the illicit trade in drugs and to look at the answers within the community, including with the police, but recovery is at the heart of it. I am sorry to hear of the experience in Scotland.

7.50 pm

Motion lapsed, and sitting adjourned without Question put (Standing Order No. 10(14)).

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