

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

**PARLIAMENTARY
DEBATES
(HANSARD)**

Wednesday 28 February 2018

House of Commons

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The House met at half-past Eleven o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

BUSINESS BEFORE QUESTIONS

INDEPENDENT PARLIAMENTARY STANDARDS AUTHORITY

The VICE CHAMBERLAIN OF THE HOUSEHOLD reported to the House, That the Address of 23 January, praying that Her Majesty will appoint Jacqui Smith to the office of ordinary member of the Independent Parliamentary Standards Authority for a period of five years with effect from 19 February 2018, was presented to Her Majesty, who was graciously pleased to comply with this request.

Oral Answers to Questions

INTERNATIONAL DEVELOPMENT

The Secretary of State was asked—

LGBT People

1. **Peter Heaton-Jones** (North Devon) (Con): What steps she is taking to support LGBT people in developing countries. [904078]

The Secretary of State for International Development (Penny Mordaunt): The UK Government directly challenge other Governments who criminalise homosexuality. We support LGBT people through tackling exclusion and violence against them and through increasing their access to services. LGBT inclusion is one of the eight priority areas in DFID's new UK Aid Connect programme.

Peter Heaton-Jones: I am grateful to the Secretary of State for that answer. Does she agree, given that the Government have led on LGBT rights in the UK, that our international aid programme now has a significant part to play in taking leadership on this issue on the international stage?

Penny Mordaunt: I absolutely agree with my hon. Friend. People having the freedom to be who they are and to reach their full potential is vital if nations are to reach their full potential.

Dr Paul Williams (Stockton South) (Lab): Thirty-six of the 53 Commonwealth countries continue to criminalise homosexuality. What conversations has the Secretary of State had with her Cabinet colleagues about using the UK's role as host of the Commonwealth Heads of Government meeting to champion LGBT rights?

Penny Mordaunt: We will take that opportunity, and others, to raise all those issues in the sessions with civil society and in the bilateral conversations that will take place throughout that week and in the run-up to it. We have set a standard, and we can encourage people to follow. Through DFID's work, and through the incentives that we can provide, we can also provide other reasons for countries to do the right thing.

Michael Fabricant (Lichfield) (Con): My right hon. Friend is right to identify those countries that criminalise people who are gay, but what about those countries that tolerate prejudice against gay people? What can we do in those cases?

Penny Mordaunt: There are several things that we can do to address those issues, one of which is to strengthen the voice of those organisations that highlight abuse and discrimination. The UK Aid Connect programme will do that. It will provide funding to civil society groups to help us to understand what is happening in particular locations and what is needed to address the issues.

David Linden (Glasgow East) (SNP): During the February recess, I spent some time in Uganda, which has an appalling record on the treatment of LGBT people. What is the Secretary of State's Department doing to address that issue in Uganda?

Penny Mordaunt: The Minister for Africa, my hon. Friend the Member for West Worcestershire (Harriett Baldwin) is looking at these issues. We have particular requirements in funding agreements when working in particular locations, and where we see abuses taking place, we will not hesitate to raise them with the Government in question.

Dan Carden (Liverpool, Walton) (Lab): Today is the final day of UK LGBT history month. One of our nation's lasting legacies has been the exporting of anti-gay laws around the world, and 36 of the 53 Commonwealth countries still criminalise homosexuality. The upcoming Commonwealth summit in April, hosted by the UK, is a golden opportunity for us to champion LGBT rights. However, reports in the Canadian press last week suggest that the Heads of Government communiqué is unlikely to mention LGBT rights. Will the Secretary of State consider what extra development assistance and funding she can now provide to LGBT activists and civil society across the Commonwealth, to ensure that we do not give up on change in the Commonwealth?

Penny Mordaunt: The hon. Gentleman should not be disheartened: we will still raise the issue. It is a strand of work that is going on. In addition to the UK Aid Connect programme that I have just outlined, I relaunched the DFID LGBT network at the start of the history week. Strengthening the support that our staff have to raise these issues—including staff who are LGBT themselves and who are required to work in-country—is vital to furthering this agenda.

Mr Speaker: I should advise the House that parliamentarians from, if memory serves, at least 28 Commonwealth countries are present in Westminster today, and possibly tomorrow, for a conference. That would be a heaven-sent opportunity for Members to seek to lobby those colleagues.

Internally Displaced People

2. **Rushanara Ali** (Bethnal Green and Bow) (Lab): What support her Department provides to internally displaced people. [904079]

The Secretary of State for International Development (Penny Mordaunt): The UK is committed to meeting the needs of displaced populations, including internally displaced people. We are providing multi-year funding to support IDPs and the communities that host them through both humanitarian and longer term development programmes.

Rushanara Ali: I thank the Secretary of State for her answer. The number of IDPs has risen by 10 million over the past four years to 40 million worldwide. What representations has the Secretary of State made to ensure that the UN negotiations on the global compacts for migration and for refugees do not sideline the needs of IDPs?

Penny Mordaunt: I thank the hon. Lady for raising this matter. IDPs due to conflict and violence outnumber refugees by two to one, but they have not received the focus or been given the profile that they need. In addition to the compacts that the hon. Lady mentioned, there are moves to set up a new panel looking at the particular and unique needs of IDPs, and the Department for International Development will support that.

Mrs Pauline Latham (Mid Derbyshire) (Con): Internally displaced people are some of the most vulnerable people in the world, and we have heard a lot recently about charities that are abusing those people. Has my right hon. Friend seen *The Daily Telegraph* today? It talks about the BBC World Service's charitable arm, where sexual harassment and inappropriate behaviour, which is totally wrong in this field, has happened under the watch of the director of news.

Mr Speaker: It is very wrong, but the answer must now focus on internally displaced people.

Penny Mordaunt: My hon. Friend is right to point out that one reason why we must be good on safeguarding and not dismiss such issues is to protect those individuals. The BBC did not report those incidents to us at the time, but my letter of two weeks ago prompted it to come forward with that information. That is a good thing, and we need to grip the problem and deliver for vulnerable people around the world.

Alison McGovern (Wirral South) (Lab): Many thousands of people have been displaced from their homes in Syria. What is the Secretary of State doing to demonstrate to those people, and to every other civilian in Syria, that the British Government have not given up on them?

Penny Mordaunt: We have not given up on them, and we are working with the Governments of Jordan and Lebanon to provide people with support over both the short term and the long term. DFID recently moved its priorities towards longer term support for such individuals, and we remain the third largest donor to support them.

Mrs Anne Main (St Albans) (Con): In Burma, hundreds of thousands of Rohingya have been internally displaced and some have fled across the border. What dialogue is my right hon. Friend having with the Burmese Government about the constant persecution of the Rohingya within Burma and the fact that they are being driven out by genocide?

Penny Mordaunt: With your indulgence, Mr Speaker, I want to share my concern that the International Development Committee has not been given access to Burma, which is disgraceful. However, I can assure my hon. Friend that I have regular discussions with all parts of Government in Bangladesh and Burma about support for these individuals. It is vital that we get the Bangladesh Government to consider the medium term and breaking down the camp at Cox's Bazar, and we are looking at our programme in both countries to ensure that displaced people are our priority.

Mr Speaker: On behalf of Parliament, I concur with the Secretary of State. The situation is absolutely disgraceful, and this matter will be raised by the hon. Member for Liverpool, West Derby (Stephen Twigg) later on in our proceedings.

Chris Law (Dundee West) (SNP): The UN estimates that 6.1 million Syrians are internally displaced. With fresh fighting in eastern Ghouta despite the ceasefire, that number will continue to rise. What is the Department doing specifically to support displaced Syrian families in that particular region? Their needs and challenges are increasing with every passing day.

Penny Mordaunt: We have a huge number of programmes that are supporting those people in particular—not just the short-term needs of shelter, food and so forth, but education, jobs and livelihoods. Those individuals have some unique needs that have not been addressed to date with as much focus by the international community, and the setting up of a panel to consider those needs and what more we can do to help in similar situations will be a big step forward.

UN Relief and Works Agency: US Funding

3. **Alan Brown** (Kilmarnock and Loudoun) (SNP): What representations she has made to the US Administration on their withholding funding from the United Nations Relief and Works Agency. [904080]

The Minister of State, Department for International Development (Alistair Burt): We are concerned about the impact on UNRWA's activities whenever unexpected reductions or delays in predicted donor disbursements occur, and I raised that with a senior US official last week. Our officials are collaborating with the US and other donors to maintain UNRWA's vital services across the region.

Alan Brown: The Minister will be aware that half a million Palestinian children attend schools funded by the UN Relief and Works Agency—schools that should really be funded by Israel as the occupying force. Has that been explained to the US Administration, as well

as the impact of the loss of \$65 million of funding? Is it not time that Palestine was independent and controlled the resources?

Alistair Burt: It has been clearly explained to US officials what the impact of the funding decision may be, particularly in Jordan, Lebanon and other places where Palestinian refugees are supported. We have provided £50 million to UNRWA in this financial year, which assists in the provision of education and other needs, and we will continue to provide funding.

Stephen Crabb (Preseli Pembrokeshire) (Con): Does my right hon. Friend agree that while the agreement between the Palestinian Authority and Hamas about resuming electricity supplies to the people of Gaza is to be welcomed, the key to resolving the infighting and improving the lives of all Gazans is the disarmament of Hamas and the renunciation of terror and violence?

Alistair Burt: Yes. One cannot take the situation in Gaza away from the administration of Hamas and their failure to resolve issues in relation to Israel and to meet the Quartet principles. The people of Gaza have suffered from a number of different things and we continue to believe that only an overall settlement will assist their needs. We will continue to work for that.

Stephen Twigg (Liverpool, West Derby) (Lab/Co-op): In 2016, the International Development Committee saw the brilliant work of UNRWA on education in Jordan. Will the Government work with other countries to make up the funding shortfall as a result of this outrageous cut by the Trump Administration?

Alistair Burt: We are working very keenly with other donors to get them to step up. I saw Commissioner-General Krähenbühl just last week in the UK and again at a recent conference. We know how much good work UNRWA does in the area. The education project the hon. Gentleman mentioned is particularly valuable. Other donors need to step up as well, and we will continue to be generous in our support for the needs of UNRWA.

Bob Blackman (Harrow East) (Con): I thank my right hon. Friend for his answers. What representations has he made to UNRWA to make sure that it conforms to what the US Government wish to see, so that the funding can be restored?

Alistair Burt: I have spoken with US officials recently and other officials in relation to this matter. It is important that UNRWA's work continues. It needs to be done and it does deliver good quality services. We will continue to provide as much as we can to meet those needs.

Palestinian Authority

4. **Andrew Rosindell** (Romford) (Con): What steps she is taking to ensure that aid to the Palestinian Authority is not used to fund radicalisation. [904081]

The Minister of State, Department for International Development (Alistair Burt): United Kingdom aid to the Palestinian Authority goes only to the salaries of vetted health and education workers in the west bank.

Our memorandum of understanding with the PA includes a commitment to tackling incitement. I recently urged Palestinian Ministers to remain focused on that. President Abbas recently reconfirmed his commitment to peace and rejecting violence.

Andrew Rosindell: I welcome the Minister's reassurance and the Government's commitment to peaceful co-existence projects that bring Israelis and Palestinians together. However, last year the Palestinian Authority reportedly paid more than £250 million in monthly salaries to terrorists in Israeli prisons, which is worth 7% of their budget and an astonishing 50% of their foreign aid receipts. Those salaries directly reward terrorism. Does the Minister agree that those payments are abhorrent and must cease?

Alistair Burt: We have made constant representations to Palestinian authorities about the impact of any incitement to terror and payments to terror. The Palestinian authorities are well aware of our views and opinions on this matter. That is why no UK aid money goes to support terrorism or the families.

Richard Burden (Birmingham, Northfield) (Lab): Is the Minister aware of the 2014 initiative in which a tripartite committee was recommended, involving the Palestinians and the Israelis and chaired by the United States, to identify incitement from whichever quarter it comes and to tackle it? That was accepted by the Palestinians and the United States, but rejected by the Government of Israel. Does the Minister agree that that rejection was not in the interests of peace?

Alistair Burt: I am aware of the proposal and the possible initiative. In the region there is much need to do whatever is possible to bring people together to examine these areas. States have their own reasons why they may or may not agree to do so, but making sure there is more work on co-existence will help on this. We will therefore continue our work to make sure all parties know how important it is to resolve their issues, so that many of the things that have occupied this House over a lengthy period can be brought to a conclusion, in the interests of peace and justice.

Aid Spending

5. **Daniel Kawczynski** (Shrewsbury and Atcham) (Con): What steps she is taking to promote value for money in aid spending. [904082]

The Minister of State, Department for International Development (Harriett Baldwin): It is vital that aid spending delivers rigorous value for money and is well spent. Indeed, my right hon. Friend the Secretary of State has said that we must ensure it "cannot be better spent". All projects are measured against a robust monitoring framework to ensure they remain cost-effective.

Daniel Kawczynski: I thank the Minister for that answer. I am sure she will agree that she constantly has to justify to the electorate the amount of money that is spent overseas. With that in mind, what steps are being taken to ensure that more of the equipment utilised is

British, that more of the non-governmental organisations employed to carry out the work are British and that the armed forces, where appropriate, are also involved in helping these projects?

Harriett Baldwin: My hon. Friend is absolutely right to highlight the important role that our armed forces have played, not only in tackling Ebola in Sierra Leone, but in tackling the hurricane in the Caribbean last year. As he will know, the Secretary of State and I are both former Ministers in the Ministry of Defence and we are keen to ensure we work closely with our colleagues there.

Diana Johnson (Kingston upon Hull North) (Lab): I was concerned to read that £160,000 of the £5.8 million of UK aid spent with Venezuela was being used for training its repressive security services. I understand this was under review last summer, so will the Minister update us with the latest on that?

Harriett Baldwin: My understanding is that the small amount of spending that happens in Venezuela is to support human rights organisations and the British Council's work on education. I shall certainly take back the hon. Lady's representations to ensure that what she says is not the case.

Kate Osamor (Edmonton) (Lab/Co-op): I thank the Minister for her answer. How can we win back public support for what aid does if she believes that the best way of spending aid money is through the armed forces, and with more on outsourcing to the private sector and less on actual poverty reduction? Does she not see that that approach will only add a misperception to the growing doubt on who is best placed to deliver aid?

Harriett Baldwin: I am sorry that the hon. Lady did not welcome the amazing work we are doing through the delivery of international aid, through so many different organisations, be it in partnership, such as she seems to resent, with our colleagues in the conflict, stability and security fund or by working with colleagues in the health service on their amazing response to the outbreak of disease in camps in the Rohingya crisis.

Refugee Families

6. **Marsha De Cordova** (Battersea) (Lab): What recent discussions she has had with the Home Secretary on enabling refugee families to reunify in the UK. [904083]

14. **Daniel Zeichner** (Cambridge) (Lab): What recent discussions she has had with the Home Secretary on enabling refugee families to reunify in the UK. [904091]

The Secretary of State for International Development (Penny Mordaunt): I regularly discuss refugee issues with Cabinet colleagues, including the Home Secretary, and with Home Office officials. We have committed to resettling 20,000 refugees fleeing the Syria conflict, and 3,000 vulnerable children and their families by 2020 from the middle east and north Africa, and we provide lifesaving aid, education and jobs to millions of refugees globally.

Marsha De Cordova: Will the Secretary of State urge the Government to back next month's private Member's Bill and put the humanity of migrants and the importance of family life at the heart of the Government's immigration policy?

Penny Mordaunt: Obviously, the mandate resettlement scheme allows for that to happen, and there is no quota or cap on that. If we can improve things, I am always open to that on any issue, but I hope we can manage to do these things without primary legislation.

Daniel Zeichner (Cambridge) (Lab): I suspect that most people would agree with the Home Affairs Committee when it said that it is

"perverse that children who have been granted refugee status...are not then allowed to bring their close family to join them".

Does the Secretary of State agree?

Penny Mordaunt: It is loud in the Chamber, but I think the hon. Gentleman asked why children are not allowed to be joined by their parents. There are some solid technical reasons why we think that would be a bad idea, but I am looking into ways for us to get good things to happen. For example, the current Rohingya crisis has some barriers to good things happening in terms of identifying people and so forth, and we are working with the Home Office to address those issues. If the hon. Gentleman has suggestions, I would be happy to hear them.

Dame Caroline Spelman (Meriden) (Con): Will my right hon. Friend join me in welcoming Refugee Action's new Stand Up For Asylum campaign, which is launched today? It reminds us of the importance of providing a safe haven for those in genuine need.

Penny Mordaunt: I thank my right hon. Friend for drawing attention to that campaign, which I welcome and look forward to reading about. We should be proud of the asylum system that we have, which protects individuals from around the world.

Preet Kaur Gill (Birmingham, Edgbaston) (Lab/Co-op): The UK simply cannot speak with any authority on tackling the global refugee crisis until we get our own house in order. Time and again, the Government's international development policy is held back by what other Departments are doing, including arms sales in Yemen, tax and trade deals that hurt developing countries, and a foreign policy that has forgotten human rights. Will the Secretary of State urge her Government to get behind the private Member's Bill that is due to be debated in March and at least help to put an end to that particular contradiction and get refugee children reunited with their families?

Penny Mordaunt: In addition to the answer I gave to the hon. Member for Battersea (Marsha De Cordova) a moment ago, the speech I gave at the Bond conference on Monday highlighted that we cannot do international development well unless we also do it in accordance with British values. I think we have a good track record as a nation and as a Government. I am always keen to see how we can make improvements, but I hope we can make them without primary legislation.

Topical Questions

T1. [904093] **Robert Courts** (Witney) (Con): If she will make a statement on her departmental responsibilities.

The Secretary of State for International Development (Penny Mordaunt): On 20 February, I informed the House that I had asked all UK charities that receive UK aid to give me assurances on the safeguarding and reporting of historical cases by Monday last. I have received 161 responses, which my officials are now analysing, with independent oversight, and we have shared returns with the Charity Commission.

Unbelievably, a number of organisations have not replied. We are following up, but without compelling justification they will have lost our confidence and we will consider whether it is right to continue their funding. I will share my key findings, trends and themes in response to the safeguarding summit that will be held with the Charity Commission on 5 March, and I will keep the House informed.

Robert Courts: Is the Secretary of State confident that Britain will remain a world leader in humanitarian aid following our departure from the European Union?

Penny Mordaunt: Yes, I am. Although we will undoubtedly still work with European partners and ECHO, when we have further control over the money that we are spending, that will be a very good thing indeed.

T2. [904094] **Dr Lisa Cameron** (East Kilbride, Strathaven and Lesmahagow) (SNP): It is Rare Disease Day and we have been singing outside Westminster tube station to raise awareness. What is the Department doing to make sure that those who suffer rare diseases in developing countries are not left behind?

Penny Mordaunt: We spend around £1 billion through our own health service and Public Health England, and into the Fleming fund and other research funds. Not only is the pioneering research that UK aid is funding saving lives overseas and developing ways to combat rare diseases, but the results are helping British citizens, too.

T8. [904100] **Zac Goldsmith** (Richmond Park) (Con): Some 90% of the plastic that enters our oceans is carried by just 10 rivers in Africa and Asia. What are the Government doing to help some of the poorest countries in the world to tackle this global problem?

Penny Mordaunt: My Department is assisting developing countries to improve waste management, which helps to avoid plastic ending up in the ocean, through multilateral funds such as the Global Environment Facility. We are also working closely with the Department for Environment, Food and Rural Affairs on some new projects to identify what more we can do in line with the 25-year environment plan.

Mr Speaker: I call Liz McInnes. *[Interruption.]*

T3. [904095] **Liz McInnes** (Heywood and Middleton) (Lab): I do not usually get that reception.

The South Sudanese Government are preventing effective non-governmental organisations such as Christian Aid from providing aid to those who desperately need it in South Sudan. What more can be done to put pressure on that Government to allow such charities the access that they need?

The Minister for Africa (Harriett Baldwin): The hon. Lady is absolutely right: it is a scandal that the South Sudanese Government are charging non-governmental organisations to deliver aid. The aid is getting through, and we should pay tribute to the people who are delivering it, but we are putting pressure on the Government to allow easier access for humanitarian aid.

Michelle Donelan (Chippenham) (Con): Following on from my recent question to the Prime Minister on the Open Doors World Watch List, will the Minister considering earmarking a fixed minimum percentage of international aid to tackle religious persecution?

Harriett Baldwin: My hon. Friend deserves tribute for the way in which she raises this issue. In the 70th year since the United Nations' universal declaration of human rights, it is a scandal that almost three quarters of the world's population live in countries that restrict religious freedom. We do a lot in this area. Although we do not fix the percentage, it is important to respond to that need.

T4. [904096] **Carol Monaghan** (Glasgow North West) (SNP): Many of the Rohingya refugees are unaccompanied children at constant threat from traffickers. Can the Minister update the House on the support that the UK is providing to these vulnerable children?

Penny Mordaunt: We are doing many things to provide support to those children, not just in the immediate aftermath of the situation they are facing, but in protecting them and ensuring that they do not fall victim to organised crime later on down the line. We are doing many things under the compact, and also in the new panel to which I have already alluded today.

David Evennett (Bexleyheath and Crayford) (Con): Does my right hon. Friend agree that providing jobs and livelihoods for internally displaced people wherever they may be is equally as important as providing relief aid?

Penny Mordaunt: I do agree with my hon. Friend, which is why the Department has shifted its funding focus to those issues that are needed over the longer term, as well as to those in the immediate aftermath of a crisis.

T5. [904097] **Paul Blomfield** (Sheffield Central) (Lab): Stability is clearly key to delivering aid in Yemen. The Southern Transitional Council appears to be providing some stability. What discussions is the Secretary of State having with it to secure the delivery of aid to both North and South Yemen?

The Minister for the Middle East (Alistair Burt): We have no direct contact with the Southern Transitional Council. We do work through coalition partners who are closely involved with the south of Yemen. Importantly,

we hope that the appointment of the new UN special envoy, Martin Griffiths, with his contacts right through Yemen, will help the peace process, which is necessary to end the conflict in Yemen for both north and south.

PRIME MINISTER

The Prime Minister was asked—

Engagements

Mr Speaker: I call Paul Blomfield. It's your lucky day, man.

Q1. [904063] **Paul Blomfield** (Sheffield Central) (Lab): If she will list her official engagements for Wednesday 28 February.

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.

Paul Blomfield: Sheffield Young Carers is a group supporting inspirational young people who balance all the normal challenges of their young lives with the demands of caring for a parent or a sibling, often with acute needs—people such as John, who has been caring for his mother with fibromyalgia from the age of 10, or Phoebe, who has been supporting her father with mental health problems from the age of eight. They have some practical ideas about what the Government could do to make their lives easier. Will the Prime Minister agree to meet them and hear their proposals?

The Prime Minister: It is absolutely right for the hon. Gentleman to raise this issue. There are many young people who are caring for their parents and, sometimes, for their siblings as well. All too often they are going unseen and unheard. Certainly, one thing that we are trying to do as a Government is to ensure that we have more opportunities, and a greater ability, to identify and assess those young carers and their families, to support them and to make the rights of young carers clearer. I know that the Department of Health and Social Care is intending to publish a plan setting out our targeted cross-Government action on this area. I would be happy to meet a group of young carers and to hear from them directly.

Q3. [904065] **Mr Ranil Jayawardena** (North East Hampshire) (Con): I believe in a global Britain and I want us to trade freely with the world, so can my right hon. Friend explain the difference between a customs union and a customs arrangement, as there seems to be some confusion?

The Prime Minister: My hon. Friend is absolutely right. We want to be able to have good trading relationships with the European Union, but we also want to be able to negotiate trade deals around the rest of the world with an independent trade policy. I was rather confused to hear a speech on this subject earlier in the week that I believe was given by the Labour leader. He said that he wanted Labour to negotiate a “new comprehensive

...customs union”. That would mean that we could not do our own trade deals and would actually betray the vote of the British people. But almost in the next sentence, he said that he wanted a “customs arrangement” meaning that we could negotiate our new trade deals. Well, that is the Government's position. So what does he want to do—let down the country or agree with the Government?

Jeremy Corbyn (Islington North) (Lab): Good afternoon. I hope that the whole House will join me in passing our deepest condolences to the families of the people who died and those who were injured in the explosion in Leicester, in the constituency of my hon. Friend the Member for Leicester West (Liz Kendall). We thank all the emergency services and hospital staff who worked to save lives in that terrible situation.

The Prime Minister emerged from her Chequers awayday to promise a Brexit of “ambitious managed divergence”. Could she tell the country what on earth “ambitious managed divergence” will mean in practice?

The Prime Minister: May I first join the right hon. Gentleman and, I am sure, the whole House in expressing our condolences to the family and friends of those who lost their lives in the explosion in Leicester? I agree with him that we should commend the activities and work of the emergency services. They do so much for us all, day in and day out, but they really showed the great job that they do in dealing with those circumstances.

The right hon. Gentleman asked me about the Government's position on the European Union. It is very simple. We want to deliver on the vote of the British people that means that we will bring back control of our laws, our borders and our money. Of course, that is in direct contrast with the position of the Labour party, which wants to be in a customs union, have free movement and pay whatever it takes to the EU. That would mean giving away control of our laws, our borders and our money, and that would be a betrayal of the British people.

Jeremy Corbyn: I understand that the Prime Minister is going to make a speech about this on Friday, but I hope that she will address the concerns of 94% of small and medium-sized businesses that say that the Government are ignoring their concerns about how we leave the EU. Who does she think might be better at identifying the business opportunities of the future—the Confederation of British Industry, the Engineering Employers Federation, the Institute of Directors or the International Trade Secretary?

The Prime Minister: The right hon. Gentleman talks about the views of business, particularly of small business. I refer him to what the Federation of Small Businesses said about our position:

“The UK small business community sees the potential wins of an independent UK global trade policy...we want trade kept as easy as possible with the EU27”—

that is our position—

“small businesses are pushing to export to new growth areas—the US, English-speaking nations, emerging economies and the Commonwealth.”

We want a good trading relationship with the European Union and free trade deals around the rest of the world under an independent sovereign nation.

Jeremy Corbyn: The International Trade Secretary says that business organisations and the TUC have got it all wrong, and that they do not know best how to prosper or grasp opportunities. I put it gently to the Prime Minister that they might have more of a clue than he has about the interests of business, jobs and living standards.

It is wonderful to see the Health Secretary here today. I assume that he was speaking on behalf of the Government last week, when he said:

“There will be areas and sectors of industry where we agree to align our regulations”.

He seems to know the answer. Will the Prime Minister enlighten the rest of us as to which sectors the Government want to remain aligned and which they plan to diverge?

The Prime Minister: First, the right hon. Gentleman said himself that I am going to be making a speech on these issues later this week. *[Interruption.]* Oh, just calm down. I have already set out in some detail the position that the Government are taking, and I will elaborate on that further this week. We want to ensure that across a variety of sectors—the goods sector, but also looking at issues like financial services which are such a crucial part of our economy—we get the relationship that means that we are able to ensure that we see that trade going across the borders between the United Kingdom and the remaining EU27 members, and that we have no hard border between Northern Ireland and Ireland; we are absolutely committed to delivering on that.

The right hon. Gentleman talks about people not having a clue. I will tell him who has not got a clue about business and jobs: a Labour party that wants to borrow £500 billion and bankrupt Britain.

Jeremy Corbyn: The endless round of after-dinner speeches by the Prime Minister on Europe does not really substitute for negotiations or for what is actually going to result from the negotiations.

One of the sectors already suffering very badly is that of health and social care. It is highly reliant on migrant workers. We depend on them for our health and the care of those who need it. Is the Prime Minister not just a little bit concerned that European Union workers with vital skills are leaving Britain in unprecedented numbers now?

The Prime Minister: As the right hon. Gentleman might have noticed from the last set of immigration figures, we actually still see more people coming into the UK from the European Union than are leaving the UK and going back to the European Union. We do have a care about the number of nurses and GPs that we have in the NHS. That is why we have set the highest levels of numbers of people in training for both nurses and GPs. It is why we have significantly increased the opportunities not just for people who are coming from the European Union to work in our national health service but for those people here in this country who

want to work in our NHS to get those training places and do the excellent job that we know they will do for patients in our national health service.

Jeremy Corbyn: From a Government who have cut the nurse training bursary, who do not seem to understand that it takes eight years to train a doctor, and who are completely oblivious, apparently, to the fact that there are 100,000 vacancies in the NHS now—*[Interruption.]* I suggest that some Members get a life and go and visit a hospital to see just how hard those people work in order to cover for the vacancies that are there. Surely we need to give immediate, real assurance to EU nationals that they have a future in this country.

Just three months ago, the Foreign Secretary told the House with regard to Northern Ireland:

“There can be no hard border. That would be unthinkable”.—*[Official Report, 21 November 2017; Vol. 631, c. 848.]*

That is what he said. Yet in a leaked letter to the Prime Minister, he wrote:

“even if a hard border is reintroduced, we would expect to see 95% + of goods pass”.

[Interruption.] He is shouting at the moment—he is obviously mixing up the border with the Camden-Islington border. Can the Prime Minister confirm that she will not renege on commitments made in phase 1 to keep an open border in Ireland?

The Prime Minister: The right hon. Gentleman actually raised three different issues in that question, so I will address all of them. He raised the issue of rights for European Union nationals. Of course, a key part of the December agreement—the December joint report that we agreed with the European Union—was about the rights of EU citizens living here in the United Kingdom and the rights of United Kingdom citizens living in the EU27. That was an important thing to have agreed at an early stage in the negotiations. We said we would do it and we did just that.

The right hon. Gentleman talks about the number of nurses. Of course, there are now 13,900 more nurses on our wards than there were under Labour. He is talking about the number of years that it takes to train doctors. He said that it takes eight years to train a doctor. Well, if he is worried about the number of doctors there are now, eight years ago it was a Labour Government who were deciding the number of doctors that were going to be trained, so he can talk about that.

Finally, the right hon. Gentleman referred to the position on Northern Ireland. The Foreign Secretary and I are absolutely committed to ensuring that we deliver on no hard border between Northern Ireland and Ireland. That is the position of the UK Government. It is the position of the parties in Northern Ireland. It is the position of the Irish Government, and it was what we agreed in the December agreement of that joint report. We are all committed to ensuring there is no hard border between Northern Ireland and Ireland.

Jeremy Corbyn: If that is the case, why is the Foreign Secretary in private correspondence with the Prime Minister about doing just the opposite of what was agreed in phase 1?

This is a Government in disarray. Every time the Cabinet meets, all we get are even more bizarre soundbites. Remember when we had “Brexit means Brexit”? Then

we had “red, white and blue Brexit”, which presumably appealed to Conservative Members. Then we had “liberal Brexit”, and now we have “ambitious managed divergence.” The Government are so divided that the Prime Minister is incapable of delivering a coherent and decisive plan for Brexit. When is she going to put the country’s interests before the outsized egos of her own Cabinet?

The Prime Minister: My priorities are the priorities of the British people. Yes, we are going to get Brexit right and deliver a good Brexit deal for them, but we are also building the homes that the country needs, so that people can own their own home. We are raising standards in our schools, so that our kids all get a good education. We are protecting the environment for future generations. That is a Conservative Government delivering on people’s priorities and giving them optimism and hope for the future, as opposed to a Labour party that would bankrupt Britain, betray voters and drag this country down.

Mr Speaker: I call Chris Davies.

Colin Clark (Gordon) (Con) *rose*—

Mr Speaker: Order. Mr Clark, you are getting over-excited. I was calling Chris Davies, the hon. Gentleman behind you.

Q4. [904066] **Chris Davies** (Brecon and Radnorshire) (Con): May I start by wishing you, Mr Speaker, the Prime Minister and the whole House a very happy St David’s day for tomorrow? I thank my right hon. Friend the Prime Minister for taking representatives of Riversimple, a leader in the field of hydrogen-powered automobiles that is based in Brecon and Radnorshire, on her recent successful trade visit to China. What are the Government planning to do to help regional small and medium-sized enterprises to make the most of potential trade opportunities with emerging markets once we leave the EU?

The Prime Minister: I was very happy to take a large business delegation with me on the trip to China, including representatives of Riversimple. It was a very good trip and very positive in terms of the connections and the deals that were agreed as a result of it. I can assure my hon. Friend that the Department for International Trade is working hard to support SMEs across the UK and to help connect exporters with buyers around the world. Of course, companies in the UK can access our overseas network and our programme of international events.

I commend the work of colleagues around the House who are trade envoys, including my hon. Friend the Member for Gloucester (Richard Graham), who is our trade envoy for China and who also accompanied me on that trip. I am pleased to say that last year, UK Export Finance provided £3 billion in support, helping 221 UK companies selling to 63 countries, and 79% of those companies were SMEs.

Ian Blackford (Ross, Skye and Lochaber) (SNP): In 2012, the Prime Minister talked about

“a future in which Scotland, Wales, Northern Ireland and England continue to flourish side-by-side as equal partners.”

Does she still stand by that?

The Prime Minister: Of course I continue to stand by wanting to ensure that all parts of the United Kingdom continue to flourish. I think the best way of doing that is ensuring all parts of the United Kingdom remain in the United Kingdom.

Ian Blackford: Of course, the emphasis was on “equal”. We are faced with a power grab by Westminster, and it is no surprise that the Scottish and Welsh Governments are putting forward continuity Bills to stop it. The Foreign Secretary’s leaked letter on the Irish border shows that he cannot get to grips with one of the most fundamental issues of Brexit. The Foreign Secretary compared crossing the Irish border to going between Camden and Westminster. Frankly, you could not make this stuff up, Mr Speaker. The UK Government are prepared to put in jeopardy the Good Friday agreement. Does the Prime Minister agree with her bumbling Foreign Secretary, who is making the United Kingdom a laughing stock?

The Prime Minister: First, this Government are absolutely committed to the Belfast agreement. Indeed, we made sure that that commitment was included in the joint report that we agreed with the European Union last December, so that commitment to the Belfast agreement stands. We are committed to the Belfast agreement and to the institutions under that agreement.

The right hon. Gentleman refers to devolved powers that are coming back from the European Union. We have also given an absolute commitment to amending clause 11, and that commitment remains unchanged. My right hon. Friend the Chancellor of the Duchy of Lancaster has recently met representatives of the devolved Administrations. He put forward a further proposal for them, which would ensure that more powers are directly devolved to the Scottish and Welsh Governments and, in due course, to the Northern Ireland Executive. It was acknowledged that that was a significant step forward.

The right hon. Gentleman talks about the continuity Bills. The proposals being put forward are unnecessary, and it would be rather more helpful if he concentrated on reaching an agreement in relation to the withdrawal agreement. We want to ensure that more powers are devolved to the devolved Administrations, and that is what we are going to deliver.

Q7. [904069] **Tim Loughton** (East Worthing and Shoreham) (Con): Back in the real world, last year Network Rail paid out £181 million in compensation to train operating companies for cancellations and delays, but only £74 million of that was passed on to passengers. Why should train operators benefit financially from failure to deliver a decent service, when it is the passengers who suffer the aggro, inconvenience and cost? What is the Prime Minister planning to do to make sure that the money goes to the right place—the passengers?

The Prime Minister: Yes, my hon. Friend is right that rail operators are compensated. They are compensated when there is disruption on the tracks run by Network Rail, so the compensation is for something that has happened not as a result of what the rail operators are doing, but as a result of something that Network Rail is doing. We do ensure that there is also compensation available to the passengers who suffer from the disruption.

I am pleased to say that automatic payments are available from many rail operators, but not everybody can be automatically refunded. We are operating a delay repay scheme, which means that everyone, regardless of their ticket type, can have access to the compensation that they deserve. We want to ensure that passengers get the compensation that they deserve when their journeys are disrupted.

Q2. [904064] David Simpson (Upper Bann) (DUP): I ask the Prime Minister to reinforce her earlier comments, given the imminent publication by the EU of the draft legal text arising from December's joint report. Will she confirm that she will never agree to any trade borders between Northern Ireland and the rest of the United Kingdom?

The Prime Minister: We continue to stand behind all the commitments that we made in December, and my negotiating team will work with the Commission to agree how they should be translated into legal form in the withdrawal agreement. The hon. Gentleman is right: the draft legal text that the Commission has published would, if implemented, undermine the UK common market and threaten the constitutional integrity of the UK by creating a customs and regulatory border down the Irish sea, and no UK Prime Minister could ever agree to it. I will be making it crystal clear to President Juncker and others that we will never do so. We are committed to ensuring that we see no hard border between Northern Ireland and Ireland, but the December text also made it clear that there should continue to be trade between Northern Ireland and the rest of the United Kingdom, as there is today.

Q13. [904075] Mr Simon Clarke (Middlesbrough South and East Cleveland) (Con): Unemployment has fallen faster in the north-east than anywhere else in our country, which is tremendous news. The next step to put rocket boosters under the economy on Teesside would be to create a free port at Teesport. Will my right hon. Friend look seriously at this idea, which has great support from the Tees Valley Mayor, Ben Houchen, and from local business leaders?

The Prime Minister: When I visited Ben Houchen and Teesport, this was one of the proposals that they did put to me. I am very happy to join my hon. Friend in welcoming the fall in unemployment that we have seen in the north-east, and there are a number of ways in which we are providing that economic growth and ensuring that we see it continuing in the north-east. That is why we are investing £126 million through the Tees Valley local growth deal. My right hon. Friend the Chancellor has confirmed recently that we do remain open to ideas that could drive growth and provide benefits to the UK and its people, so we will keep all these options under consideration.

Q5. [904067] Mike Amesbury (Weaver Vale) (Lab): Agents from the shale gas company INEOS recently posted a pre-named contract to my constituent Alison Davies, asking her to agree to a geological survey on her farm. Alison had already rejected this request when she was door-stepped a few days earlier. Does the Prime Minister know what it feels like to get an unsolicited letter from a

group who will not take no for an answer, and will she join the Welsh and Scottish Governments by saying no to fracking in England?

The Prime Minister: Shale gas extraction could be a very important part of ensuring energy security in this country, and I am sure all the hon. Gentleman's constituents and the constituents of others represented in this House will want to ensure the Government are doing everything they can to make sure we maintain our energy security and we do not see the lights being turned off.

Q15. [904077] Michael Tomlinson (Mid Dorset and North Poole) (Con): It is obvious that there will be concern about the draft from the EU of the withdrawal agreement. Can the Prime Minister assure me that when she responds, she will have uppermost in her mind the importance of both preserving and strengthening the Union of the United Kingdom of Great Britain and Northern Ireland?

The Prime Minister: My hon. Friend raises an important point. First, if I can reiterate the point that I made in response to an earlier question, we are very clear that we want to ensure that we are able to see that trading and that movement between all parts of the United Kingdom—that common single market within the United Kingdom that all parts of the United Kingdom benefit from. We are committed to protecting and enhancing our precious Union of England, Scotland, Wales and Northern Ireland.

The devolved Administrations should be fully engaged in preparations for the UK's exit. They are—discussions have been taken from them—and as I said earlier, also in response to the Westminster leader of the Scottish National party, the right hon. Member for Ross, Skye and Lochaber (Ian Blackford), it is our intention that the vast majority of powers returning from Brussels will start off in Edinburgh, Cardiff and Belfast, not in Whitehall. We will continue to talk to the devolved Administrations, because we also need to ensure that we maintain the single market of the United Kingdom.

Q6. [904068] Mr Gregory Campbell (East Londonderry) (DUP): Last December's joint report guaranteed continuing unfettered access for Northern Island businesses into the UK internal market. Does the Prime Minister agree that the EU appears now to be trying to cherry-pick that agreement by ignoring such critical issues for our economy?

The Prime Minister: It is absolutely clear—first, we do stand by the commitments we made in December, and the negotiating team will be working with the Commission to agree how we put that into legal text for a withdrawal agreement. Part of that agreement was, of course, that we will see no hard border between Northern Ireland and Ireland. Another part was, as the hon. Gentleman said, that there would be guaranteed access for Northern Ireland business to the United Kingdom market. As I said earlier, and I am happy to repeat again, the draft legal text that the Commission has published, if implemented, would undermine the UK common market and threatens the constitutional integrity of the UK by creating a customs and regulatory border down the Irish sea. No UK Prime Minister could ever agree to it, and I will be making that absolutely clear.

Mr Kenneth Clarke (Rushcliffe) (Con): May I welcome the Prime Minister's very firm reaffirmation of her commitment to the Good Friday agreement and the open border and to the December agreement that she made on the withdrawal terms, which included, if necessary, full regulatory convergence on both sides of the border? Does she accept that that means that, if necessary, there will be full regulatory convergence between the United Kingdom and the European Union?

The Prime Minister: At this stage, prior to my speech on Friday, may I perhaps refer my right hon. and learned Friend to the speech I made in Florence last year, which set out very clearly that we recognise there will be some areas where we will have the same objectives as the European Union and we will want to achieve those objectives in the same way, there will be other areas where we have the same objectives but we want to achieve those objectives by different means and there will be other areas where our objectives will differ? What matters is that it is this United Kingdom that will be able to take the decisions about the rules that it applies.

Q8. [904070] **Julie Cooper** (Burnley) (Lab): The roads in my constituency are in a terrible state of repair. In all my life, I have never seen such a mess. Small potholes are being left by Lancashire County Council to become big potholes, and in several cases these are merging to become trenches. The situation is dangerous for elderly pedestrians. Cyclists take their life in their hands. Motorists either damage their cars or swerve to avoid them. Does the Prime Minister agree that this is an unacceptable state of affairs, not least because of the failure to—[*Interruption.*]

Mr Speaker: Order. This is very discourteous. The remainder of the hon. Lady's question will be heard. It is as simple and unarguable as that. There is no point people ranting from a sedentary position. The hon. Lady will be heard on her feet and that is the end of the matter.

Julie Cooper: Thank you, Mr Speaker. Does the Prime Minister agree that this is an unacceptable state of affairs, not least because the failure to make one stitch in time is leading to far more expensive repairs?

The Prime Minister: We all recognise the importance of the issue of potholes, which is why my hon. Friend the Member for Northampton North (Michael Ellis) raised it a while back and the Government put more money in precisely to deal with it. The hon. Lady talks about a stitch in time, but I am afraid I will not take any of that from a Labour party that when in government failed to mend the roof when the sun was shining.

Rachel Maclean (Redditch) (Con): Next week, we celebrate International Women's Day, celebrating the achievements of women globally. With a record of action on the gender pay gap, with more women in work and more childcare to help them, does the Prime Minister not agree that it is the Conservatives while in government, with two female Prime Ministers, who are really delivering for women?

The Prime Minister: My hon. Friend is absolutely right. I am happy to join her in celebrating International Women's Day. I want girls who are growing up today to

know that they can achieve anything they want and that how far they go is about them, their abilities and their willingness to work hard. Female employment is at a joint record high. There are now 1.2 million women-led businesses, which is the highest since records began, and the gender pay gap is at a record low for full-time employment. That is a Conservative party in government delivering for women.

Q10. [904072] **John Grogan** (Keighley) (Lab): If she will list her official engagements for Wednesday 28 February. Will the Prime Minister support the joint endeavours of 18 Conservative and Labour councils from Yorkshire, the Yorkshire CBI, the Yorkshire Institute of Directors, the Yorkshire TUC and His Grace the Archbishop of York in their efforts to get an all-Yorkshire devolution settlement by 2020, with the first directly elected mayor from God's own county?

The Prime Minister: We are committed to devolving powers to local areas where it will deliver better local services, greater value for money and clearer accountability. I am pleased to say we have already agreed an ambitious devolution deal with Sheffield city region, which when completed will bring in about £1 billion of new investment to the area. I hear the hon. Gentleman's enthusiasm for more devolution in Yorkshire, and I am pleased to say that my right hon. Friend the Housing Secretary met a group of councils from Yorkshire yesterday to discuss these very ideas.

James Brokenshire (Old Bexley and Sidcup) (Con)
rose—

Mr Speaker: It is excellent to see the right hon. Member for Old Bexley and Sidcup (James Brokenshire) back in his place.

James Brokenshire: Thank you, Mr Speaker. It is very good to be back. Last year, I had the privilege to open the Guy's Cancer Centre at Queen Mary's Hospital in Sidcup in my constituency, not knowing then how relevant that might be to me. I pay tribute to the NHS and the outstanding people who work within it. My own treatment has been absolutely outstanding. I know that early diagnosis and early treatment is key. With that in mind, will my right hon. Friend see that the lung health check programme, announced by NHS England in November, is implemented as speedily and as widely as possible? Will she do all she can to challenge the stigma attached to lung cancer and some of the false judgments that are made, so that it receives the attention it deserves and those suffering with the disease receive the care they need?

The Prime Minister: I am absolutely delighted to see my right hon. Friend back in his place in this House. I also commend him for the interviews that he gave over the weekend and the way that he spoke about his own experience. He is absolutely right about early diagnosis. The message that he gave from his experience needs to be one that we all promote around the country—if there is the slightest doubt, if something happens that you think is potentially problematic and the sign of something, please go to the doctor and get it checked out. There are many men, particularly, who think, "Oh no, well, you know, it's better not to. We won't.

We'll just put up with it." Actually, go and get it checked out, because crucially, in cancer and many other areas—but in cancers such as lung cancer, as my right hon. Friend said—if that early diagnosis and early action can be taken, it makes an enormous difference to the patient. I assure my right hon. Friend that we are looking very carefully at and monitoring the effectiveness, particularly, of the scanning of high-risk groups, and we will be looking carefully at the results of that. As he says, we need to ensure that we get rid of the stigma of lung cancer and that anybody who has the slightest suspicion of a problem goes to the doctor, gets themselves checked out and gets the treatment that they need.

Q11. [904073] Ian Mearns (Gateshead) (Lab): For many young people in the north-east, employment is precarious and low-paid. Since the introduction of the apprenticeship levy, youth unemployment in Gateshead, my constituency, has remained stubbornly constant, while apprenticeship recruitment has declined by 35%. Having a plan to develop a plan is simply not good enough. What is the Prime Minister actually going to do to resolve the problem of youth unemployment in the north-east of England?

The Prime Minister: As we heard earlier from my hon. Friend the Member for Middlesbrough South and East Cleveland (Mr Clarke), what we have seen overall in the north-east is unemployment—

Ian Mearns: Youth unemployment.

The Prime Minister: Yes, but overall in the north-east, we have seen unemployment falling faster than in many other parts of the country, and that is to be welcomed. We do need to ensure that we are seeing the intended outcome of the apprenticeship levy—that is, more opportunities for young people—actually being put into practice. I am sure that my right hon. Friend who is responsible for the apprenticeship issue will take up the particular reference that the hon. Gentleman made to apprenticeships in the north-east.

Gillian Keegan (Chichester) (Con): Last Sunday, we celebrated the achievements of Chichester-born astronaut Tim Peake by honouring him with the freedom of the city. Will the Prime Minister join me in congratulating Tim and give assurances that our significant investment in the European Space Agency, EU space programmes and research will continue as we leave the European Union?

The Prime Minister: This is an important issue. I was very pleased that one of the first receptions that I hosted in No. 10 when I became Prime Minister was for Tim Peake and I saw the enormous enthusiasm that he generated among young people for space and science. The joint report that we agreed with the EU in December made it clear that through the multi-annual financial framework, we will continue to participate in programmes that are funded by that, and that includes space, but we will also be discussing with the EU how we can build on our successful co-operation on space as the negotiations proceed. My hon. Friend will have seen that there have been some important developments, including legislation in this House, that will enable us to take a real forward position in relation to space in the future.

Q12. [904074] John Spellar (Warley) (Lab): The Prime Minister will be aware that the huge new Midland Metropolitan Hospital in Smethwick is currently halted by the Carillion collapse. However, it is already two thirds finished and the longer the restart of work is delayed, the more the ultimate costs will rise. Yet only this week, more project management staff were laid off, so will the Prime Minister commit to getting this site back to work and instruct her Ministers, especially in the Department of Health and Social Care and the Treasury, to get a grip on this project, get the work rolling again next month and complete this much needed hospital?

The Prime Minister: I understand that more than 8,000 Carillion workers have had their jobs safeguarded, but, of course, that is no comfort to those made redundant and their families. The right hon. Gentleman raises a specific point about the Midland Metropolitan Hospital. The Department of Health and Social Care and NHS Improvement are working with the trust and the private finance initiative company so that work can recommence as soon as possible.

George Freeman (Mid Norfolk) (Con): Does my right hon. Friend agree that behind the smiling beard of the Leader of the Opposition lies the real threat to this country's economy—the shadow Chancellor and his reheated, hard-left Marxism? Can she reassure me and the businesses of this country that the Conservative party will put jobs, prosperity and growth before ideology?

Mr Speaker: We are not going to talk about beards; we are going to talk about policy. We do not want to talk about the hon. Gentleman's beard either; we are going to talk about policy, which I know is what the Prime Minister will address.

The Prime Minister: My hon. Friend is absolutely right that if we want to build a strong economy with high-skilled, high-paid jobs for the future, the way to do it is not by borrowing hundreds of billions of pounds and bankrupting our economy. The Labour party would be a real threat to the economy of this country and—more than that—they would be a threat to the jobs of hard-working people up and down this country.

Q14. [904076] Jonathan Edwards (Carmarthen East and Dinefwr) (PC): This week sees the seventh anniversary of the 2011 referendum in Wales, at which the people of my country overwhelmingly supported full legislative sovereignty over devolved policy areas. Despite the perceived concessions in this week's speech by the de facto Deputy Prime Minister, the withdrawal Bill will drive a sledgehammer through the Welsh constitution. Is it not the reality that under her plans for Brexit Britannia, Wales will be a rule-taker—a vassal country?

The Prime Minister: The hon. Gentleman is wrong about our proposal for the devolved Administrations: we will be devolving far more powers to the devolved Administrations. Indeed, the Government did that only recently in the Wales Act 2017, which devolved more powers to the Welsh Government. We are absolutely clear that we want to see the vast majority of powers returning from Brussels starting off in Edinburgh, Cardiff and Belfast, not Whitehall, but we are also clear that

where powers relate to the UK as a whole it makes sense for us to ensure that they continue to apply across the whole of the UK in the same way.

Julia Lopez (Hornchurch and Upminster) (Con): To celebrate World Book Day tomorrow, will the Prime Minister join me in backing the Share a Story child literacy campaign to make 10 minutes of daily reading with a child as much a national habit as eating five portions of fruit and veg?

The Prime Minister: I am very happy to join my hon. Friend in welcoming the Share a Story campaign and marking World Book Day, which is a day to enjoy and celebrate reading. As a child, I very much enjoyed reading, and the idea of making 10 minutes of daily reading with a child a natural habit for everybody is extremely important, and I would certainly support it.

Liz Kendall (Leicester West) (Lab): Sunday's explosion in Leicester has been a terrible shock to the local community, and I know that all our thoughts are with the families and friends of those who tragically lost their lives and those who were injured. I thank the Prime Minister and the Leader of the Opposition for praising our incredible emergency services, who continue to work in extremely difficult circumstances. Will the Prime Minister also pay tribute to our local residents, who have pulled together to support one another, showing great strength and courage, and will she make sure we get all the support we need to get to the bottom of what happened and to help my constituents put their lives back together?

The Prime Minister: As the hon. Lady said, both I and the Leader of the Opposition express our condolences to the family and friends of those who were sadly killed in this tragedy, but we also recognise the impact it has had on the local community. I am very happy to pay tribute to local residents, who have shown the real value of community in the way they have come together, and I can assure her that everything will be done to get to the bottom of why this happened and to ensure, as far as possible—depending on the cause, of course—that it does not happen to anybody again.

Philip Davies (Shipley) (Con): Last year, I attended a meeting in the House of Lords organised by the wonderful Cross-Bench peer and human rights campaigner Baroness Cox, at which three very brave women told us their harrowing tales of how they had been treated and discriminated against by sharia councils. It is amazing how noisy feminists in this place are so quiet about this issue, given that women are being discriminated against so blatantly in this country. Is it not time that this alternative, discriminatory form of justice was no longer tolerated in this country?

The Prime Minister: Let me say to my hon. Friend that we are very clear that there is one rule of law in the United Kingdom, and that is British law. But he is right, and I too have heard stories from individual women who were discriminated against, or felt that they had been discriminated against, and treated badly as a result of decisions by sharia courts. That is why, when I was Home Secretary, I set up the review of those courts.

I believe that it published its report recently, and my right hon. Friend the Home Secretary will respond to that shortly.

Frank Field (Birkenhead) (Lab): Organisations working with the victims of modern slavery report that tomorrow the Government will be cutting their miserable daily living allowance. Will the Prime Minister stop that cut?

The Prime Minister: I commend the right hon. Gentleman for his interest in the issue of modern slavery and human trafficking, and for the work that he has done to support all our efforts to stop this terrible and horrendous crime. Our benefits system is there to provide a safety net, and we have been introducing changes in order to give more help to the people who need it most. I am not aware of the details of the specific issue that the right hon. Gentleman has raised, but I know that my right hon. Friend the Secretary of State for Work and Pensions will want to look at it.

Mrs Anne Main (St Albans) (Con): A free, independent press is vital to our country. Does my right hon. Friend share my concerns about the links that Max Mosley has with Impress, and his links with some of our leading politicians?

The Prime Minister: I think some people will have been surprised to learn of those links with some leading politicians. I absolutely agree with my hon. Friend that a free press is very important: it underpins our democracy. Whatever those in the press say about us and whatever they write about us, it is important that they are able to hold politicians and the powerful to account and shine a light in some of the darkest corners of our society, and while I am Prime Minister, that will never change.

Christine Jardine (Edinburgh West) (LD): Edinburgh airport recently launched a noise abatement consultation. Given that aviation is a reserved matter, will the Prime Minister agree that her Government undertake an investigation of whether the level of night flights at Edinburgh has reached the level that was reached at Stansted when it was regulated?

The Prime Minister: I was not aware of the work being done at Edinburgh airport, but I shall be happy to ask the Department for Transport to look into the issue that the hon. Lady has raised.

Simon Hoare (North Dorset) (Con): I am sure the whole House would agree that the value of peace is priceless. Will my right hon. Friend confirm her support for the Good Friday agreement, and will she confirm that it is safe in her hands?

The Prime Minister: My hon. Friend has raised an important point. This April will mark the 20th anniversary of the historic Belfast agreement, which, together with its successors, has been fundamental in helping Northern Ireland to move forward from its violent past to a brighter and more secure future. I can assure my hon. Friend that this Government remain absolutely committed to the Belfast agreement: our commitment to that agreement is steadfast.

Mr Speaker: Thank you. Order. *[Interruption.]* Calm! I have said this before, but let me say it again. I encourage Members to seek to emulate the Buddha-like calm of the right hon. and learned Member for Rushcliffe (Mr Clarke).

He is modestly affecting not to notice what I am saying, but he is well aware that I am invoking him as an example of the repose and statesmanlike demeanour that colleagues should seek to imitate.

Northern Ireland and the Republic of Ireland: Border Arrangements

12.52 pm

Emily Thornberry (Islington South and Finsbury) (Lab) (*Urgent Question*): To ask the Secretary of State for Foreign and Commonwealth Affairs—who seems to have run away—to make a statement on future border arrangements between Northern Ireland and the Republic of Ireland following Britain's exit from the European Union.

The Minister for the Cabinet Office and Chancellor of the Duchy of Lancaster (Mr David Lidington): Mr Speaker, I have been asked to reply.

The Government have been consistent in their commitments to Northern Ireland as the United Kingdom leaves the European Union. First, we will never accept any solutions that threaten the economic or constitutional integrity of the United Kingdom. Secondly, we will not accept a hard border between Northern Ireland and Ireland, which would reverse the considerable progress made through the political process over recent decades. That position has been consistent from the Prime Minister's article 50 letter through to our position paper published last summer and the Prime Minister's Florence speech last autumn.

Most recently, the Government enshrined both these commitments very clearly in the joint report we agreed with the European Union in December. That set out very clearly our

"commitment to preserving the integrity of"

our

"internal market and Northern Ireland's place within it".

It also included our

"guarantee of avoiding a hard border"

between Northern Ireland and Ireland, including any related checks and controls. These commitments were agreed collectively by the entire Cabinet, and I believe they have wide support across the House. Those commitments have not changed, nor will they.

Emily Thornberry: Thank you, Mr Speaker, for granting this urgent question, and while I am always pleased to hear from the Minister of State, I have to say that it is an absolute disgrace, and a huge discourtesy to the House, that the Foreign Secretary is not here himself to answer questions on the contents of his memo, especially given that we saw him in London a few hours ago jogging in the snow and stopping to answer questions from the media: if he can answer their questions, he really should be prepared to answer ours. What is he afraid of?

Perhaps the Foreign Secretary is afraid that these questions go to the very heart of his credibility and the credibility of previous statements that he has made in this House. On 21 November, from the Dispatch Box, I asked the Foreign Secretary whether he stood by the statement he made in February 2016—that a vote for Brexit would leave the border arrangements in Northern Ireland "absolutely unchanged". He told the House in response—just three months ago—that he

"repeated exactly the pledge...there can be no return to a hard border...That would be unthinkable, and it would be economic

and political madness. I think everybody...understands the ramifications of allowing any such thing to happen."—[*Official Report*, 21 November 2017; Vol. 631, c. 848.]

But last night, despite that clear public statement from the Foreign Secretary, we discovered his private memo to the Prime Minister on the same subject. In it he wrote:

"It is wrong to see the task as maintaining 'no border'".

The Government's task is, he said, to

"stop the border becoming significantly harder."

But, he wrote:

"Even if a hard border is reintroduced, we would expect to see 95 per cent plus of goods pass the border"

without checks.

Let us be clear what this memo reveals. Contrary to the Foreign Secretary's previous statements, he accepts that there will have to be changes to the current border arrangements, and he accepts there will need to be border controls that do not exist at present; the only debate is their degree of hardness. Surely the Foreign Secretary has learned by now that you cannot just be a little bit pregnant: either there is a border or there is not.

My first question for the Minister is that the Foreign Secretary told the House that there would be no new border arrangements and no changes to the status quo, but this memo says the exact opposite, so which is the truth: what the Foreign Secretary said three months ago in public or what he said three weeks ago in private?

The Foreign Secretary has already said what we have heard so many times on this issue: that there is some magical technical solution which will allow goods to be checked, smuggling to be prevented, and points of origin proved as easily as paying the congestion charge and without—here is the truly magical part—even the installation of cameras. As I have pressed the Foreign Secretary repeatedly to tell us, how on earth is that possible, or is it just another addition to his ever-growing list of fantasies from 'Boris island' to the 'channel bridge'?

I welcome the fact that the Foreign Secretary has already promised the media today to publish his leaked memo in full, and I hope that will provide some answers, but may I ask the Minister now—for the benefit of the House, and so that my colleagues can question him on his answer—to spell out in detail how this proposed invisible border will actually work in practice? If he cannot provide that detail, we are left with the conclusion that all of us on this side, and increasing numbers on his side, accept—that the only way to avoid a hard border in Northern Ireland is by staying in a customs union. The fact is that the Government know that—

Mr Speaker: Order. We are extremely grateful to the shadow Foreign Secretary, but she has now exceeded her time and we must leave it there.

Emily Thornberry: I have one further sentence, and then I am done.

Mr Speaker: Very well, but—[*Interruption.*] Order. I will be the judge of these matters; I require no assistance. The right hon. Member for Broxtowe (Anna Soubry) is always willing to help and I am grateful to her for that gratis voluntary offer of services, but I feel able to cope

without them. The Minister will have a suitable period of time to respond, and the shadow Foreign Secretary can now add one brief sentence.

Emily Thornberry: The truth of this memo is that the Government are saying one thing in public while preparing for the reality in private, and it is about time the deception was ended.

Mr Lidington *rose*—

Mr Speaker: Order. Forgive me: I do not wish to be discourteous to the shadow Foreign Secretary, and certainly not to the Minister either, but, by the way, the Minister for the Cabinet Office is not a Minister of State; he is a member of the Cabinet.

Emily Thornberry: It was confusing as to who was going to be responding to this urgent question, and I apologise for having drafted one script only to find that a different Minister was in the Chamber to respond.

Mr Speaker: That was a nice try, and it was very generous of me to allow the right hon. Lady to make it. I call the Minister for the Cabinet Office.

Mr Lidington: Anybody would have thought that the right hon. Lady was nervous about facing me across the Dispatch Box again.

The right hon. Lady started by questioning my credentials to be here. Since I have Cabinet responsibility for constitutional affairs, including the implementation of devolution throughout the United Kingdom, and since I also chair the Cabinet Committee on the domestic implementation of our Brexit arrangements, it seems to me to be perfectly reasonable that I should respond to the right hon. Lady's urgent question.

The right hon. Lady asked about the position of my right hon. Friend the Foreign Secretary. Like every other member of the Cabinet, he stands four-square behind our support for the Belfast agreement and the December agreements reached between the United Kingdom and the European Union. We are now at the very start of a negotiating period during which we will discuss with our partners in the EU how to give practical effect to the commitments that were entered into then, both to ensure there is no hard north-south border between the Northern Ireland and Ireland and to ensure there is no kind of border, customs or otherwise, between Northern Ireland and the rest of the United Kingdom. The Prime Minister and the Taoiseach have both said publicly that they believe the priority is to settle these issues in the context of the ambitious, deep and special partnership that we are seeking between the UK and the EU in the future, and my right hon. Friend the Prime Minister will set out more detail about her proposed approach to this in her speech on Friday.

Mr Kenneth Clarke (Rushcliffe) (Con): We have just heard the Prime Minister reconfirm her commitment to full regulatory convergence if necessary to keep the Irish border open, but I did not wholly understand the second half of her reply to me. Does my right hon. Friend really believe it will be possible to negotiate a position whereby the British Government decide what regulatory convergence they are going to have, the

British Government decide what regulatory convergence they are not going to have, and the British Government are free to change their mind and move those boundaries at any time? What does my right hon. Friend think the prospects are of agreeing that with 27 other sovereign Governments?

Mr Lidington: With respect to my right hon. and learned Friend, I do not think that there is a need for any misunderstanding about what my right hon. Friend the Prime Minister was saying. On the date when we leave the European Union, the treaties will, in the words of article 50, cease to apply to the United Kingdom. The effect of the European Union (Withdrawal) Bill, which is currently before the House of Lords, is that the direct effect and primacy of European Union law in the United Kingdom will be extinguished. We are now seeking an agreement, which will take the form of a treaty governed by international law, between the United Kingdom and the continuing entity of the European Union. That is what we are seeking to do, and the Prime Minister has said that she will talk about that in more detail on Friday.

Stephen Gethins (North East Fife) (SNP): We know from the Government's leaked figures that they are prepared to play fast and loose with jobs and the economy in order to try to prevent another Tory civil war, and there is concern that they might do the same thing in relation to the Good Friday peace process to prevent a Tory civil war. Will the Minister tell us whether it is wrong to see the Foreign Secretary's task as maintaining no border? Will he also tell us what the impact on the border will be if the implementation period is based on World Trade Organisation principles? Finally, it is always good to see the Minister here, but I have to tell him that, although I enjoy a game of "Where's Wally" as much as the next person, it is frankly astonishing that the Foreign Secretary is not here.

Mr Lidington: The entire Government are committed to there being no border between Northern Ireland and Ireland, or between Northern Ireland and the rest of the United Kingdom. Both those elements were central to the December joint report, and they are both firm commitments of the entire United Kingdom Cabinet and the Government. The hon. Gentleman's strictures about the Government's approach to jobs and employment stand somewhat in contrast to the reality, which is that employment is at a record high in the United Kingdom at the moment and unemployment is at a 40-year low.

Mr John Whittingdale (Maldon) (Con): Has my right hon. Friend seen the report prepared by the European Parliament's policy department for citizens' rights and constitutional affairs, which concludes that a technical solution allowing free movement of persons under a common travel arrangement and a low-friction border for the movement of goods will be possible, and that there is no reason why we should not start to implement that straight away?

Mr Lidington: I have not had the pleasure of reading that particular report from the European Parliament yet, but I shall certainly add it to my reading list. What my right hon. Friend has just said is evidence that there are people here, as well as in the Brussels institutions

[Mr Lidington]

and the 27 national Governments of our EU partners, who are keen to work constructively together to find an outcome that brings benefits to us all.

Hilary Benn (Leeds Central) (Lab): Instead of complaining that the draft withdrawal agreement published this morning proposes to keep Northern Ireland in the customs union and subject to the single energy market and to EU rules on the environment and agriculture, is it not time that Ministers finally accepted that it is their continuing failure to explain how they are going to keep an open border while leaving the customs union and the single market that is the cause of this problem? When will they explain how they propose to achieve that?

Mr Lidington: I draw the right hon. Gentleman's attention to the fact that last December's joint report contains three options to ensure that there will be no hard border between Ireland and Northern Ireland. The first—which the Government of Ireland and this Government are strongly committed to and want to see as the option that we are able to deliver—is the one that settles this matter in the context of the overall future economic partnership between the UK and the European Union. We are looking forward to beginning the negotiating process that I hope will start after the publication today.

Tom Tugendhat (Tonbridge and Malling) (Con): We are coming up to the 20th anniversary of the Good Friday agreement—an agreement that allowed the people of this nation, wherever they live in these islands, to have their own identity and yet be citizens of the United Kingdom. That agreement also locked in three conditions. The first was that the agreement could change only with the agreement of the citizens of Northern Ireland. The second was that Dublin would have to agree to a change, and the third was that the United Kingdom would have to agree. Does my right hon. Friend agree that that agreement must not be undermined, and that those who voted against it in the past should hang their heads in shame, because it is an agreement that has kept the peace for 20 years?

Mr Lidington: I am certainly proud of what the Belfast agreement has achieved in making possible a period of peace and reconciliation in Northern Ireland. None of us would claim that that process was complete yet, but the Belfast agreement was an historic start that was attributed to the hard work of successive Governments under John Major and Tony Blair. I am happy to pay tribute to both of them for that. The Government are four-square behind the Belfast agreement, and my hon. Friend made an important point in talking about the principle of consent. The principle of consent, including over the constitutional status of Northern Ireland, was also written into the joint report and signed up to not just by the UK Government but by the European Union as well.

Nigel Dodds (Belfast North) (DUP): I welcome what the Secretary of State has said in his statement and also what the Prime Minister said at Prime Minister's questions. It is ironic that some of the people who complain the hardest about creating a hard border between Northern Ireland and the Irish Republic have today welcomed

proposals from the EU that would actually create a hard border between Northern Ireland and the rest of the United Kingdom. The fact is that there is a border between north and south: a currency border. There are different currencies, different fiscal regimes, different tax regimes and different economic policies, but this is managed in a sensible and pragmatic way. The same can be done in relation to the future relationship. This has already been spelled out in the Government's paper last August. To use the Belfast agreement—or, more despicably, the peace process—as an excuse either to thwart Brexit or to shape it in the way that some people want is quite frankly outrageous and disgraceful. Let us back the arrangements that are in place, but let us go forward in a pragmatic, sensible way and not create shibboleths that are not there.

Mr Lidington: I welcome what the right hon. Gentleman has said. Yes, there is of course a jurisdictional border that gives rise to tax and other differences, but they are currently managed in a way that allows people to go about their lives on either side of that jurisdictional border without any hindrance or delay whatever. This Government and the Irish Government are determined to try to ensure that that state of affairs continues, while also respecting the constitutional and economic integrity of the United Kingdom.

Damian Green (Ashford) (Con): Of all the areas of the Brexit negotiations that give rise to high emotion, perhaps the one that most needs to be treated calmly, rationally and unemotionally is the question of the Irish border. Can my right hon. Friend assure me that the UK Government and their negotiators will continue to deal with this issue in that calm, rational way? In doing that, could they perhaps persuade the Commission's negotiating side to concentrate not just on one area of the December joint report but on all three areas that were originally put forward by the British Government?

Mr Lidington: I agree wholeheartedly with what my right hon. Friend says. His emphasis on all three strands is correct. It is important that there should be no cherry-picking between the different elements of the December joint report, and it is important that we should try to approach these matters in the calm, pragmatic way that he urges.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): The Foreign Secretary claimed that congestion charge technology is the answer to border checks outside a customs union. However, he will know that the congestion charge checks vehicles, not what is in them, and that it includes 197 camera sites around London that no one notices, because they are in built-up areas, and that no one cares about because the last time I looked there had been a long history of peace between inner and outer London. In Northern Ireland last year, there were four attacks on the lives of police officers, 58 shooting incidents and 33 bombing incidents, and the Police Service of Northern Ireland has warned that any infrastructure at the border is a threat. Will the Minister for the Cabinet Office confirm that Ministers rule out any physical infrastructure at the border and that cameras are physical? Do they rule out new cameras at the border—yes or no?

Mr Lidington: We stand by the words to which we committed ourselves in December, which include no physical infrastructure at the border.

Anna Soubry (Broxtowe) (Con): I support everything that has been said by my right hon. Friend and the comments of my right hon. Friend the Member for Ashford (Damian Green). The country has to wake up and realise that we are not going to tear our nation further apart. We need an approach to Brexit that is not only pragmatic but honest. The only solution to a hard border is membership of the customs union and the single market, and we will get there in the end.

Does my right hon. Friend share my concern about a democratic deficit? We know that 56% of people in Northern Ireland voted remain—I wonder why. In the absence of an Executive, and given the composition of the right hon. and hon. Members who sit in this place to represent Northern Ireland, where is the voice of the 56% in all this?

Mr Lidington: It is the Government's hope that the political parties in Northern Ireland can agree to reconstitute the Executive and the Assembly as soon as possible. I think there is agreement across the political parties in Northern Ireland that that is what they would want to do, and I hope that the remaining differences can be overcome.

Mr Pat McFadden (Wolverhampton South East) (Lab): Why does the Minister for the Cabinet Office think that the Foreign Secretary wrote this letter? Was it because he did not know that the Government had committed in paragraph 49 of the December agreement to “its guarantee of avoiding a hard border”

or was it because any commitment can be set aside in the service of the cause that the Foreign Secretary really cares about: the furtherance of his own career? Or was it something more sinister than Boris's self-love, which is that faced with the incompatibility of red lines around the customs union and the single market and the commitment to no hard border, there is a concerted ideological attack on that commitment and, indeed, on the Good Friday agreement itself?

Mr Lidington: I do not think that I could be clearer than I have been so far. The Government are absolutely resolved to stand by both the Belfast agreement and all parts of the joint report of last December.

Mr Bernard Jenkin (Harwich and North Essex) (Con): I am encouraged that everybody seems to want to avoid a hard border in Northern Ireland. The only people who seem to be threatening such a border are those who are trying to leverage their political advantage in domestic politics in the Republic of Ireland or trying somehow to blackmail the whole of the United Kingdom into substantially reversing the substance of the referendum result. Far more constituencies voted leave than remain, and it would be as politically unsustainable for issues around Northern Ireland to leverage the whole of the United Kingdom back into some kind of customs unions as it would be to erect any wholly unnecessary infrastructure at the border in Northern Ireland.

Mr Lidington: We are at the very start of the negotiations about the detail of the withdrawal agreement and then of the creation of the future deep and special partnership

that we are seeking with our European Union friends and neighbours. The depth and comprehensive nature of the economic partnership that we are seeking is something that the Prime Minister will talk about on Friday.

Several hon. Members rose—

Mr Speaker: Order. This exchange is eliding into a debate, which it should not be. It is supposed to be a question and answer session, and I am getting enthusiastic nods of assent from the Minister for the Cabinet Office. I exhort colleagues to resist the temptation to orate. What is required is not oration, but inquiry, which will now be brilliantly and pithily exemplified by Lady Hermon.

Lady Hermon (North Down) (Ind): What a task—I will keep to it. Will the Minister take a few moments just to confirm to the House that the Irish Government have accepted that there will be no hard border on the island of Ireland and, just as importantly, that they have accepted that there will no border down the Irish sea?

Mr Lidington: The Irish Government, like the rest of the EU, signed up to and support the joint report of last December in its entirety, and paragraph 42 of the report commits both parties—the UK and the EU—to uphold the “totality” of the relationships embodied in and expressed by the Belfast agreement. That totality embraces east-west every bit as much as north-south.

Mr Speaker: Pithiness personified—Sir Desmond Swayne.

Sir Desmond Swayne (New Forest West) (Con): What lies behind the European Commission's partial decision to develop the options?

Mr Lidington: I am afraid that that is not a question that I can readily answer. However, it is important that the Commission recognises, as the Prime Minister said earlier, that as far as the Government are concerned, whichever side those of us around the Cabinet table voted or campaigned for during the EU referendum, our commitment to the Union of the United Kingdom is absolute. There is no division whatsoever on that matter, and I hope that our negotiating partners understand that.

Mr Chris Leslie (Nottingham East) (Lab/Co-op): I understand the clear frustration of the Minister and many Government Members at the Foreign Secretary saying that it is not his task to try to defend the border, but the Foreign Secretary said this morning—after his jog—that he would publish the memo. When?

Mr Lidington: We do not publish internal ministerial correspondence.

Sir Christopher Chope (Christchurch) (Con): I congratulate my right hon. Friend on not being provoked by the ridiculous statements coming from the European Union on this subject. I commend to my right hon. Friend the wise words of the right hon. Member for Belfast North (Nigel Dodds), because they show that

[*Sir Christopher Chope*]

we can have a border with regulatory divergence, as there is at the moment. Why can that not continue into the future?

Mr Lidington: We are certainly seeking no hard border and, helpfully, the Government of Ireland are also committed to that objective. Having served six years as Minister for Europe, I am used to trying to resist provocation, wherever it comes from.

Tom Brake (Carshalton and Wallington) (LD): The Foreign Secretary's absence tells us all that we need to know about how accountable he feels he should be to this House. I must therefore ask the Minister instead why the Foreign Secretary was speculating about the Northern Ireland-Ireland border becoming "significantly harder". What measures was he considering that might be necessary on the border?

Mr Lidington: The right hon. Gentleman served in the coalition Government, so he knows that Government business involves Ministers writing and conversing with each other all the time. The Government's policy is the policy that has been collectively agreed by the Cabinet, and that is what the Prime Minister and I have set out this afternoon.

Antoinette Sandbach (Eddisbury) (Con): I welcome the Minister's commitment to the joint report. Will he confirm that it is Her Majesty's Government's intention to stick by the agreements that were outlined in paragraphs 49 and 50 of the report and that there is no intention to renege on any part of them?

Mr Lidington: I can give my hon. Friend that assurance.

Joanna Cherry (Edinburgh South West) (SNP): Will the Minister for the Cabinet Office confirm for the benefit of his Back Benchers, and perhaps the Democratic Unionist party, that the Northern Irish border backstop provision embodied in today's draft EU withdrawal agreement is exactly what the Prime Minister agreed to as a backstop in December 2017? If he disagrees, will his Government produce an alternative text explaining what she did agree to?

Mr Lidington: What we have today is something that Monsieur Barnier has described as not necessarily the final version, because this is a draft that the Commission is tabling not for negotiation, but for discussion among the EU27 member states and the European Parliament. When the text comes to the table for negotiation, we will obviously consider that option. As the Prime Minister said earlier, it is important that there is not cherry-picking, and that the text of the withdrawal agreement, when it is eventually concluded, reflects all the paragraphs of the joint report equally. My feeling, from the brief reading I have had so far, is that the current draft does not do that.

James Brokenshire (Old Bexley and Sidcup) (Con): I welcome what my right hon. Friend has said in pointing back to the joint report from just before Christmas, which underlined the commitment of the UK and the EU both to the Belfast Good Friday agreement and to

the constitutional settlement of the UK. In that regard, will he confirm that the joint report highlighted that primarily, we need to focus on dealing with the Northern Ireland border through the broader negotiations, and will he encourage colleagues to focus on the August report that the Government published, which set out in detail how we should do that?

Mr Lidington: My right hon. Friend gives some very good advice. We are certainly committed to taking the negotiations forward in that spirit.

Chris Bryant (Rhondda) (Lab): If the Chancellor of the Duchy of Lancaster really wants a united United Kingdom, as we move forward with some of the most complicated decisions the nation has had to make for the best part of 100 years, is he not going to have to try to build a bigger consensus than just that around the Cabinet table? He is a fine parliamentarian, so does that not mean that he will have to turn round to his colleagues and say, "Yes you will come to Parliament. You will explain to Parliament what your views are," and that he will have to say, "Yes, Prime Minister, just sometimes you will not make a speech somewhere else; you will make a speech about the European Union—the most important issue facing this country—in this Chamber"?

Mr Speaker: Order. Before the Minister for the Cabinet Office replies, I advise the House of what I have been advised: namely, that the Prime Minister will make a statement on Brexit policy in this Chamber on Monday. That is extremely welcome.

I should just say, in the name of the intelligibility of our proceedings to people who are not Members of the House, that the decision as to whether to grant an urgent question is a matter for me as Speaker—two have been granted today because I judged that they warranted the attention of the House—but, as colleagues also know and others might not, the matter of whom the Government field to respond to a question is a matter for the Government. That is the situation.

Mr Lidington: I always welcome parliamentary consensus where it can be built, but if the hon. Member for Rhondda (Chris Bryant) looks at the Prime Minister's record of being here, giving statements after her main European meetings and answering questions at length, he should agree that it is a pretty good one.

Mr Laurence Robertson (Tewkesbury) (Con): Does my right hon. Friend agree that the European Union continues to put the cart before the horse on this aspect? Surely we cannot know with any degree of certainty what arrangements will be needed on the Irish border, if any at all, until we know what kind of trade agreement we are going to strike.

Mr Lidington: My hon. Friend makes an important point. That is precisely why not just the Prime Minister but the Taoiseach believe that by far the best option is to settle the issue of the border in the context of the overall economic partnership between ourselves and the European Union.

Hywel Williams (Arfon) (PC): By leaving the European Union, we are taking control of our borders, such as that at Holyhead. The Government have also committed

to there being no border between the Republic and Northern Ireland. Can the Minister name any pair of countries where trade between them is regulated by two different customs regimes?

Mr Lidington: This is exactly the point that I made in response to my hon. Friend the Member for Tewkesbury (Mr Robertson): the right way forward is to resolve these matters in the context of the broader negotiation about the future economic partnership.

Crispin Blunt (Reigate) (Con): It is rightly the determination of the Government to deliver the current effectively open border, with the qualifications that were given by the right hon. Member for Belfast North (Nigel Dodds). Surely all the people of the island of Ireland have the right for that same practical determination to be shared by the EU27, without it being taken hostage by conditions that would, in effect, override the sovereign decision of the British people to leave the European Union—an agenda that is rather transparently on display today.

Mr Lidington: As I said, we are at the start of a process of negotiation, not the end of it. I do not think the Prime Minister could have been clearer. No Prime Minister of any party who has served up until now, including my right hon. Friend, would countenance an agreement that led to a customs border between one part of the United Kingdom and another.

David Hanson (Delyn) (Lab): The Minister has said that he wants there to be no border between Ireland and Northern Ireland. He has also said that he wants there to be no border between the integral part of the United Kingdom in Northern Ireland and the rest of the United Kingdom. Wales, which I represent, has two borders: one with Northern Ireland through the port of Holyhead and one with the Republic of Ireland. What will happen in that situation?

Mr Lidington: That is precisely why this matter needs to be set within the overall arrangements. I am sure that the right hon. Gentleman will have noted the endorsement in the joint report of the continuation of the common travel area between the United Kingdom and the Republic of Ireland, and the fact that that commitment was reflected in today's draft text from the Commission.

Mr Nigel Evans (Ribble Valley) (Con): Would it not be more sensible and logical if Michel Barnier focused more on the trade arrangements between the United Kingdom and the European Union, where the EU has a £70 billion surplus with the United Kingdom, rather than on just one part of the United Kingdom? If we only did that, we might obviate the need to focus on one part of the United Kingdom.

Mr Lidington: The trade surplus that the EU27 enjoy with the United Kingdom, particularly in trade in goods, is just one more compelling reason why it is to our mutual advantage to negotiate a future economic partnership that allows trade to be as frictionless as possible.

Tony Lloyd (Rochdale) (Lab): The Minister is doing his level best to fudge the principal question: if we go into the negotiations with a view that there will be no

hard border between the Republic and Northern Ireland and no hard border down the Irish sea, how do we begin to negotiate—what is the mechanism?

Mr Lidington: The mechanism is that which is set out in the joint report and in the Government's various speeches and publications over the past 12 months, the latest of which the Prime Minister will deliver this Friday.

Mr Jacob Rees-Mogg (North East Somerset) (Con): I wonder whether my right hon. Friend has pointed out to the Irish Government that the biggest loser if there is not a sensible agreement and tariffs are imposed on Irish goods coming into the United Kingdom will be the Irish economy. There would be huge devastation to the Irish agricultural economy in particular. I wonder whether he has suggested to the Irish Prime Minister the question of whether he is willing to sacrifice the interests of the Irish economy on the high altar of European political integration.

Mr Lidington: The economies of Ireland and the United Kingdom are indeed intertwined, but I reassure my hon. Friend that the Irish Government and the Taoiseach are committed to trying to resolve these matters through option A, as set out in the joint report—namely, through the means of an overall economic agreement between the United Kingdom and the European Union.

Sammy Wilson (East Antrim) (DUP): Does the Minister share my astonishment at the obsession that the Labour party now has with a hard border between Northern Ireland and the Irish Republic, when for years its leadership supported Sinn Féin-IRA's campaign of genocide along the border, which led to border posts, Army patrols, watchtowers and closed roads? Does he agree with me that there are clear, practical proposals to avoid a hard physical border and that this pseudo-concern about the border between Northern Ireland and the Irish Republic is more about undermining the referendum result and keeping us in the single market and the customs union and under the jurisdiction of the European Court?

Mr Lidington: The interventions by the official Opposition Front-Bench team throughout this week have been more about political opportunism than about principle. The way forward is to take forward the negotiations that will shortly commence in a calm, pragmatic spirit.

Bob Blackman (Harrow East) (Con): Given that goods and services are routinely traded across land borders elsewhere in the EU, is it not possible that the political will to achieve the desired outcome is all that is needed? Will my right hon. Friend ensure that we do not sign up to what the EU dictates now but look at the creative solution that has been used elsewhere in EU borders?

Mr Lidington: I agree with my hon. Friend on that.

Vernon Coaker (Gedling) (Lab): This House has received assurance after assurance from the Government that there will be no hard border in Ireland, so why did the Foreign Secretary write in his memo that there was the possibility of such a hard border coming about?

Mr Lidington: The policy of the Government is the policy that has been agreed by the Cabinet, set out in our agreement to the joint report last December and expressed in the speeches that the Prime Minister has given throughout the past 12 months.

Richard Graham (Gloucester) (Con): The European Union approach to sequencing these negotiations means that the Commission at the moment has a mandate to negotiate only the implementation phase, so these issues cannot be dealt with until after the end of March. Does my right hon. Friend agree that during this period the guiding star for us all has to be the fact that the United Kingdom, the Republic of Ireland and the EU are all agreed that there will be no hard or physical border? Does he also agree that this debate is more about the shadow Foreign Secretary's continued spat with our Foreign Secretary than anything else?

Mr Lidington: My hon. Friend is spot on.

Deidre Brock (Edinburgh North and Leith) (SNP): From the Foreign Secretary's comments, it seems that the Government are happy to contemplate a hard border with Ireland, which would be a disaster for Northern Ireland. Is it not now clear that the Government have been negotiating in bad faith with Ireland and the other countries of the EU?

Mr Lidington: I have sometimes felt that the hon. Lady's party would be happy with a hard border between Scotland and England. I do not want her or anyone in the House to be under any misapprehension about this: the Government are absolutely committed to what they agreed in the joint report. Ever since the referendum, we have made it clear that we are not going to support a hard border on the island of Ireland.

Henry Smith (Crawley) (Con): Will my right hon. Friend confirm that trade between Northern Ireland and Great Britain is far greater in volume than that between Northern Ireland and the Republic of Ireland, between Northern Ireland and the European Union and between Northern Ireland and the rest of the world?

Mr Lidington: Not only is that true, but trade between Ireland and Great Britain is more important than trade from south to north—between Ireland and Northern Ireland. That reinforces the point that it is in the mutual interests of all parties to agree on an ambitious economic partnership for the future.

Stephen Timms (East Ham) (Lab): Can the Minister confirm that cameras count as infrastructure? Can he point us to an example anywhere in the world of an international border with no customs union and no border infrastructure? Can he provide one example, from anywhere?

Mr Lidington: The language of the joint report is very clear that associated physical infrastructure is ruled out.

Paul Masterton (East Renfrewshire) (Con): Does the Minister agree that the success of modern Northern Ireland can be seen in the fact that my friends, whose

parents used to dread the school run, can now wave their kids off in the morning with barely a second thought? Will he assure me that all the options considered by the Government will be accompanied by a full security assessment?

Mr Lidington: A proper analysis of security will be undertaken by the appropriate agencies in any and all circumstances where that is required. My hon. Friend is right to say that one of the great achievements of constitutional politics in Northern Ireland over the past 25 years has been to bring about a measure of peace and security, after decades when people lived under the threat of terrorism. We should welcome that and re-dedicate ourselves to making sure that that process continues.

Ian Murray (Edinburgh South) (Lab): The Secretary of State is in danger of forgetting that he is in the Chamber this afternoon for no other reason than the memo the Foreign Secretary wrote. Will he therefore answer the question from my right hon. Friend the Member for Wolverhampton South East (Mr McFadden) and my hon. Friend the Member for Gedling (Vernon Coaker) and tell us why the Foreign Secretary wrote the memo to the Prime Minister?

Mr Lidington: As I said to the right hon. Member for Carshalton and Wallington (Tom Brake), in any Government, Ministers write letters and memorandums and have conversations from time to time. The policy of the Government under our system is the policy that is agreed collectively by the Cabinet, and the policy of the Cabinet and the Government is what I have set out today.

Mr Simon Clarke (Middlesbrough South and East Cleveland) (Con): May I associate myself with what the Minister has said and with what the Prime Minister said at Prime Minister's questions about the inconceivable nature of the EU's proposals to date? Does he agree that the evidence given by the permanent secretary of Her Majesty's Revenue and Customs to the Public Accounts Committee that a two-tier system, including a trusted trader scheme and derogations for small business, could help to avoid the physical infrastructure that we all want to avoid at the border?

Mr Lidington: Those items were also mentioned in the Government's position paper that was published last summer about the Irish border. I am not saying that those will necessarily provide a comprehensive solution, but that is evidence of our good will in seeking pragmatic, constructive ways forward.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): I am sorry to say this, but the Foreign Secretary's conduct in this has been deeply disrespectful to this place and deeply irresponsible on such a sensitive issue. Let me ask the Chancellor of the Duchy of Lancaster something very clearly. In that memo, the Foreign Secretary wrote the words

"if a hard border is reintroduced".

The Chancellor of the Duchy of Lancaster has been clear about what the Cabinet position is and what the Government's position is. Was the Foreign Secretary wrong to write that—yes or no?

Mr Lidington: When Ministers have private conversations or private correspondence, they engage in all sorts of speculative thinking to test out ideas before they are brought for collective discussion and decision. The Government collectively are accountable to this House for the policies they have adopted. The Government have ruled out both a hard border between Northern Ireland and Ireland and a border in the Irish sea.

Mr Philip Hollobone (Kettering) (Con): How dare the EU propose the break-up of the United Kingdom into two separate trading zones? Some 61% of my constituents voted to leave, but both leavers and remainers are increasingly angered by the strop, petulant and unreasonable approach to these negotiations taken by the EU. Will my right hon. Friend tell the EU that it has not got off to a very good start in these negotiations?

Mr Lidington: What we learned at the end of 2017 was that despite all the predilections about the imminent collapse of the negotiating process at that time, with political will, both from London and from our 27 partners and the European Commission, an agreement could be reached. That provides a good basis on which to move further forward now.

Wes Streeting (Ilford North) (Lab): Sir John Major and Tony Blair warned during the EU referendum campaign that this would be an issue, and I am sorry to say that what the Minister for the Cabinet Office, who is a serious person, has said today at the Dispatch Box is simply implausible. We are not talking about a Back Bencher or the Parliamentary Under-Secretary of State for paper clips; we are talking about the Foreign Secretary, who has a central role at the heart of the Brexit negotiations. He is entertaining, in memos to the Prime Minister, the prospect of a hard border, which the Minister for the Cabinet Office says has been ruled out. So the only question, which he has not answered, is: if what he says is the settled position of the Government, why is the Foreign Secretary setting this out in the memo? If the Foreign Secretary says he is going to publish the memo, when is he going to do it? If the Minister cannot answer those questions, should the Foreign Secretary not have had the guts to come here to answer for himself and clean up his own mess?

Mr Lidington: The Government's policy is as I have set out. We are now, at the very start of the negotiating process, bringing forward ideas about how we would wish to give practical application to the commitments that we have entered into and developing them internally among the Government. The Prime Minister will say more about that on Friday.

Craig Mackinlay (South Thanet) (Con): The differences in tax, economic strategy and, indeed, currency have proven to be no hindrance to the free and open land border. I recommend to my right hon. Friend that we give an absolute declaration that the UK will not, under any circumstances, implement a new Northern Ireland-Republic of Ireland border. If the EU requires a new hard border, that is a matter for it and the Republic to decide and implement. We—unilaterally, if necessary—will honour the Belfast agreement and, indeed, strengthen the Union of the UK.

Mr Lidington: My hon. Friend is right to talk about the United Kingdom Government's resolution, but in fairness we must acknowledge that the Government of Ireland is absolutely committed to trying to make sure that no hard border is created. The Taoiseach and his Government are committed to working with us constructively, as part of the EU27, to find a way forward in the context of a future economic partnership.

Mr Gregory Campbell (East Londonderry) (DUP): I live closer to the Northern Ireland border than anyone else in this Chamber. On this bogus issue of a hard border, do the Minister and all his Government colleagues, the Irish Government and the EU negotiators understand that any talk about a hard border, even in principle, is irrelevant because it would be totally and utterly impossible to police 310 crossing points? Even if that was tried, everyone locally would know how to circumvent them.

Mr Lidington: I am particularly conscious that in County Londonderry people commute to and from work, businesses supply customers and people travel to and from the doctors across the international jurisdictional border. For people to be able to go about their everyday lives, it is important that we reach the kind of agreement to which our Government and the Irish Government are committed.

Nigel Mills (Amber Valley) (Con): Will my right hon. Friend define for the House what the Government meant when they said that they would guarantee that there would be no hard border? What would such a hard border involve and what are we guaranteeing will not exist?

Mr Lidington: It is exactly what we said in our commitment to the joint report in December and in the position paper that we published last summer.

Karin Smyth (Bristol South) (Lab): Last night, the Haulage Permits and Trailer Registration Bill—the first piece of contingency planning—had its Second Reading in the other place. Will the Minister clarify how the Government are going to ensure that there will be no checks on the registration for trucks and trailers between the Republic of Ireland and Northern Ireland? How will that be consistent with the haulage Bill?

Mr Lidington: We believe that that Bill is completely compliant with our commitments under the joint report, but I shall ask the Secretary of State for Transport to write to the hon. Lady with the detail.

Peter Grant (Glenrothes) (SNP): The Good Friday agreement is an international multi-party agreement that was overwhelmingly endorsed by referendums on both sides of the Irish border. The decisions to leave the customs union and single market were taken by the Government unilaterally, without being put to any referendum anywhere. Does the Minister accept that it is entirely his Government's responsibility to bring forward detailed, workable proposals on how his Government's unilateral red lines can be made compatible with the multilateral agreement? How much longer do we have to wait before we see those proposals in print?

Mr Lidington: We are at the start of a process of negotiation. The hon. Gentleman would not expect this or any other Government to go into detail about their entire negotiating position. I hope that when he hears what my right hon. Friend the Prime Minister says on Friday and when he has the opportunity to question her after her statement next Monday, he will feel reassured.

Anna Soubry (Broxtowe) (Con): On a point of order, Mr Speaker.

Mr Speaker: Points of order normally come after urgent questions, but I think this one relates to the recent exchanges, so I shall take it now.

Anna Soubry: I am very grateful, Mr Speaker. Would it be in order for it to be recorded that, although in the exchanges on the urgent question, you quite rightly admonished a number of us for speaking for too long and not asking the short questions that some Members, but not all of us, are very good at, the reason why Members spoke for too long was that—I am sure you will correct me if I am wrong—we have never had a proper, meaningful debate or, indeed, vote on this or any other Brexit matter that would help the Government in their negotiations and reunite our country? This is just one of many examples of where Parliament's voice is profoundly lacking in the whole Brexit process.

Mr Speaker: I am grateful to the right hon. Lady for her point of order. There have of course been debates in the Committee of the whole House and Report stage on the European Union (Withdrawal) Bill, but outside of legislation, if memory serves me correctly, what the right hon. Lady says is factually correct. She will know that I have an unbridled enthusiasm for debate, for votes and for sitting in the Chair for extended periods listening to the intellects of Einstein and the eloquences of Demosthenes, which are so regularly on display from my colleagues in all parts of the House. I cannot get enough of it. It may seem eccentric on my part, but I love to listen to my colleagues. The more debates and the more votes, the better. I am most grateful to the right hon. Lady, of whose point of order I had only a moment's notice, but which I enjoyed.

International Development Committee: Burma Visas

1.46 pm

Stephen Twigg (Liverpool, West Derby) (Lab/Co-op) (*Urgent Question*): To ask the Minister of State for the Foreign and Commonwealth Office to make a statement to the House on the Burmese Government's failure to issue visas to members of the International Development Committee.

The Minister for Asia and the Pacific (Mark Field): I thank the hon. Gentleman for his question. Like him, I am deeply disappointed that the Government of Burma have not granted visas for members of the International Development Committee. That displeasure has been communicated to the Burmese authorities. The Committee does vital work, providing oversight of UK aid programming in Burma and beyond.

The hon. Gentleman, who is the Chair of the International Development Committee, was due to travel on 27 February, with the rest of the Committee due to travel on 28 February. When no decision on visas was received by early yesterday morning, the Committee understandably cancelled the Burma leg of its visit. I understand that the Committee will continue with the second element of its trip, namely to travel to Bangladesh to review the Department for International Development's work there, including support for the Rohingya refugees displaced to Cox's Bazar and the vicinity.

My officials were informed this morning that the IDC's visa applications had been formally denied. Burmese officials have indicated three reasons for the refusal: first, that there is an extended public holiday in Burma; secondly, that access to Rakhine state remains restricted for security reasons; and finally—I think the Chair of the IDC mentioned this in a press release yesterday evening—that they were unhappy that individual members of the IDC had signed a letter calling for the senior general of the Burmese army to be held to account for Burmese military behaviour in Rakhine.

It is right that the House takes a close interest in this sort of crisis, and I know that all Members present will continue to do so. The Government fully support the work of the International Development Committee and have been active in supporting this visit. DFID Burma worked closely with the IDC to develop a comprehensive itinerary covering a range of projects in-country. The British ambassador to Burma, Andrew Patrick, and other FCO officials pressed repeatedly for visas to be approved, both in Burma and through the Burmese embassy in London. I myself spoke over the telephone to the Burmese ambassador yesterday morning to raise the status of the visas. That demonstrates just how seriously the FCO takes this matter, not least as a courtesy to the House. I understand that you, Mr Speaker, wrote to the Burmese ambassador, and that he intends to reply formally to set out the reasons for the refusal.

Through DFID, the UK is one of the largest single donors to the refugee crisis in both Bangladesh and Burma. Our aid is making a big difference. The first tranche of UK funding is providing emergency food to some 174,000 people and safe water and hygiene to more than 138,000. Following a diphtheria outbreak in the refugee camps, we deployed the UK's emergency medical team of more than 40 specialists to save lives.

This decision to deny visas is highly regrettable and will prevent the Committee from seeing some of DFID's work at first hand. However, this Government must and will remain committed to supporting Burma's poorest and most vulnerable people. Working with DFID, we will ensure that the Committee has access to all the information it needs to scrutinise the programme in Burma effectively.

Mr Speaker: I am most grateful to the Minister. In democracies, parliamentarians do criticise Governments. That is a lesson that the Burmese Government will have to learn.

Stephen Twigg: Mr Speaker, thank you for granting this urgent question and for what you just said. I also thank the Minister for his response. On behalf of the entire Committee, I thank all those who have worked incredibly hard over the past few days to try to sort out this matter including you, Mr Speaker, who, as the Minister rightly pointed out, wrote personally to the Burmese ambassador in London; the Minister himself for his intervention, for which I am very grateful; the staff of DFID; and the team in Burma, particularly the British ambassador. Sadly, it was all to no avail. The Committee should, right now, be on its way to Burma where we were planning to look at some of the fantastic work that DFID funds in that country.

We were told last week that our visas had been approved here in the United Kingdom—they had been processed and were ready—but the Burmese embassy in London was awaiting final approval from its Government. Yesterday, our passports were returned to us without visas. Clearly, the failure of the Burmese Government to grant these visas simply prevents us from doing our job as a Select Committee, which is to oversee how overseas development assistance is spent in-country. I have no doubt that a major part of the reason this has happened is direct retaliation for the report we published last month on the Rohingya crisis. I believe that there is a direct connection between our report and these actions.

I thank the Minister for shedding some light today, in his response to this urgent question, on the reasons the Burmese have now given for denying our visas. I understand that it was Aung San Suu Kyi who blocked the approval of our visas. Some will argue—some have argued this overnight on social media—that, as a result of this, we should stop United Kingdom aid to Burma. I agree with the Minister that it would be a major mistake to stop supporting programmes that help the poorest—health and education programmes that make a difference for the very poorest people. We should not punish them. However, does the Minister agree that it is now the time for us as a Parliament and for the Government to review the programme for democratic change, which is working with the Burmese Parliament? If we as parliamentarians are not permitted to go to that country, meet its political leaders and look at how UK aid is being spent, we now need to review whether it is right that our taxpayers' resources are being spent on parliamentary strengthening in Burma.

Finally, I believe that this incident is an attempt—the latest of many—by the Burmese authorities to silence opposition to their treatment of the Rohingya. Does the Minister agree that instead we must redouble our efforts on behalf of the Rohingya people to see that they get the justice that they deserve?

Mark Field: I thank the hon. Gentleman for his thoughtful contribution—as ever—and for his kind words about the intervention of the Foreign Office. I accept his view; I think it is direct retaliation. I would not like to speculate on whether there had been a personal intervention by Aung San Suu Kyi, but we may learn more in the days to come, and obviously we will discuss matters then.

I agree with much of what the hon. Gentleman said. I say to him: please rest assured that my right hon. Friend the Secretary of State for International Development in particular is working very closely to try to reorganise programmes that we have in Burma to take account of many of his concerns. Above all, there is a sense that we want to keep the interests of the most vulnerable at the forefront of our minds.

As I mentioned earlier, we are one of the biggest single donors in this terrible crisis. We have also given money to both the Red Cross and the World Food Programme to provide assistance in the northern Rakhine—in other words, on the Burmese, rather than the Bangladeshi, side of the border. To be honest, given the very severe humanitarian impact that heavy rains and cyclones could well have on the population—we are heading into cyclone season within the next month or so—this is something that we will keep under very open review.

I may have also said this, but I was in Brussels on Monday deputising for the Foreign Secretary at the Foreign Affairs Council. At the Council, we agreed the conclusions initiating the work to introduce some targeted sanctions against elements of the Burmese military. This work is going on. Obviously, we are trying to do a lot at the UN. The hon. Gentleman will appreciate some of the difficulties we face in that regard, not least because of the potential veto of some of the permanent members of the UN Security Council, but we are also doing a lot at the EU level as well.

Sir Hugo Swire (East Devon) (Con): Having seen what has been going on in Rakhine, albeit a few years ago, I can say it is imperative that we continue to assist the Rohingya people in their hour of need. I urge the Minister formally to summon the Burmese ambassador to the Foreign Office to explain how seriously this House takes the fact that the Committee cannot go there to oversee what is the biggest bilateral aid programme in that country.

Those of us who have followed events in that country for some time now know that our policy was to support Aung San Suu Kyi where we could, and that we were always told that the problems were with the military. If it is now the case that she is no longer part of the solution, but is indeed in some way part of the problem, I think it is time to reassess our relationship with the Parliament in Naypyidaw, with the army in Burma, particularly with regard to the training and assistance that we have been trying to provide to make them a more democratically accountable military, and with the range of bilateral relations that we have had in that country. We simply cannot allow them to get away with this kind of behaviour.

Mark Field: I thank my right hon. Friend for his contribution. Obviously, he was a predecessor in the role that I now hold. This must all be very depressing,

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given the high hopes that we had during the period he was in office. I can imagine that after the visits he made to Burma at that time, there was a sense that, after decades of military rule, we were moving towards some sort of democracy. In many ways, to be absolutely honest, there are some lessons that we have learned. There was perhaps a small amount of democracy, but, as many will be aware, the Rohingya were not included in the census and they were not allowed to vote in the elections, and in many ways we are seeing elements that are the consequences of that, so there are great lessons to learn.

In relation to my right hon. Friend's initial point about the Burmese ambassador, we will of course summon him, probably over the next week, to express our deep displeasure at his Government's action.

Helen Goodman (Bishop Auckland) (Lab): The refusal of visas for the International Development Committee by the Myanmar Government is obviously shocking. It seems to be a response to the Committee's critical report on the situation of the Rohingya, although it might also be a response to the tightening of EU sanctions, which the Minister mentioned. Banning people seems to be the Burmese Government's stock response to criticism: they have also banned the UN fact-finding mission, the special rapporteur, and the UN Refugee Agency. The UK has a £100 million aid programme and significant development investments, and we have our own parliamentary strengthening programme. It is completely reasonable for the International Development Committee to visit Myanmar to see how these are going. The Chair is right to say that we need to think again about the parliamentary strengthening programme, but what is the Foreign Office going to do to secure access both for British parliamentarians and for the United Nations agencies?

Mark Field: The hon. Lady will appreciate that these are very difficult issues. We are doing our best to work bilaterally and within the international community to secure that sort of access. We are also working quietly behind the scenes. Individuals known to Aung San Suu Kyi over many years have paid visits to Naypyidaw at least to advise her of the displeasure and concerns of the international community. As I think we both agree, the truth really is that the military to a very large extent have the whip hand in all that is going on in Burma.

We will continue to work tirelessly to ensure that we move forwards. We want to see some accountability for the crimes that have been committed. The UN fact-finding mission will come forward with an interim report in the weeks to come. With Mr Speaker's permission, I hope that we will then have a statement in the House setting out our position regarding the issue of impunity for the future.

I return to my initial point and the point made by the hon. Member for Liverpool, West Derby (Stephen Twigg). It is my strong belief that we have always to remember that, frustrating though this situation is, the work done for the most vulnerable must continue. The hon. Member for Bishop Auckland (Helen Goodman) pointed out that we spend £100 million a year on aid in Burma. It would be perhaps very easy for us to walk away. To be

absolutely honest, we want to try to find more moderate elements within the military that we can begin to work with. We have stopped programmes of training for the military, but we are open-minded. If there are individuals with whom we feel that we should try to keep lines of communication open, we will continue to do so. In many ways, this is one of the frustrations of democracy and diplomacy, but we will continue our work patiently—although with some urgency, for the reasons that I have set out and given the humanitarian catastrophe that is taking place on the Bangladeshi side of the border.

Sir Desmond Swayne (New Forest West) (Con): Mr Speaker, your own role was instrumental in setting up that parliamentary strengthening programme, the purpose of which is to make Burma's Parliament more like ours. Therefore, it would be folly to stop it, no matter how insulted we properly feel.

Mark Field: I share my right hon. Friend's concerns. During the previous Parliament, I was part of the Westminster Foundation for Democracy and played a role in working together with the Burmese Parliament. We do have integrated programmes. On a cross-party basis, I think, we would not wish to desert—in perhaps Burma's biggest hour of need—some elements in the country who feel strongly about this matter. Equally, my right hon. Friend will recognise the deep concern that we cannot continue as though it is business as usual in all our relations with the Burmese authorities. I very much hope that we will be able to work with some individuals to make that country a better and more democratic place in the years to come.

Chris Law (Dundee West) (SNP): It goes without saying how deeply disappointed I am to be in this Chamber along with my International Development Committee colleagues, when we were supposed to be on a planned flight to Burma to see the good work that DFID is doing in the area. It is also with bitter disappointment that I found out just now that Aung San Suu Kyi is personally responsible for blocking the visas for us to see the essential work that we are providing to the poorest and most vulnerable of her citizens in her nation. DFID has a substantial aid programme in Burma, and our job is to go out there to see the good work that is being done. It is with a heavy heart—after hearing what we have heard today—that, as the Member of Parliament for Dundee city, I feel that I will have to recommend the withdrawal of Aung San Suu Kyi's freedom of the city.

Will the Minister tell me what assurances can be given for future visits to Burma to see the essential work that has been carried out by DFID in the regions, including in Rakhine state? Will he give us an opportunity to seek a further, more detailed explanation, given the fact that we are a democracy that has supported democracy in Burma, particularly Aung San Suu Kyi? I signed the letter mentioned previously and I would endorse anybody else signing it. If war crimes and mass atrocities have been carried out in Rakhine state, it is for all democracies to make their voice heard. Aung San Suu Kyi has been championing democracy in Burma for over 20 years. I hope that she is listening well to this message today, because she should also be speaking out. If any costs have been incurred by this Parliament and lost as a

result of the cancellation of this trip, they should be refunded. Lastly, I ask for an apology from the Burmese authorities.

Mark Field: The hon. Gentleman and I spoke earlier this morning, before the disappointment when it became apparent that the Burmese authorities' refusal was in place. I wish him and the rest of the Committee all the best in being able to see as much as they can in Bangladesh, but it is a depressing situation, as it would have been more worthwhile for Committee members to have visited Sittwe in Rakhine state, which is where they intended to be.

It is not that I want to defend Aung San Suu Kyi, but equally we have a bilateral relationship and are trying to keep lines of communication open. The recognition has to be that it is the Burmese military that has been responsible for many of the atrocities that have taken place in the aftermath of 25 August. We should not forget that point amidst the great disappointment that is shared by many Members of Parliament, given the great high hopes they had for the new regime when it came into play only a couple of years ago.

On issues of accountability, the immediate task will be to support those who are building evidence and testimony. That task has been ongoing over the past six months. A range of non-governmental organisations is already collecting that testimony, and we are considering how best we can support them. Burma is not a party to the Rome statute of the International Criminal Court. Consequently, the ICC would only have jurisdiction over the alleged crime if Burma were to refer itself to the court—an unlikely scenario—or if there were a referral by the UN Security Council, which is also unlikely given the reasons that I have mentioned. We are working through a strategy on impunity and accountability for those who have committed some of these terrible crimes, and hope to come back to the House regarding that before too long.

Mrs Pauline Latham (Mid Derbyshire) (Con): As a member of the Committee, I am deeply disappointed that we are not going, mainly because we were trying to see how these terribly vulnerable people are being treated on both the Burmese side and the Bangladeshi side. The Bangladesh side is doing a magnificent job in difficult circumstances. We needed to see what DFID is spending the money on and how it is doing that. We recognised that there was a bank holiday and that it was quite dangerous to go to Burma, but we were prepared to go if we possibly could. Now we have been thwarted. I do not know whether there is truth in the statement that Aung San Suu Kyi had a hand in this, but I hope that the Minister will ask, find out and report back to this House because it is an incredibly serious matter. I have admired Aung San Suu Kyi before, as have many millions of people in this country, but the shine will definitely have gone off her halo if she did have a hand in this.

Mark Field: We will do our level best to get to the bottom of exactly what has happened and who is responsible. When parliamentarians visit other countries, we are often teased by our constituents, who say that we are just heading off on one big jolly. Many will know I was a very new Minister when I first came to speak on these matters of tragedy in the early part of September,

and for my own part my two visits to Burma—to Sittwe in Rakhine, as well as to Rangoon and Naypyidaw—and the opportunity I had to visit Bangladesh have made an immense difference to my understanding of the situation. The work done there is invaluable and visiting really puts that into perspective. A Committee such as this one, which is rightly holding a Government Department to account, needs to be able to see the work being done on the ground.

May I pay some tribute to the Secretary of State, although it is perhaps for the Committee, not for me, to do so? She has expended a huge amount of time, energy and passion on this matter. She is very much on top of the issue, recognising that we have to make some fundamental changes in the way in which we look at programmes, particularly in Burma. We are much respected across the globe for the tremendous contribution that we have made since the Rohingya crisis came to pass some six months ago.

Jo Swinson (East Dunbartonshire) (LD): This is obviously hugely disappointing for the Select Committee. If true, it is shocking to hear the hon. Member for Liverpool, West Derby (Stephen Twigg) say that Aung San Suu Kyi may have been personally responsible for blocking the visas, although I know that it will not dampen the Committee's efforts and determination to keep the pressure on. This is a clear signal that the diplomatic relationship is breaking down, which is frankly understandable and in some ways even reassuring, because a regime that commits ethnic cleansing is no ally of ours. The Minister is absolutely right that we must keep supporting and helping those vulnerable people in Myanmar, particularly the Rohingya.

May I press the Minister on the issue of accountability for Min Aung Hlaing and those responsible in the military? Could he have discussions with others within the Security Council about the possibility of a resolution to refer those responsible for the atrocities to the International Criminal Court?

Mark Field: I thank the hon. Lady. The UK continues to work to maintain the UN Security Council's focus on Rakhine. She will be aware that in recent weeks the Syrian issue has obviously been very important, and last autumn there was a lot of focus on what was happening on the Korean peninsula. That is not to say, however, that we are not persistent about trying to make this matter as high profile as possible. At our request, the UN Security Council held an open briefing on 13 February to focus on the very specific issue of returns and the likelihood of those returns happening. Last November, the UK secured the very first UN Security Council statement on Burma—a presidential statement—in a decade, and we will ensure that the Council maintains its focus and attention on what is happening, and has happened, in Burma. We are preparing a response to the report by the fact-finding mission of the UN Human Rights Council, which is due in March, and we co-sponsored the Human Rights Council and General Assembly resolutions.

On the notion that we have a headlong rush towards a UN Security Council resolution, I have to say that the feeling on the ground in New York from our representatives is that that would almost certainly be vetoed by the Chinese and probably by the Russians as well. That is

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not to say that we might not test that further at some point, but there are other avenues that we wish to pursue. One of the reasons I have been so pleased to be able to work together with our colleagues in the European Union is that getting sanctions from that quarter will achieve some progress, particularly against leading lights within the military.

Tom Tugendhat (Tonbridge and Malling) (Con): I am very pleased that the Minister is in his place, because his work on the question of Burma has been impressive over these many months. The work of the ambassador in-country, Andrew Patrick, has been extremely impressive. None of this is down to his failure at all; indeed, I am sure that he could not have done more.

This is a very distressing scene. I am, however, torn between the desire to ensure that we have oversight of the enormous amount of money that we are spending and, as my hon. Friend the Minister puts it, our promotion of the cause of democracy. I speak with an interest, because one of the Clerks who has been to Naypyidaw is the Second Clerk of the Foreign Affairs Committee, and the Clerk who is going there is also Clerk of the Foreign Affairs Committee. All I can say is that if people learned 1% of the knowledge that those two fabulous individuals could impart, it would be a huge blessing to the Burmese people and a great blessing to the relationship between the United Kingdom and Burma.

Mark Field: I thank my hon. Friend, as ever, for his insights. I will obviously pass that message on.

It is worth pointing out, if I may, a little about the bilateral action that continues to take place. Many Members will be aware that the Foreign Secretary was in Burma during the most recent recess and met Aung San Suu Kyi, stressing that refugees must feel safe returning home and need to be supervised by the United Nations High Commissioner for Refugees. In fact, the Foreign Secretary has spoken to Aung San Suu Kyi no fewer than five times since the crisis began last August. I met her last September. I met the Defence Minister and deputy Foreign Minister, both from the military, when I was in Naypyidaw in November. That work will continue, to try to bring forward as many options for discussion as possible. As my hon. Friend rightly says, there is some fantastic expertise that we need to try to channel, and we must keep the pressure on as far as possible.

Richard Burden (Birmingham, Northfield) (Lab): The United Nations High Commissioner for Human Rights has described what has been happening to the Rohingya as a textbook case of ethnic cleansing. Is not the withholding of visas from myself and other members of the International Development Committee a textbook case of an authoritarian regime with something to hide trying to shield itself from legitimate international scrutiny? If Aung San Suu Kyi is indeed responsible for that, it is nothing short of disgraceful. Does the Minister agree that all this points to the fact that the international community has to be far more assertive in pressing for unimpeded humanitarian access to Rakhine state?

Mark Field: I do agree. As I say, I do not want to cast judgment until we know the facts about the involvement of Aung San Suu Kyi or other senior members of the

regime in the refusal, but it is absolutely right that this is a textbook case of the worst elements of an increasingly closed regime. I repeat to the hon. Gentleman, as I said at the outset, that in the midst of our displeasure, anger and frustration at not being able to visit there, we should please, please remember the interests of those millions in Burma who so desperately need our help and support.

Paul Scully (Sutton and Cheam) (Con): Thank you, Mr Speaker, for your letter—your intervention in this case—which was very well received. I think it was Daw Suu herself who said, when she was here, that if she could see the cut and thrust of Prime Minister's questions, she knew that she was moving towards democracy. Unfortunately, the country is moving in the wrong direction. Since I saw you chair the all-party parliamentary group on Burma in 2005, Mr Speaker, I have always wanted, if I got elected to this place, to help to move the country towards democracy. Now that I am co-chair of the APPG, that is what I intend to do. I am also, as the Prime Minister's trade envoy, keen to play my role in looking at economic development in the country; and as an International Development Committee member, keen to look at health and education for the Kachin, the Karen, the Shan and all the other ethnic groups.

Does the Minister agree that now that the International Development Committee is going to be carrying on its work, it will only be speaking to people on the Bangladeshi side, the refugees themselves and the non-governmental organisations, giving a one-sided view that the Burmese Government could otherwise have helped with? Does he also agree that it will make the work far harder for those of us who want to take a holistic view of Burma as a country?

Mark Field: I thank my hon. Friend for his work in all those areas, and indeed as the Conservative party's vice-chairman in charge of London affairs. I do not know where he gets the time to do all this work. Joking aside, I agree with everything he says. In many ways, we need to have a proper perspective on this issue, not just from the Bangladeshi side but from Burma too, in order to see to what extent there is any efficacy in being able to return to Burma at the earliest opportunity.

May I ask all Members here please to keep faith with Burma and the Burmese people? However much we distrust, dislike and wish to dislodge any Government, we must remember that this is important work that is being done. If we do not do it here in the United Kingdom, it is not clear that anyone else is going to have the commitment that we have; part of that, as everyone knows, is for historical reasons. Please keep that faith.

Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op): I am, of course, disappointed by this, as one of the Committee members refused a visa. I am also deeply disappointed as a Member of Parliament who represents a city that not only gave Aung San Suu Kyi the freedom of our city but allowed her to curate the Brighton festival a number of years ago. This is a huge personal disappointment for me. Aung San Suu Kyi seems more and more now to be part of the problem, and not the solution, in some of the ethnic cleansing and crimes against humanity. This is happening not just to the Rohingya but also perhaps to Chinese nationals and

Christian minorities in Burma. Will the Government consider convening an emergency summit to put sanctions in place not only against Burma but possibly even Aung San Suu Kyi's family assets here in the UK? Will we immediately review some of our other aid projects such as the £5 million that we gave to Yangon University in a project with Oxford University last month, to make sure that that money is not being used for academic work that undermines the Rohingya? Could we at least try to go to the Security Council to get a referral to the ICC? It is better to have tried and failed than to have not tried at all.

Mark Field: The hon. Gentleman is right to identify the fact that, apart from the issue around the Rohingya—terrible though it is, and on a different scale from other minorities—other minorities have also suffered in that country, often for many decades. I take on board much of what he said. I have covered some of the issues about why we have not gone for a UN Security Council resolution at this stage. I hope that whatever investment is being made between the universities of Oxford and Yangon, some of it may be for very positive reasons, and we should not necessarily criticise it. However, we need to get to the bottom of that.

Mr Nigel Evans (Ribble Valley) (Con): I was very depressed to learn the news last night that the visas had not come through. I do not know whether the Burmese authorities think we are going to now just give up, shrug our shoulders and walk away. We are not going to do that. They have to understand that we are a democratically elected Parliament, and we are a democratically elected Select Committee. We even elect our own Chair. Within our own Parliament, we do not have a quota for the military; everybody is elected in exactly the same manner. It is important to stress that the money we give is there for the people and does not go to the military regime or through the military regime. The reason it is so much is because of the military regime.

I thank you, Mr Speaker, for everything you have done. You were one of the champions for freeing Aung San Suu Kyi, from house arrest, and you were able to get her to address both Houses of Parliament in Westminster Hall, which is a unique privilege for someone who is not officially a Head of State. I ask you and the Minister of State to carry on with your work, because the Rohingya problem is not going to go away. We are going to Bangladesh to see part of the problem, but we want to go to Burma, and we want to see exactly how our money is being spent. I implore both of you to carry on and see if that can be done this year.

Mark Field: It is a great pleasure to speak on behalf of the Speaker on this matter. Some of us have worries about getting a word in edgeways at times, it has to be said, but I thank you, Mr Speaker. This is not a time for great levity, and I understand that these are very serious issues.

I thank my hon. Friend, and he is absolutely right. We will do our best to ensure that what is happening to the Rohingya and to other minorities—for those of us who have the interests of Burma and Burmese people in their heart—continues to have a high profile in the months and years to come.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): Can I associate myself, as a former member of the Select Committee, with the comments of my hon. Friend the Member for Liverpool, West Derby (Stephen Twigg) and share my horror at what we have seen afflicting the Rohingya people? Many of my constituents have written to me about this, and they rely on Committees such as the International Development Committee to shine a light on these dark situations and find out what is really going on.

I urge the Minister and the Secretary of State to look closely at examples from the past such as our relationship with Zimbabwe. We were able to continue to support the people of Zimbabwe while they had a despotic and unacceptable regime. We have managed that careful balance very well, and I hope we will continue in that regard.

It is very unusual for visas to be denied in this way. Is the Minister aware—if not, perhaps he could write to me—of any other recent examples of countries denying visas to parliamentarians? I suspect it is very rare and would not put Burma in enviable company.

Mark Field: I must confess that these seem to me unique circumstances. They may well not be, but I will try to write to him to confirm exactly what the situation has been with regard to visa refusals of this sort.

Henry Smith (Crawley) (Con): Can I get assurances from Her Majesty's Government that not a single penny of British taxpayers' money will go to the regime in Burma, which not only practises genocide but is becoming a rogue state?

Mark Field: I think all of us recognise that we do not wish to do anything that props up a regime. May I add a slight caveat? We are entirely transparent on these matters. It is also the case that we need to keep lines of communication open, and if it is felt on the ground, not least by our ambassador, Andrew Patrick, that there are individuals with whom we should try to keep lines of communication open, which may mean bringing them to London and the like, I would not want to rule that out. My hon. Friend makes a perfectly valid point.

Mike Wood (Dudley South) (Con): Despite their Government's attempts to conceal the facts, the Burmese military's actions in Rakhine look a lot like ethnic cleansing. Is it not time that the international community started treating it as ethnic cleansing?

Mark Field: Please be assured that that work continues internationally. As I have pointed out, it is difficult to do this in the usual context, which is a UN Security Council resolution, because it would be vetoed. We had the President's statement in November, to which I referred. Understandably and rightly, much of the world's focus must be on the humanitarian catastrophe that is happening and that could get worse on the Bangladeshi side of the border. Equally, there is now an increasing focus—I have had many meetings in recent weeks and months here in London and beyond—on the diplomatic and political solution, not least addressing the very issues that my hon. Friend raises.

Mr Philip Hollobone (Kettering) (Con): I visited the Kutupalong Rohingya refugee camp at the end of last year with the Commonwealth Parliamentary Association,

[Mr Philip Hollobone]

and two nurses from Kettering General Hospital recently returned from the Rohingya camps, where they were successfully combating the spread of disease. May I draw the Minister's attention to the problem on the Bangladeshi side of the border? Bangladesh has been incredibly generous in hosting the Rohingya refugees and going out of its way to assist them, but the Bangladeshis are overwhelmed with visa applications from international aid workers and the like, and they are having difficulty processing those visas in a timely way, which is holding up some of the delivery of aid. Is there anything we can do to assist the Bangladeshis in overcoming that problem?

Mark Field: My hon. Friend is absolutely right. That is something we have identified. We are working with DFID to try to speed it up, and our embassy in Dhaka has made and will continue to make representations, to ensure that as far as possible, NGOs and others, particularly in relation to medical help, are properly and quickly able to get people on the ground in Bangladesh.

Points of Order

2.26 pm

Jonathan Ashworth (Leicester South) (Lab/Co-op): On a point of order, Mr Speaker. We all heard at Prime Minister's questions the Prime Minister quite rightly speak of the importance of early diagnosis when it comes to cancer, and yet in today's newspapers, we have learned that some clinical commissioning groups are offering cash incentives to GPs not to refer patients to hospitals, including cancer patients. We believe that that is totally unacceptable. Has the Secretary of State for Health given you any notice that he intends to come to the House to make a statement to tell us how extensive that scheme is, so that we can call upon him to rule out that unacceptable practice?

Mr Speaker: No, but it is open to the shadow Leader of the House to raise that matter at business questions tomorrow. Knowing the perspicacity of the hon. Gentleman, I feel sure that, having registered his concerns today, he will articulate them in subsequent days until he elicits a ministerial response.

Chris Bryant (Rhondda) (Lab): On a point of order, Mr Speaker. I know that you have always concerned yourself with the issue of political prisoners. I have discovered that there is one in our own country at the moment. The Foreign Secretary declared this morning on television that he was desperate to be able to publish the letter to the Prime Minister that was referred to in the discussions earlier, but apparently now the Prime Minister will not let him. The poor chap is languishing, unable to fulfil his stated intention and desires. Obviously he wants to keep the House informed of what is going on and what his view is. I do not know whether he has written two letters and only one of them has thus far got into the public domain, but I wonder whether there is any means of freeing the Foreign Secretary, so that he is no longer a political prisoner in that way.

Mr Speaker: I note what the hon. Gentleman says and his reference to correspondence and to the activities of the Foreign Secretary, but not entirely for the first time, and therefore not uncharacteristically, I rather fear that the hon. Gentleman might have invested me with powers that I do not possess. I do not have power over, responsibility for or the capacity to free the Secretary of State for Foreign and Commonwealth Affairs.

Chris Bryant: The Foreign Office One.

Mr Speaker: The Foreign Office One, as the hon. Gentleman dubs him from a sedentary position. We will have to leave that there. Some people may think that it is a good thing that I am not responsible for the Foreign Secretary, and other people may think it is a bad thing—I say, retaining the impartiality of the Chair—but it is a fact that I am not responsible for the right hon. Gentleman, other than with regard to his responsibilities to appear in the House.

Chris Bryant: Shame!

Mr Speaker: We must leave the matter there for now.

Social Media Service Providers (Civil Liability and Oversight)

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

2.29 pm

John Mann (Bassetlaw) (Lab): I beg to move,

That leave be given to bring in a Bill to make social media service providers liable for online publications in respect of civil proceedings in specified circumstances; to establish and confer functions upon a commissioner for online safety; to make provision about the disclosure of certain information by social media service providers; and for connected purposes.

I suggest to the House that this Bill is an important legislative proposal. In the three weeks subsequent to my tabling it, two incidents have occurred that have directly impacted me, my staff and my family. Those incidents are specific examples of why our powers in this country over internet companies are too weak, and this Bill would transform the situation. In the first example, a series of violent threats were directed at me and my family on Twitter, and they were acted on by the police in the appropriate way. Immediately on receiving the tweets, I registered them, in the Twitter style, with Twitter. Doing so removes them from the public domain. The police need to know the precise times at which those tweets were sent—not the times at which they went on to the parliamentary system via email, which I can give them—but Twitter refuses to provide them to me.

The second example concerns Facebook. A gentleman was convicted and imprisoned—I believe he is still in prison—following a series of very aggressive internet attacks on other Members of Parliament and me. I was referred to directly in the court proceedings. Last week, there was a repeat of these Facebook attacks. A fake account was created in my name, with my face on it, to put out statements that could best be described as incendiary. They are the sort of thing that none of us in here, myself included, would ever dream of saying, and they are designed to incite violence against me. The first time that happened, it had just such an impact: extremists in my locality made direct and specific threats. Facebook refuses to assist by providing the message, which was immediately deleted, so that I can give it to the police. The individual who originated it has served, and may still be serving, a custodial sentence for precisely such activity, with that exemplar part of the case taken against him.

I come to the purpose of the Bill. If the broadcast media—television or radio—or the newspapers failed to co-operate, I would be free to take civil action against them, as would the Government and the police. To take action in the courts might be complicated, but the fact that it is possible means that newspapers and broadcast media are co-operative with individuals and the police. When it comes to internet companies, we have no such powers. Our law comes from section 230 of the United States Communications Decency Act 1996, which explicitly confers immunity on the operators of internet services, who are not deemed to be publishers of, and therefore not legally liable for, the words of third parties who use their services.

European directive 2000/31 of the European Parliament and the Council on 8 June 2000 was harmonised into UK law by the Electronic Commerce (EC Directive)

Regulations 2002, which also explicitly give immunity to internet companies. Such immunity is not given, in a free and competitive market, to newspapers, television or radio. In other words, there is a specific immunity solely and exclusively for internet companies.

I am not seeking, and I am sure that Parliament would not seek, to interfere with the rights of free speech or a free internet. But with a democratic internet, just as with a democratic media and free press, we need the ability to act if criminal acts are being carried out that impact on us. The two examples that I have given have had an impact on me, my staff and my family, and one of the perpetrators has been through a criminal prosecution and been imprisoned. If we could use the same process with internet companies as we can with other media, internet companies would co-operate immediately.

It is absurd that the police in this country cannot force Twitter, Facebook, Google or any of the others to provide evidence that is required for criminal prosecutions. It is done on the basis of good will. Successive Governments have attempted to establish good codes of conduct. The internet companies have their conditions of service, in which they say what they will do. I would consider taking action in precisely the cases in which those terms and conditions have been broken but the internet company has failed to act appropriately. It cannot be right that with Twitter, for example, our police can wait many weeks for evidence that they require to prove criminality—it could be to do with terrorism or other violent threats—and there is no guarantee that they will get it.

The simple removal of the internet companies from this exemption would create an equal playing field in the media market for television companies, radio and the free newspapers. It would get rid of some of the absurdities. At the moment, it is possible to have an impact on something that is published in the media, but the same thing can run simultaneously on the internet and we do not have those powers. There are countless examples.

A very good debate was initiated in the House of Lords by Baroness Kidron. I have not got the time to go into it, but I recommend it to the House. She went through precisely how social media companies commission, edit and curate content for broadcasting and publishing. One example of how that affects our societal values is the spreading of fake news. We have seen that with the outbreak of measles, which may have been caused by fake news about inoculations. If an internet company fails to act, there is nothing that Government can do about that, even if public health in this country could be under threat. Should the Government choose to do something about it? That is a different question, which involves a different set of decisions. But the Government cannot do so, because they do not have the power. We are seeing mounting pressure. Germany has adopted a fairly modest system with the potential to fine companies for a failure to remove content within 24 hours. Australia has brought in an e-safety commissioner. This Bill suggests a similar thing could happen in this country.

At its core, we need to treat the internet companies in exactly the same way as other media. A free media can be taken to court if it fails to co-operate on criminality. What is good enough for TV, radio and newspapers is good enough for social media and the internet. I recommend the proposed Bill to the House.

Question put and agreed to.

Ordered,

That John Mann, Ruth Smeeth, Luciana Berger, Dr Matthew Offord, Nicky Morgan, Andrew Percy, Anna Turley, Lilian Greenwood, Liz Saville Roberts, Dr Lisa Cameron and Mr Tanmanjeet Singh Dhesi present the Bill.

John Mann accordingly presented the Bill.

Bill read the First time; to be read a Second time on Friday 27 April, and to be printed (Bill 170).

Business without Debate

SUPPLY AND APPROPRIATION (ANTICIPATION AND ADJUSTMENTS) BILL

Motion made, and Question put forthwith (Standing Order No. 56), That the Bill be now read a Second time.

Question agreed to.

Bill accordingly read a Second time.

Question put forthwith, That the Bill be now read the Third time.

Question agreed to.

Bill accordingly read the Third time and passed.

BUSINESS OF THE HOUSE

Ordered,

That, at this day's sitting—

(1) the Speaker shall put the Questions necessary to dispose of proceedings on the Motion in the name of Andrea Leadsom relating to Independent Complaints and Grievance Policy not later than three hours after the commencement of proceedings on the motion for this order; such Questions shall include the Questions on any Amendments selected by the Speaker which may then be moved; proceedings may continue, though opposed, after the moment of interruption; and Standing Order No. 41A (Deferred divisions) shall not apply; and

(2) notwithstanding the provisions of Standing Order No. 20 (Time for taking private business), the Private Business set down by the Chairman of Ways and Means shall be entered upon at the conclusion of proceedings on the motion relating to Independent Complaints and Grievance Policy (whether before, at or after four o'clock) and may then be proceeded with, though opposed, for three hours, after which the Speaker shall interrupt the business; and the business may be entered upon after the moment of interruption.—(Andrea Leadsom.)

Independent Complaints and Grievance Policy

Mr Deputy Speaker (Sir Lindsay Hoyle): I inform the House that I have selected the amendment in the name of Sir Kevin Barron.

2.43 pm

The Leader of the House of Commons (Andrea Leadsom): I beg to move,

That this House endorses the recommendations of the Working Group on an Independent Complaints and Grievance Policy; and asks the House of Commons Commission to authorise House officials, reporting regularly to a steering group of Members and others, to undertake the work necessary to establish:

(1) a Behaviour Code for Parliament that covers bullying and harassment, and sexual harassment, and applies to all persons working for or with Parliament, or who are lawfully on the parliamentary estate;

(2) an independent complaints and grievance scheme to underpin the Code, together with associated policies, appropriate sanctions and the contractual arrangements necessary for delivering the scheme;

(3) particular procedures to deal with reports of sexual harassment, including the provision of a specialist Independent Sexual Violence Advocate;

(4) a system of training to support the Code;

(5) a human resources support service for staff employed by Members of Parliament or jointly by political parties, delivered by a third-party provider, and a handbook for these staff;

and to identify any amendments that may be necessary to Standing Orders and the Code of Conduct, for the approval of the House.

The working group was convened by the Prime Minister last November—supported by all party leaders—to address the serious allegations of abuse and harassment in Parliament. I announced the publication of the group's report before the February recess, and I hope that Members have now had the time to consider the report's recommendations in more detail.

We are all agreed that there is no place for harassment, abuse or misconduct in Parliament. We need to ensure that there are robust procedures in place so that everyone is able to work with the dignity and protection that they deserve. I believe the working group's proposals do just that.

During its work, the group took extensive evidence, both in person and in writing, from a wide variety of stakeholders, including parliamentary officials, staff of MPs and peers, trade unions, academics, authorities on sexual violence, and legal professionals. The group also conducted its own survey, which was open to a wide range of people and included a number of passholders who had not previously been asked for their experience of bullying and harassment.

Many people have devoted a considerable amount of time to this work, and after more than 100 hours of discussion, consultation and consideration, I believe we have a set of proposals for the House to consider today that will fundamentally change the working culture in Parliament for the better.

I would like to turn now to these proposals, and I will briefly set them out for the House. They are as follows. First, Parliament will agree a shared behaviour code. This will apply to everyone on the estate, or engaged in parliamentary business regardless of location, and will

underpin the new policy. It will make clear the expectations for the behaviour of everyone in the parliamentary community, and will be consulted on on that basis. Secondly, the new complaints and grievance procedure will be independent of political parties.

Thirdly, it was acknowledged that sexual harassment and sexual violence are different from other forms of inappropriate behaviour, such as bullying and intimidation. Therefore, separate procedures will be agreed for those looking to raise a complaint regarding sexual harassment and those with a complaint of bullying. This is an important distinction, and while everyone has acknowledged the significance of complaints of sexual harassment, evidence from staff made it clear that instances of intimidation and bullying are in fact more prevalent. Fourthly, therefore, MPs' staff require proper human resources advice—something that has previously been lacking, and that will go a long way to helping prevent and resolve workplace grievances.

Importantly, the new system will be based on the principles of equality. It will be confidential and fair to all parties. It will be in line with the laws of natural justice, and it will command the confidence of all those who use it. The working group took advice at an early stage that, rather than reinventing the wheel, we should work with, and build on, the many sound processes and systems already in place.

Today, we are bringing forward a motion that will enable the House Commission to authorise House officials to take forward the group's recommendations and implement our proposals in full. This is a big step towards creating a more professional environment and a Parliament that is among the best in the world in treating people with dignity and respect at work.

Caroline Lucas (Brighton, Pavilion) (Green): I commend the Leader of the House for all her work on this important report. She will agree that Parliament should be a beacon of best practice, rather than running to play catch-up. Will she confirm that that means we need to make sure that these procedures relate to everybody on this estate? That includes, crucially, making sure that they extend to our constituency offices—to visitors to constituency offices—as soon as possible. I know we debated that in the group, but will she reassure us that this is a real priority for her going forward?

Andrea Leadsom: I certainly pay tribute to the hon. Lady, who was an assiduous contributor to all the work of the working group, and I thank her sincerely for her dedication to it. Of course, we recall the happy hours spent debating that very point, and we concluded in the end that it is a priority to ensure that the behaviour code—the protection—extends to all those who come into contact with Members of Parliament. But we concluded that, in the immediate future, we should focus on bedding in a new complaints procedure that will deal with the Palace of Westminster and our work as part of our parliamentary duties, and that once that is bedded down, we should have a review six months into its operation of how we should deal with others who come into contact with MPs, where there is that tricky grey area of where someone's public life is and where someone's private life is. I hope the hon. Lady is reassured by my once again making a commitment that we must look at that. She is exactly right.

Rachael Maskell (York Central) (Lab/Co-op): I really appreciate the right hon. Lady giving way. On the definitions of bullying, why is the older version of the definition used, as opposed to the most recent version, which takes away the issue around intentionality? Often, perpetrators hide behind that.

Andrea Leadsom: The work on the detailed procedures, including definitions, will be finalised once the work of the House authorities gets under way to put these proposals in place. If the hon. Lady wants to propose a different definition, I will be very pleased to look at it, and I will certainly take into account all views in that regard. I am committed to ensuring that work proceeds at pace over the next few months, and I am pleased to report that the House authorities have already begun preliminary work on several of the workstreams needed to implement these policies.

Members will also want to know that the following four interim steps have already been taken to improve the services available. I have mentioned them previously, because we wanted to ensure that we had immediate steps following the serious allegations we all heard about in November. First, enhanced support arrangements have already been provided through the extension of the employee assistance programme helpline run by Health Assured. Secondly, face-to-face counselling sessions can be offered where appropriate. Thirdly, an interim service providing HR advice for Members' staff was launched in January. Fourthly, political parties have all updated their behaviour codes and published them on the parliamentary intranet. This demonstrates that we have already taken urgent action, but of course the new procedures will go much further.

For the benefit of Members not present at my previous statement, I will turn briefly to the process for making a complaint or raising a grievance against a Member of this House. As colleagues will appreciate, the process for raising complaints against other members of the parliamentary community, such as peers, Members' and peers' staff, journalists and contractors will each differ according to their particular role. All procedures are designed for the protection of staff and parliamentarians alike and have fairness at their heart. It is intended that the House authorities will procure two independent services: one to consider allegations of sexual harassment and violence, and the other to consider workplace bullying and intimidation. Both avenues will provide support and, where needed, will investigate the complaint. Where informal resolution is not possible and the complaint is upheld, it will be referred to the Parliamentary Commissioner for Standards in the case of a Member of this House.

The working group proposes that the commissioner's role will be expanded and reformed. She will have access to legal advice, and will be able to impose a new range of lower-level sanctions that may include a written apology, mandatory training or future behaviour agreements. The commissioner will be able to review any finding by the independent investigator, and where she does so she will ensure that her investigations are also strictly confidential, that both the complainant and the alleged perpetrator have access to all evidence, and, crucially, that each has the right to representation or to represent themselves. These measures will ensure fairness.

[*Andrea Leadsom*]

In the most serious cases, the commissioner will refer her findings to the Committee on Standards. The Committee can recommend to the House that an individual is suspended, and the House will vote on the recommendation. It is through this route that the existing procedures under the Recall of MPs Act 2015 could be invoked. The trigger for recall remains the same as it is now, and there is no plan for changes to primary legislation. The working group recognised the fact that those who work in this place are often in the media spotlight, and that vexatious and malicious complaints are a risk. The new procedures will therefore ensure checks and balances are in place to guard against such complaints, while making sure complainants can come forward in a safe and confidential manner.

I will turn now in more detail to the individual workstreams needed to implement the new procedures. We expect six major workstreams to be established, and I would like to address these individually. It is the intention that most of the workstreams will be completed in three months or less.

First, and very importantly, a new behaviour code for Parliament will be developed. This was a key recommendation of the working group report. It will ensure that we are all aware of and able to promote the highest standards that are expected in the parliamentary community. It will cover all those working in both Westminster and constituency offices, and all pass holders. With the approval of the House, we will consult on this new behaviour code: it is important that those who would be subject to the code have the opportunity to contribute to its development. The code must be something that binds us all. It will underpin the new scheme, which will be able to receive, investigate and resolve allegations of bullying, harassment and sexual harassment. It will also be the cornerstone of a cultural change to uphold dignity at work for all those who work with or for Parliament. It is our intention that the behaviour code will be brought forward within three months.

Secondly, there will be an implementation workstream around the bullying and harassment procedure. This will develop detailed policies and procedures, and commission the services of a new reporting helpline and a workplace dispute resolution service. The new helpline will signpost to available services, and ultimately the new services will be able to investigate independently allegations of bullying and intimidation. Dedicated emotional and practical support for all those involved in a complaint will be an important aspect of the new services.

Thirdly, there will be a separate workstream commissioning a new independent specialist service around sexual harassment and violence. A single point of ongoing support will be provided for complainants by an independent sexual violence adviser. Investigations of misconduct will be able to be conducted by an independent investigator with a specialist qualification in understanding sexual harassment.

Rachael Maskell: I thank the Leader of the House for being generous with her time. May I just caution her once again about the issue of mediation when it comes to bullying and sexual harassment, because of the

inequalities of power? We want to ensure that there are clear processes that enable equality of power. Often, mediation has the reverse effect.

Andrea Leadsom: I hope I can reassure the hon. Lady that the issue she raises was at the core of all the evidence we took and all the discussions we had, and of the determination of the working group to address the issue of imbalance of power to make sure that the interest of the complainant is at the heart of the whole procedure, so it is very much complainant-led and ensures that people feel safe and are able to come forward in a safe space without the fear of being intimidated further. I think I can reassure the hon. Lady on that point, but of course I am very happy to speak to her separately if she wants further reassurance.

Fourthly, new training is already available to help people understand more clearly what types of behaviour might be considered bullying or harassment and the impact that this can have on individuals. This is the first step towards implementing the working group's recommendation that the new independent grievance and complaints policy needs to be supported by a comprehensive training programme. Training will be a significant workstream and will also include learning opportunities for Members and their offices in their role as employers. The House authorities have also established a new induction programme for Members' staff, with the first session being run this week in response to the working group's request.

Other individual areas of work, including on the fifth workstream, are already under way. This includes work to prepare for a third party supplier of HR advice for Members' staff to replace the interim service launched in January. This will be supported by a new Members' staff book. A first draft has already been compiled by the Independent Parliamentary Standards Authority and the House authorities.

Finally, the working group has been clear that in order to implement a number of the group's proposals, the sixth workstream will develop the remit and processes of the Parliamentary Commissioners and the Standards Committees in both Houses. This workstream will necessarily involve separate but parallel processes in both Houses, liaising with each other as necessary. At the end of these processes, changes will also be likely to be needed to the existing parliamentary codes, not least to reflect the new behaviour code.

Regarding the amendment on the Order Paper, I welcome its clarity. I assure right hon. and hon. Members that as well as having recently met the new Parliamentary Commissioner for Standards and having recently scheduled a meeting with the Standards Committee, I can absolutely give the assurance that consultation with the commissioners and the Standards Committees will continue and will form a key part of the next stage of our work.

It is important that the development of these workstreams is underpinned by fairness, confidentiality and a recognition of the unique environment in which these procedures are being implemented. The new arrangements must therefore be monitored, reviewed and embedded as part of a wider change in culture. I would like to pay particular tribute in this regard to the Political and Constitutional Affairs Committee for its excellent recommendations to the working group. Unfortunately, the Committee's letter was omitted from the list of

written submissions in annex B of the report—for that I apologise. One of the suggestions made in its submission was about the importance of review and scrutiny of the working group's proposals. It is our intention that once the proposals have been implemented, a cross-House body or group should review the implementation and operation of the new processes, and in the meantime a steering group, whose membership will be based on the composition of the working group, will oversee the implementation period.

In conclusion, I am confident that the measures that the working group has recommended will provide the basis for the significant and sustainable change to which we all aspire: a Parliament that provides dignity at work for all. We need to make sure that our Parliament is among the best in the world, demonstrating our commitment to equality, justice and fairness. I hope that the House will endorse the working group's recommendations today.

3 pm

Valerie Vaz (Walsall South) (Lab): I thank the Leader of the House for opening the debate. This is the fourth time that the matter has been before the House and it is good that we can continue to debate this important topic in this way. We have had three statements and now this motion. If we cast our minds back, our first meeting was on Monday 6 November 2017, with the Prime Minister and the leaders and representatives of other parties. The report was published on 8 February 2018, and I have passed it on to every Member of the Opposition. I place on record my thanks to all the staff involved for putting together the report and all colleagues who were involved in the working group.

All the motion does is set out the work that the House authorities have to undertake. There needs to be time to look at how to put the processes and procedures in place, and, of course, a working group cannot do that. To pick up the point made by my hon. Friend the Member for York Central (Rachael Maskell), who worked in this sector, she will have an opportunity to feed in to the full-time, permanent person who will be dealing with this.

The Leader of the House outlined in detail exactly the work that needs to be done, so I will confine myself briefly to two areas: training and the steering group. On training, I do not consider any training programme to be onerous. It is not a judgment on people's views, but just ensures that everyone is in the same place. It will be useful for all Members to be updated with the latest practices and acceptable behaviour in a modern workplace.

Rachael Maskell: Can we not ensure that training is mandatory and face-to-face, and that it is brought in this year, so that we do not have to wait until the next Parliament?

Valerie Vaz: I thank my hon. Friend for her comments. That is exactly what I would want to see from any training programme. As the Leader of the House outlined, we expect something to be put in place after three months, when the permanent person has looked at all the details of what they have to do.

Secondly, the steering group will monitor the work that has been done. As the Leader of the House knows, the working group was set up on an ad hoc basis. A few

people have been asked to and were allowed to join the group, but in my view, the steering group should be a bit more representative and perhaps include other groups and unions. I would support the inclusion of the House trade union side to widen the representation slightly, but perhaps the numbers on the steering group need to be reduced.

Most importantly, a number of new initiatives were set up. When events first hit us in November, Mr Speaker acted very swiftly and extended the helpline so that it was a 24-hour, seven-days-a-week helpline from Health Assured. It would be useful to have the figures on how that is being used, perhaps at the next Commission meeting, because it will then have been six months since it was extended to every single person working on the Estate.

I do not underestimate the amount of work that the House authorities need to do. Although it is useful to get updates from time to time, they need to be left to get on with the work, consulting my right hon. Friend the Member for Rother Valley (Sir Kevin Barron) and his Committee, the Select Committee on Standards; the hon. Member for Harwich and North Essex (Mr Jenkin) and his Committee, the Public Administration and Constitutional Affairs Committee; and all other hon. Members who feel that they have something to offer. Only when processes are in place and being used will we know if they are robust and command the support of those who seek to use them.

The Opposition support the motion as tabled and amended and look forward to being updated. We thank the staff for taking on this task, so that we have a truly modern Parliament, where everyone knows the boundaries of acceptable behaviour in a safe and secure workplace.

3.5 pm

Mr Bernard Jenkin (Harwich and North Essex) (Con): It is just a few months since Parliament faced a wave of allegations of bullying and sexual harassment, in an atmosphere in which it was at times hard to distinguish real and serious cases from the proliferation of accusations and rumours. It exposed the lack of a credible, transparent and robust system for addressing legitimate complaints and grievances about bullying and sexual harassment. It led to the establishment of the working group and its report, which I fully support. The report is carefully drafted and reflects a great deal of thought and discussion.

The working group has proposed first, the adoption of a new shared behaviour code for all who work in Parliament and its Members; and secondly, the introduction of a new independent complaints and grievance policy to underpin the behaviour code. This, not surprisingly, concentrates on creating new rules and new procedures for investigating incidents and complaints, not least to try to address the present hotch-potch of arrangements for different categories of people and the glaring gaps in the system, such as the oversight of how we MPs employ and care for our staff.

The working group has rightly spent a lot of its time discussing and defining what constitutes the bad behaviour that must be called out. But there is also a need to address how Parliament arrived at this situation—how a culture of tolerance towards bullying and sexual harassment has become embedded and was left substantially unchallenged until now. Very few people who come into

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political life and to work in Parliament—at whatever level and whatever capacity in this building—are bad people, and most are appalled by the culture that has been exposed.

So how have we let this happen? After all, MPs are already subject to the House of Commons code of conduct. As employers, we are already covered by employment law, and there is the Respect policy to protect staff of the House. It is clear, however, that there needs to be a wider and continuing discussion about the positive attitudes and kinds of behaviour that we want to promote in Parliament and in public life, and what the values and principles are upon which those positive attitudes and behaviours should be based.

The remit of the Public Administration and Constitutional Affairs Committee, which I chair, includes oversight of the Committee on Standards in Public Life, the ministerial code, the civil service code and the special advisers' code. More broadly, much of PACAC's work is concerned with leadership and governance in the civil service and public bodies, so we have done a lot of work on this area.

In December, PACAC submitted evidence to the working group, drawing on the work that PACAC has carried out in other areas. This was in the form of a letter to the Leader of the House, which she kindly acknowledged, although it was not included among the record of written submissions received by the group. I know that it was substantially discussed, and I am grateful to the hon. Member for Walsall South (Valerie Vaz), the spokesman for the Opposition, for drawing attention to it, too.

Some of the reasons for our failures are practical and procedural, and the working group has made great strides to address these. However, it is also clear that there is confusion among MPs and others about what behaviour should be subject to public scrutiny and what should be regarded as entirely private. As we argued in our submission to the Parliamentary Commissioner for Standards' review of the House of Commons code of conduct last year, this confusion is not resolved by our current Commons code—far from it. PACAC set out the fundamental ambiguity about whether our Commons code of conduct was intended to function as a set of principles governing the whole of Members' behaviour, which would naturally extend, to a degree, into the private sphere of MPs' conduct, or simply as a set of regulations, mostly about financial disclosures, relating only to an MP's public role. The 2015 code states that it does not seek to regulate what Members do in their private and personal lives, yet it is clear from the recent controversies that it is not always possible to keep the two as separate as many of us would like.

The risk now is that the new behaviour code will again be mainly concerned with rules and regulations and new enforcement procedures, but if that is just patched on to the present system, which has manifestly failed on at least one of its main objectives—to promote public confidence in the standards we observe in Parliament—we should not be surprised if problems continue to arise. The working group is right to promote a system of training to support the new code—there might be problems with persuading some colleagues that they should be subject to the training, as I will

come to; it is easy to put such a thing in a document, but there might be practicalities when it comes to persuading colleagues to participate—but what about extending that to training about what the seven principles of public life actually mean in the lives of all public figures in this place?

Caroline Lucas: I cannot wait to find out whether the hon. Gentleman agrees that in order to persuade colleagues to undertake training some kind of sanctions might concentrate people's minds—for example, having pay docked, or something similar.

Mr Jenkin: I am so much more in favour of persuasion than coercion. You can lead a horse to water, but you cannot make it drink. We could force MPs to attend a training session, but what kind of attitude would they have towards that training if they did not want to do it? Let us take a step back and think about how we want to do this. I agree with the hon. Lady, however, that unless we promote conversation and understanding about the principles and values that should guide behaviour, the risk is that confusion about what is acceptable will persist.

Rules and regulations are, of course, important, but PACAC's work has shown so often that when rules are not underpinned by clear principles and values that are understood, discussed and talked about, the outcome is a preoccupation with compliance with the rules rather than with upholding what reflects the values and principles we want upheld. The road to damnation is all too congested these days with people arguing how their conduct was “within the rules”.

Jo Swinson (East Dunbartonshire) (LD): I am enjoying the hon. Gentleman's comments. He is talking about what we can do to improve the culture in this place, and I wholeheartedly endorse his suggestion of training on the seven principles of public life, although I actually think that we probably do need some sanctions and mandatory training. Does he think we need a different way of looking at this? It would be arrogant of someone to take the view that they did not need training, as if we stop learning at 18, when we leave full-time education, rather than continually aiming to find out more and work out how to do our job and fulfil our responsibilities better—and that includes continual learning and, yes, continual training.

Mr Jenkin: I could not agree more with the hon. Lady, and I so much want her to win this argument and win hearts and minds, rather than have to resort to coercion, which would be so counter-productive.

To avoid just being preoccupied with compliance in the future, both the regulations and the principles and values that we want behaviour to reflect must be clearly set out and adjudicated. Perhaps only a breach of the rules should attract sanction, but nevertheless there needs to be some authority—we suggest, in respect of MPs, the Parliamentary Commissioner for Standards—who would at least call out people who are failing to live up to the principles and values we have all signed up to. We also argued in our submission that the rules should be adjudicated by a separate person with appropriate legal expertise—the appointment of legal advice to the commissioner is a really good step in that direction,

because the role of the commissioner as a thought leader is perhaps more important than her role as an adjudicator of rules.

The working group recognises the need for comprehensive training for MPs, peers and staff to help them to understand and prevent harassment and sexual abuse and to assist professional practice and Members in their position as employers. It is essential, however, that the work to embed the values outlined in the behaviour code throughout the parliamentary community be led by leaders, including MPs and peers themselves, and not delegated to support staff, who will not have the authority to carry out the kind of training that the hon. Member for Brighton, Pavilion (Caroline Lucas) referred to earlier. The culture of an organisation is the responsibility of its leaders. We parliamentarians must be the champions of change, or it will not happen, and we must be held accountable for its success. We cannot delegate this vital governance function to anyone else, and nor will Parliament secure public trust if we seem incapable of exercising effective governance.

Caroline Lucas: What concerns, if any, does the hon. Gentleman have about the role of the Standards Committee in identifying what is a relevant sanction? Does he share my concern that the Committee, being partly made up of MPs, might be open to the accusation of MPs marking their own homework, if essentially it will be MPs making the final decision on whether a colleague is expelled for long enough to lead down the road to recall?

Mr Jenkin: All these ideas for what sanctions should be available are good ideas, but the accusation of marking our own homework is an unavoidable consequence of the constitutional position of this House and the other place. The advice on the basis of which we mark our own homework must, however, be much more explicit, which is why the provision of legal advice to the Parliamentary Commissioner for Standards is important. In the end, adjudication on far clearer legal principles by someone with juridical experience of judging evidence and rules, such as a retired judge, is preferable to this rather vague arrangement at the moment. That is not to criticise any past or present commissioner; it is just that we ask that person to take on an enormous responsibility—adjudicating rules and evidence—for which they might not have had much training or experience. It is only “one” of the qualifications of the job, as opposed to “the” qualification in respect of a legal adviser or separate adjudicator. I hope that that answers the hon. Lady’s question.

On the introduction of an independent complaints and grievance policy to underpin the behaviour code, I am delighted that the working group has recognised the need to change procedures to ensure that all levels of inappropriate behaviour can be addressed proportionately and effectively. It has also recognised the need to ensure that appropriate support be available for both complainants and alleged perpetrators and, crucially, the need for a human resources service for MPs’ and peers’ staff. I would like to endorse these conclusions, the latter of which was also included in the PACAC submission to the working group.

Like the expenses failure in 2009, the recent scandal is largely about a failure of our own governance, and this stems, to a significant degree, from a failure by Parliament to establish means by which we can be more mindful of

ourselves as an institution. As always, in reaction there is a cry for tougher, more comprehensive rules and tougher sanctions against those who break them, and this is undoubtedly important. Good governance is also, however, about much more than this, and we now have an opportunity to have a much more positive conversation about the values we want to promote and which we expect public leaders to live by. I hope that the proposed behaviour code will clearly set out those principles and values, and that the review and scrutiny of the new system’s success will assess how successfully they are being embedded in our attitude and our behaviour.

This reform also needs to be properly integrated into a reformed House of Commons code of conduct. I know that my right hon. Friend the Leader of the House has said that there will be changes in the code as a consequence. She emphasised that the working group had agreed that there should be a review of these recommendations once they are implemented, and I am grateful for that. PACAC recommends that the review should be overseen by a Joint Committee of both Houses, which should also include representatives of unions and employees’ organisations such as the working group. Its work should also cover the codes of conduct of both Houses. I fear that if such a review is not conducted and we fail to integrate the new arrangements fully with the existing arrangements in both Houses, we will not have established the stable and robust system for the future that we all wish to see.

3.21 pm

Pete Wishart (Perth and North Perthshire) (SNP): It is a pleasure to follow the hon. Member for Harwich and North Essex (Mr Jenkin). I always seem to follow him during debates such as this, and that is probably as it should be, given his thoughtful contributions. I shall pick up a couple of the issues that he highlighted in what was, again, a very thoughtful speech.

I thank the Leader of the House for her opening contribution, and congratulate her on the stout leadership that she offered throughout the deliberations of the working group. She mentioned 100 hours; looking at my colleagues behind me, I have to say that they may not have been the most peaceful 100 hours—there was a little bit of fractious debate on some of the issues—but this is nevertheless a solid, cross-party piece of work. I do not think that, during my 17 years in the House, I have been involved in a piece of work that has been so considered, so reviewed and so comprehensively examined. That is a tribute to the diligence of all the members of the working group, many of whom are in the Chamber today. It was a privilege to be part of that group, and I hope that I played some small part in designing its hugely important report.

I join the Leader of the House in thanking the many witnesses who appeared before the group, and the staff who played such a vital role in helping to provide the testimony and evidence. I particularly thank the members of the secretariat, some of whom are in the Box this afternoon, for making sense of all the fractious debate and the various goings-on and producing what I think is a very readable report which addresses all the issues that were raised.

This was also a new way of working. I think that the most innovative and useful feature was the presence of staff members in the working group. Indeed, it was

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probably a first. Staff had equality of membership with MPs, which, in my view, gives the report added legitimacy, and will go a long way towards ensuring that the staff can have confidence in it. I hope that we can do more of that type of work in the future, involving the staff of the House. When it comes to such critical work, particularly work on House issues, we need to hear their voices. As we discovered when preparing the report, they have solid contributions to make to discussions about the way in which the House functions.

This report is a significant and ambitious piece of work which will, hopefully, help to redefine the culture in our Westminster workplace. I think that the most important part is the first sentence of the first paragraph, which states:

“All those who work for or with Parliament have a right to dignity at work”.

Some may feel that that does not need to be said, but it underpins everything else in the report, and I believe that it cannot be reiterated often enough.

Some 15,000 people work in and around the parliamentary estate, including us weird and demanding Members of Parliament, the even stranger Members of the House of Lords, and the staff who support us so that we can make our grandstanding speeches and try to impress our constituents. The estate is full of very diverse and, I think we must concede, some weird and strange people. One thing, however, should unite everyone on the estate, and that is the conviction that all who work here have a right to expect to work in an environment that is free from bullying and harassment, especially sexual harassment. There should be zero tolerance of any inappropriate behaviour.

The report was not created in a vacuum; it was a response to some very serious allegations that emerged at the end of last year. The leaders of all our parties got together and decided that those allegations had to be addressed, and that something had to be done in Parliament about such a crucial issue. That was what sanctioned the work that we did. However, it was also a response to the wider societal debate about the many revelations that have followed the Weinstein revelations in Hollywood.

We are, I believe, at a critical juncture in the debate about harassment in the workplace. We have an historic opportunity to redefine what is and what is not acceptable, and to make an important contribution and commitment to dignity at work. It is essential for Parliament to lead the way, because Parliament is the forum of our national debate and the centre of our democracy. We would be shirking our responsibility if we did not issue the strongest possible statement that such behaviour is unacceptable in this place, as it should be unacceptable in any workplace in the United Kingdom. If we did not lead the way and establish procedures and processes to deal with our own issues, we would be letting down the people whom we serve throughout the country. We should set the example, and I believe that this document does that. It sets out, very clearly, our commitment to putting our own house in order.

The working group gained a sense of the scale of the problem in our own workplace after commissioning a short survey, asking people working in Parliament about their experiences of bullying and harassment. There was a solid response from staff throughout the estate,

some 1,377 of whom replied. The results of that survey, together with the results of surveys conducted by Unite and the Members and Peers Staff Association, gave us a pretty strong impression of some of the unsavoury activities that had been taking place. Indeed, some of the findings were quite shocking. What those surveys revealed was that bullying and harassment, including sexual harassment, had been a feature of the lives of many people who work in Parliament. Of the respondents, 39% reported experiences of non-sexual harassment or bullying in the last year, and 19% reported experiences of sexual harassment or witnessing sexually inappropriate behaviour.

I have only just received—along with, I am sure, every other Member—an email from the Young Women’s Trust. It is an important e-mail, but, unfortunately, I saw it too late to be able to include it in the formal part of my speech. Figures that it included made it clear that the issues in young women’s workplaces throughout the country are not very different from the issues that we identified in the House of Commons.

The proposal is for a new shared code of behaviour that will underpin the new complaints and grievance policy. We will have a new, transparent, robust and credible complaints and grievance system that protects the confidentiality of proceedings and applies natural justice at its core, and it will be independent of the political parties, which is a key feature. Concerns have been raised about the political parties’ abilities to deal with these issues. I do not point the finger at any particular party; all our parties are bad at doing this stuff. We have several unresolved cases of people who have been charged with all sorts of activities but where that has still not been heard properly. There is a lack of confidence about political parties’ abilities to take these issues up, because of fear that the parties will try to defend and protect their own political interests. An independent route is therefore essential. A party route will still be available for people who feel that is more appropriate for them, but I hope that, in time, the independent route will be routinely used.

Another attractive and helpful feature is the proposal that all our staff secure HR support. I have been in this place quite a long time and I was shocked that that facility was not available for members of staff. Given that we are going to go forward with new codes of behaviour and new procedures for resolving grievance, it is essential that that support is given to staff. That is an important innovation that I am certain will be warmly received by members of staff throughout the House.

Concerns about sexual harassment are what led to this group being set up, and, importantly, in our report we recognise that sexual harassment is qualitatively different from other forms of inappropriate behaviour and therefore requires different definitions, procedures and approaches. This new confidential scheme will provide practical and emotional support to any complainant, and respect absolutely that complainants have confidentiality and have no obligation to report criminal offences to the police, although they will be supported if they feel that is appropriate and it is their choice to do so. All reports will be handled by a specialist, trained independent sexual violence adviser, who will be a single point of contact throughout the proceedings. The way this has been designed will give confidence to

anybody who wants to come forward that they will have respect and confidentiality, and that there will be a proper road map for how the complaint will be conducted and progressed.

Sanctions are important, too—we have already heard a few issues about that. I was disappointed when a draft report was leaked to the press over Christmas and the press sought to portray it as if Members would only have to make an apology or would just get a slap on the wrist if they were found to be transgressors or guilty in any respect, but it was never anything of the sort. We have put forward a whole range of sanctions that will be in place, from just an apology where that might be all that is necessary to resolve a dispute, all the way up to the possibility of recall of an MP and the expulsion of a Member of the House of Lords. The full list of sanctions is included in the report.

Lastly, I want to talk about the culture of the House, as this issue came up time and again in our deliberations. I hate the culture of this House. I have never been fond of being in the House of Commons; some of my friends think it is a fantastic place to work and do their business, but I always find it a little bit uncomfortable. Perhaps it is the Scottish nationalist in me that grates a little bit, but this House has a peculiar historical culture that practically oozes patriarchy and abuse of power. I had a female friend in the House a few months ago who is very conscious of these issues and she told me that the portraits in this place seem to harass us because of the way the images are set up. The historical patriarchy we have in this place is embedded in the defining features of this House. Our workplace is a weird bastion of privilege. We call friends like mine who visited the House “Strangers” and legislation is designed on a sea of booze in the many bars we have around the perimeter of this Chamber.

Alison Thewliss (Glasgow Central) (SNP): My hon. Friend makes a good point about the sea of alcohol in this place. I was at an event that started at 1 o'clock this afternoon and wine was being served. Does he consider that appropriate within this building?

Pete Wishart: I am grateful to my hon. Friend for raising that, because I want to come on to some compelling evidence that we secured during our inquiry. It came from Sarah Childs, who authored the “Good Parliament” report, which I know my hon. Friend will be familiar with. It is a fantastic report that got to the heart of how this place does business and the culture and environment we work in, and makes some practical suggestions for addressing it. We work here till after midnight some nights, and I do not mind doing that. It is what we do as parliamentarians, but no one should suggest that it is good practice or that it allows us to get home to our families or to have a proper work-life balance. That would be nonsense. We do the work because we are committed to doing it, but no one can convince me that this is good practice. That brings me back to the question of setting an example. We should be leading the way in good, normal working practice. We do it in Scotland, where we have designed our Parliament around a normal working day, and if it can be done there, we can do it here too. I hope that we will continue to engage with the work that Sarah Childs has undertaken. I cannot commend her report highly enough when it comes to having a look at the culture and environment of this place.

Emma Little Pengelly (Belfast South) (DUP): The hon. Gentleman is making some powerful points. We are all here to do an important and responsible job, making the laws that set the parameters for people right across the United Kingdom. We can talk about the culture here, and about the environment and the bars, but does he agree that personal responsibility lies at the heart of this issue? Does he agree that individuals in all the parties should know better, that they should take personal responsibility and that they should act in an appropriate and respectful way towards everybody, regardless of the working hours, the bars and the restaurants?

Pete Wishart: I am grateful to the hon. Lady, but I almost take that as a personal chastisement. I am sure that hon. Members will know that I sometimes enjoy a pint of the guest ale in the Strangers Bar, but she is absolutely right to say that this is all about personal behaviour. However, we have an unusual workplace where this is allowed. I do not know of any workplace in my constituency that has six bars as a normal feature. I think we have to recognise that the way in which this place has been designed—I am not just talking about the bars—can lead to difficulties, as we have begun to see in the past few years. The hon. Member for Harwich and North Essex talked about how we had got to this point historically, and perhaps it has a little bit to do with how the House has been designed and constructed, as well as the way in which we do our business. It is worth looking at all those things.

The hon. Member for Harwich and North Essex talked about training. The working group spent hours discussing that issue, and I think we reached a point at which consensus emerged on how it should appear in the report. I take the view that there should be compulsory training, and I supported the idea that there should be a kitemark for Members of Parliament who had been through such training. Members of staff looking around to see who they might work for would see the kitemark and know that that Member had been through the training. They would then have an expectation of a better workplace environment with that Member, compared with what they could expect from someone who rejected training out of hand and who there might be issues with. I thought that that was a good suggestion, although I could not convince the Leader of the House on that one. It was a proposal that came from some of the staff representatives on the group, and I think that we have to do this as a way forward.

Training will be mandatory for new Members of Parliament when they come into this place. The point was also made that most Members of Parliament have never been employers before. I was never an employer, and I think that that applies to most of us on the Opposition Benches who are perhaps from a more modest background, although perhaps less so to the denizens of business on the other side. I did not know how to manage staff when I first came here. I had to learn from experience and do it on the job. It would be helpful and useful to be given that training, not only on issues to do with equality but on how to be a good employer. There would be nothing wrong with that, and I welcome the recommendation that in the next Parliament, Members will be obliged to go through training.

The people who rush to do the training will be those of us who are interested in equality issues. I have no issue with taking training, and I look forward to doing

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it, but the real question is how we are going to drag the old dinosaurs into it. There will be those who have a more traditional view of the workplace environment, which might influence their approach to employing members of staff. Perhaps the kitemark could be a way of distinguishing those who were prepared to undergo equality training from those who were not.

Jo Swinson: I hope to be able to encourage the hon. Gentleman, because I know that we went through so many drafts of the report. The proposal on the good employer standard is in paragraph 81 and also in paragraph 79. I was very happy that we reached the point of stating:

“Until such time as training is mandatory, records of those who have completed the recommended training will be publicly available.”

I think that that will help to focus minds before the training becomes compulsory.

Pete Wishart: I agree. The kitemark suggestion is perhaps slightly different from what was eventually agreed, but of course I accept that, and it is a welcome addition to the report.

As you can probably sense, Mr Speaker, this is an important report, and it was certainly worth spending all those 100 hours on it over the past few months. I see it as being more than just a report of this House; it could be a blueprint for complex workplaces across the country. It could be the start of a permanent change in the culture of this place. There is no going back.

Rachel Maclean (Redditch) (Con): I am fascinated by the hon. Gentleman's remarks about training and agree with about 99% of what he says. Will he comment further on how often people should renew training once it has been taken? Workplaces and legislation can change fast, and what was considered acceptable maybe 10 years or 15 years ago is no longer accepted, so I would be interested in his comments.

Pete Wishart: I am very grateful to the hon. Lady, because the working group did not consider that. She is right that, such is the fast-changing nature of the workplace environment, people should be required to redo the training, because innovations do happen. I am looking around at colleagues from the working group and I cannot see any real objection to that suggestion, so the Leader of the House might consider it as we move forward and as the report evolves.

Simon Hart (Carmarthen West and South Pembrokeshire) (Con): We only have to look outside this place to realise that almost every other industry in the UK has something called continual professional development. If the dinosaurs do not like being dragged into that, they know what the alternative is.

Pete Wishart: That is a useful contribution. My workplace background was in a rock band, so I am not all that familiar with some of the things have been going on in industry, but I will obviously take lessons from the hon. Gentleman, who seems to know what he is talking about.

This report is a helpful and worthwhile document. There is no going back now in the quest for equality. We reached a defining point last year when all these issues started to emerge, and we had a range of online societal campaigns among those who decided that they had had enough. I hope that this little report will perhaps mark the beginning of the end of some of the horrible, appalling practices that we have seen in this House over the years.

3.42 pm

Mr Mark Harper (Forest of Dean) (Con): It is a pleasure to follow the hon. Member for Perth and North Perthshire (Pete Wishart), who is in a more reflective mood than the one he sometimes displays in the House, as befits this serious subject matter. He dealt with the topic seriously, so it is a great pleasure to follow his comments. I add my support to the motion moved by the Leader of the House and the report and proposals that back it up.

Several colleagues have referenced the events of last year that triggered this piece of work and set of proposals, but I want to put something on the record. Shortly after I became Government Chief Whip in 2015, there were several issues in the House, so I started this area of work with all the parties in the House to see whether we could improve how the House dealt with such issues. Parties obviously have their own processes, but for various reasons they do not command the confidence of Members. Conservative Members certainly were not entirely comfortable with processes that were controlled by political parties, and that view was also expressed by people who work in the House and those outside.

Even if a party-run process is fantastic, it simply would not command confidence, and it was clear in the views expressed to me by colleagues, from my conversations with Members from other parties and from the representatives of our staff who came to see me that a House process covering all Members of Parliament on a cross-party basis would be the best way to proceed. We started to set some of those processes in train, and it was to my disappointment that the European Union referendum intervened and terminated the career of David Cameron and, indeed, my career in government and that we were unable to bring those processes to fruition.

I was therefore very pleased—although not about why the Leader of the House had to put these processes in place—that she responded so strongly to the events that took place last year, both in Parliament and outside it. I was very pleased that the processes were put in train on a cross-party basis and that all parties took part. I am also pleased that we have come up with such a comprehensive report, which I have taken the trouble to study. I think that it will be a step forward.

Before I move on, I put on the record my thanks to my right hon. Friend the Minister for Apprenticeships and Skills, who served as my deputy when I was Government Chief Whip. She would be too modest to say this herself, but while working with me, she led on many of these issues in that office. Government and, I think, Opposition colleagues know that she takes these matters very seriously. When she responded at the Dispatch Box to an urgent question—I think it was the one in response to the events at the Presidents Club—she made it very clear what her views were and how strongly

she feels about these matters. I wanted to ensure that my thanks to her were on the record for the work she did as Deputy Chief Whip.

Although it is clear from the things that have been talked about publicly and from the responses to the survey that the hon. Member for Perth and North Perthshire mentioned that bullying and harassment can affect all members of staff, it affects female members of staff more severely than others. If we are to get more women to be Members of Parliament and to work in this House and be treated as equals, it is incredibly important to deal with this issue. Having taken up a position as co-chair of Women2Win, which tries to get more women to be Conservative Members of Parliament, I strongly support our taking further steps in this area, because it will encourage more women to be Members of Parliament.

I want to say a word or two about fairness. When the report was produced, there was some comment outside the House about the proposals meaning that the investigation of disciplinary matters would take place in private, without everything being published. That is like most workplaces. In most workplaces, when somebody makes a complaint about another employee, those matters are not published in national newspapers. I have always thought in this House—this was true when we were going through the difficulties with expenses—that a very good test is for Members of Parliament to be judged at least by the standards that we expect of everybody else. A good test is that the processes that we use to look at complaints about bullying and harassment should be the same sort of processes that exist in modern, up to the minute, leading workplaces. In those workplaces, one would not expect everything to be published in a national newspaper.

I welcome that the report refers to the need to recognise that sometimes when there are examples of bullying and harassment, there are patterns of behaviour and we need to ensure that other people have the confidence to come forward. Sometimes, it is only when people are aware that there is an issue with someone's behaviour that they are willing to come forward. The report reflects that, but it is a difficult balance to get right, when we want to protect confidentiality to protect those who might be unfairly accused.

It is also the fact, which I think has been recognised publicly, that Members of Parliament do not employ large numbers of staff. If a complaint is made against a Member of Parliament and they are identified, it would not be difficult for newspapers to identify which of their members of staff had probably made the complaint. Having a disciplinary process take place in the full glare of publicity is not helpful for the Member of Parliament or for the complainant. The balance that is struck in the report is welcome.

I want to respond to what the hon. Member for Brighton, Pavilion (Caroline Lucas) said about the Standards Committee. Her issue about MPs marking our own homework would have been a reasonable point before lay members were added to the Committee on Standards, but the fact that lay members are on that Committee should give the public confidence that the MPs on it cannot just decide things on the basis of standards they consider appropriate. The lay members bring a very valuable outside perspective to the Committee.

Caroline Lucas: I am on slightly thin ice here, because I am not 100% sure of my facts, but I am fairly sure that the lay members do not vote. Although I entirely agree with the right hon. Gentleman that having them there is a great step forward, I still have concerns that MPs will be seen to be voting on their colleagues, even if we have had a perfectly independent and good procedure up until that point. I still think that is a weakness.

Mr Harper: We just need to think through how this works. The ultimate sanction of either expelling a MP or suspending them for a period where the recall provisions would kick in would be a decision for the House, not for the Committee on Standards—the whole House would be voting on it. Obviously, the House would be furnished with the report from the parliamentary commissioner and the report from the Committee on Standards. The valuable change we made when we introduced lay members was making MPs aware that, even if the MPs on the Committee had taken a certain view, the lay members can have their views expressed in the report of the Committee.

Sir Kevin Barron (Rother Valley) (Lab) *indicated assent.*

Mr Harper: I see the Chairman of the Committee nodding, so I have got that right. That provision gives both the wider House and members of the public confidence that the information put before the House is not just the views of MPs; it is also the views of lay members of the Committee. That brings a useful check on our views about what is and is not appropriate behaviour.

Mr Jenkin: My right hon. Friend is right to say that having the lay members present when decisions are made gives the Committee on Standards more authority, but there is something odd about the Committee adjudicating on rules and evidence—that should be done by a lawyer. These decisions would have much more authority if they were handed to the Committee by someone with the right juridical experience and standing, and the Committee was told, “This is the judgment. If you overturn this, you are overturning a respectable legal opinion. On your own head be it.”

Mr Harper: I listen carefully to what my hon. Friend says and put a fair bit of weight on it, given that he chairs the Public Administration and Constitutional Affairs Committee, but I do not entirely agree with that. I have taken the trouble over the years to read the reports of the Committee on Standards, particularly the serious ones, and the reports of the parliamentary commissioner. The thing that has always struck me—I do not know whether other Members have thought this—is the thoroughness with which the parliamentary commissioner has looked into serious allegations. I have often thought to myself, “If you were ever tempted not to uphold the very high standards of behaviour, you really would not want to be subject to that level of scrutiny, because it is fairly exacting.”

I do not know whether Members have looked at these reports, but I can tell them that the parliamentary commissioner goes into things in considerable detail. The reports that are put before the Committee on Standards by the parliamentary commissioner are very thorough and detailed. There is a perception outside the House about the view that MPs on that Committee take, but when I have read its reports I have always felt

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they have been very balanced, tough and fair. When one reads them, one finds that it is not clear that there is any bias coming into them from the party views of the MPs. I have always thought that system is a pretty good one. As I have said, the only gap in it was rectified by the addition of lay members, who bring that useful outside perspective and check. But I listened carefully to what my hon. Friend said and I am sure it will be reflected upon by the House more widely.

Mr Jenkin: We have had one case in which the Parliamentary Commissioner for Standards and the Committee on Standards reached one view, but when the same issue was then challenged in the courts a judge took a much harsher view. That completely undermines the authority of the system we have, and we need a much more legalistic approach to the adjudication of rules and evidence, whatever punishments the Committee may have decided to hand out.

Mr Harper: I hear what my hon. Friend says. I do not entirely agree with him, but I do not wish to deviate from this debate into a wider discussion of standards.

My final point is about training and culture. The hon. Member for Perth and North Perthshire made a sensible point about MPs' backgrounds, but I wish to pick up on his slightly prejudicial comment that assumed that everybody on the Government Benches has a privileged background, which is entirely not true. I will not bore him with the fact that I was the first person in my family to go to university, my father was a labourer and we had certainly not had any Members of Parliament in the family before—I just want to challenge the hon. Gentleman's prejudices—but he made a sensible point: MPs have a very varied set of backgrounds. Some have run their own businesses and employed significant numbers of people. Some, like me, have worked in a business for others, and I have experience of managing teams. Others will come to the House having never managed anybody before in their lives.

Members obviously come to the House at a variety of ages and with a variety of other experiences. We are all then plunged into employing members of staff. As the Chair of the Public Administration and Constitutional Affairs Committee, my hon. Friend the Member for Harwich and North Essex (Mr Jenkin), said, Members come to the House with the very best of intentions but often do not have the required skills. We therefore need to improve the training on how to employ and manage people and on the expectations that we set. We also need to provide HR support not only proactively, so that Members are better trained and supported, but so that we have somebody to ask questions if there are challenging issues that we are not comfortable dealing with. That would be valuable.

I welcome the recommendation that training should be part of the induction process for new Members. I do not think there is a massive gap between the position of the hon. Member for East Dunbartonshire (Jo Swinson) and that of my hon. Friend the Member for Harwich and North Essex. I think that everybody should go through the training, but the challenge is that we can mandate that everyone goes to a training course and physically turns up at the room, but we cannot mandate that they will listen attentively and change their behaviour

after doing so. It seems to me that the people who are least likely to go to the training are probably those most in need of it.

As the hon. Member for East Dunbartonshire said, the challenge is to persuade people that they should go on the training course, listen and change their behaviour. The proposals to which the hon. Lady referred on publicising whether people had been on the training course, so that there is peer pressure and people feel they should go and so that the staff they might wish to hire put pressure on them, are a good idea. Nevertheless, for new MPs, it should be part of the standard set of training that every Member undertakes, so that we set the expectations correctly.

That leads me to the second part of my final point, which is about the culture of this place. I have listened to the debates we have had on this issue over the past few months and thought about my own working career. I was perhaps fortunate to work for two businesses that took management and how they treated their people very seriously. I went on training courses on how to manage people and set expectations and on what was expected. Staff members were empowered to speak up, and it was recognised that speaking up on a whole range of issues—whether how we ran the business or how people behaved—was the right thing to do. That set the right sort of culture, which is not always the case.

I have thought through some of the comments that have been made over the past few months. Examples of behaviour have been given and people have said things like, "That sort of behaviour was acceptable a few years ago, but things seem to have changed." I thought back to when I started my working after leaving university, which is tragically a lot longer ago than I care to remember, in 1991. I thought through some of the specific examples we have read about, and whether they involved Members of this House or people outside it, we heard people say, "This sort of behaviour used to be acceptable."

I was thinking back to when I started work 27 years ago, and I concluded that, actually, those sorts of things were not acceptable. The difference between then and more recently is that people used to get away with behaving like that. What has changed is not that certain behaviours are no longer acceptable—actually they never were acceptable—but that people cannot get away with them now, and that is right and an improvement. What we are trying to deliver with the training and the change of culture is that everybody accepts not only that those sorts of behaviour are not acceptable, but that no one will let people get away with them.

Rachel Maclean: Will my right hon. Friend give way?

Mr Harper: If my hon. Friend will forgive me, I am just going to conclude.

If the report of my right hon. Friend the Leader of the House does nothing else but that and changes the culture, it will have taken us a huge step forward. I am very happy to support the motion and to commend it to the House.

Several hon. Members rose—

Mr Deputy Speaker (Sir Lindsay Hoyle): Order. I want to make sure that everybody gets equal time. Working on the basis that we have seven people and that we have until 5.40, we should have around 10 minutes each. I think that that will be helpful to everybody.

4.1 pm

Sir Kevin Barron (Rother Valley) (Lab): I beg to move amendment (a), after “others,”, insert

“in consultation with the Committee on Standards and the Parliamentary Commissioner for Standards.”.

The Committee on Standards has discussed the working group’s report and authorised me yesterday to write to the Leader of the House setting out its unanimous view. The letter was published on the Committee’s website. The Committee welcomes the report and strongly supports its commitment to zero tolerance of sexual harassment, bullying and harassment within the parliamentary community.

Members will have seen that an amendment, which was tabled yesterday, was signed by all the elected members of the Committee, calling for the Committee on Standards and the Parliamentary Commissioner for Standards to be formally consulted as part of the process of implementing the working group’s recommendations.

We were a little surprised not to have been mentioned in the motion, as the House has given the Committee and the Commissioner important roles in dealing with the conduct of Members. May I say to the Leader of the House—I am sure I can say this on behalf of all members of the Committee—that I welcome what she said earlier in relation to the Standards Committee and the Parliamentary Commissioner being involved in future work.

The House should take note of the fact that we are currently carrying out a long-planned review of the code of conduct, which will be announced in due course. The current review will obviously be informed by the working group’s report. As Members have said, the Committee is unique among Select Committees in containing lay members. Those lay members, along with the Commissioner, provide a much needed element of independence in the current standards system.

May I just react to one or two exchanges that have taken place this afternoon? It is true to say that lay members are not allowed to vote. That was the wish not of the Standards Committee at the time we set up the first three lay members many years ago, but of this House. My understanding is that the House did not want to bring the law inside this place and inside its Committees.

The hon. Member for Harwich and North Essex (Mr Jenkin) has been talking about bringing in the law. As I understand it, that would be a big step. I think the reason why lay members were not given a vote was that we were advised that we could not take them on without bringing the law into the Committee system. I still think that if we are going to legislate on that at any stage, we should give that some consideration.

Mr Jenkin *rose*—

Sir Kevin Barron: I will give way to the hon. Gentleman, but just let me say this: I do not understand the case that he mentioned—about the judge taking a harder line on a case than the Committee did. We are not involved in taking our judgments to law. The law is a completely different process. From time to time, we will refer Members there if it is felt that there is anything that is a matter for the law and not for the Committee.

Mr Jenkin: I am grateful to the right hon. Gentleman for giving way. I think he knows the case to which I was referring. I will not name it, because it is too tiresome. It was a case in which the Committee adjudicated on someone who then tried to make the same case in a court of law under a completely separate jurisdiction, and he lost his case. He was also criticised by Ofcom. The point is that the proposals that PACAC has made are not about bringing the judiciary into our own proceedings—this is not about that—but about the House appointing our own legal person to make these adjudications on behalf of the House, and on behalf of his Committee so that he has a far more unimpeachable judgment handed to his Committee on which to act than he is compelled to work with at the moment.

Sir Kevin Barron: I think I now know the case that the hon. Gentleman is talking about. The person in question did not agree with what happened to him, and he went to court and got nowhere. If it is the case I am thinking about, the court supported exactly what the Committee had said about the individual involved. Let me move on.

As hon. Members will know, the current system has developed as a series of merely reactive measures in response initially to the cash for questions scandal in the 1990s and, more recently, to the Members’ expenses scandal. This means that it is arguably skewed too much towards issues of financial impropriety—important though they are—and neglects other aspects of Members’ conduct and behaviour towards other people.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): The right hon. Gentleman mentions financial impropriety, but the challenge that we now face, particularly in relation to sexual harassment, is finding the balance between Members’ personal lives and the time spent actually conducting their parliamentary duties. Does he foresee any questions about that as we implement these policies?

Sir Kevin Barron: That issue has to be looked at. I think the hon. Lady was there when I gave evidence to the working group. I finished by mentioning a case that was in the media in October last year, and said that this House will have to come to a decision on what is a personal and private activity and what is not. That is something that we may be asked to do in the coming months.

Over the years, the Independent Standards Commissioner and the Standards Committee have done their best to try to address this imbalance, and have looked at possible ways of updating the current code of conduct, particularly in relation to issues arising from Members’ conduct. In the past, the House has resisted attempts to incorporate some of these changes, but I am glad that the working group’s report has given fresh impetus to developing a more comprehensive system of standards and behaviour.

The Committee contains a pool of expertise on the part of both elected and lay members that we believe will be of real value in developing the new processes. We are keen to be of assistance, and I am pleased to say that we now have a meeting in the diary with the Leader of the House to discuss how we can help. In my letter to the Leader of the House, I comment that

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“as is inevitable with such ambitious and far-reaching proposals, there are a number of challenges concerning detail and process, as well as some issues of principle, which will need to be addressed as part of the implementation”.

My letter sets out what these are, so I will not detain the House long in summarising them.

We will need to consider how the new arrangements will work alongside the existing system. It is crucial that the new systems should be seen to operate fairly and impartially. Due process is important because it secures the rights of everyone involved. One proposal in the report—that a parliamentary investigation might proceed in parallel with police inquiries—would represent a clear breach with the existing practice, which is set out in a memorandum of understanding between the Committee, the commissioner and the Metropolitan police, so it will require careful consideration. The implications of the report’s proposals on anonymity will need to be thought about carefully. All of this is clearly a matter for future discussion. The Committee and the commission are likely to be involved in the sixth workstream mentioned by the Leader of the House.

Today I simply want to express the Committee’s support for what the working group is trying to achieve, and to assure the House that the commissioner, my colleagues and I are committed to working closely with the steering group to turn the new system into reality as soon as possible.

Comments were made earlier about the lay members not having a vote in the Committee. It is many years since there has been a vote in the Standards Committee. We work on the basis of getting the agreement of all members. But when the Committee agrees a report, each one of the seven lay members is asked whether they want to put down anything other than what is included in the report. That has never happened yet. They have far more power, each individual one of them, than the seven elected members put together. I hope that the House begins to understand that and stops repeating that this Committee is marking its own homework. It is not. It is a Committee of this House with lay members. We should be looking at having lay members on other Committees as well. I argued for this for many years before we actually got it. I sat on the General Medical Council as a lay member, sitting in judgment over doctors and other health professionals on occasion. We should not be afraid of bringing lay members here and giving them the respect they deserve. The Committee is independent, notwithstanding the absence of a vote.

4.10 pm

Rachel Maclean (Redditch) (Con): It is a great privilege and pleasure to contribute to this debate, and to follow the right hon. Member for Rother Valley (Sir Kevin Barron) and all the others who have spoken on this very important topic.

Having been very lucky to be elected chair of the all-party parliamentary group on women in Parliament, I am very interested in this debate, because of course we all support women entering Parliament and want to encourage and see more of it. I pay tribute to my right hon. Friend the Member for Forest of Dean (Mr Harper) and my hon. Friend the Member for Harwich and North Essex (Mr Jenkin) for what they have done to further this cause on the Conservative Benches. I know

that there are many champions of women in all parts of the House. The hon. Member for Perth and North Perthshire (Pete Wishart) talked about the issues of patriarchy in this place. We ought to be proud, however, that we have a number of incredibly competent women in this House—I see them sitting in all parts of the Chamber—who are more than capable of holding their own despite the patriarchy. It is also important that we signal to people who wish to enter this place that they are going to be welcomed when they get here.

I want to touch on the issue of culture. My experience comes from running my own business. I do not come from an exalted or privileged background; I got here through hard work in starting my own business and experiencing many failures and setbacks. It is a bit of a misconception that everyone who runs their own business, or works in a business, is somehow privileged. In the process, I learned about managing teams. The main thing that I learned, from a very trusted mentor, was that culture eats strategy for breakfast. It is about the culture and the leadership. We can have as many reports, processes or training schemes as we want, but if that is not followed through, and lived and breathed by deeds not words, I am afraid that we might as well all give up and go home.

We have seen a fantastic response to this issue. I pay tribute to the Leader of the House and all the others who have played their part and thank them very much. This is such a long-standing issue that addressing it is long overdue. It is a credit to all involved that the bull has now been taken by the horns. I really do hope that this can percolate upwards to the very highest level. All political leaders in all parts of this House absolutely need to live and breathe it.

The reason this is so important is that our staff are very vulnerable. They are, relatively speaking—perhaps not all of them, but some of them—quite young. They do not come here with a lot of experience of other workplaces. For some, this is the first place that they have worked. With a young woman and perhaps an older man, or any man, there is a very sensitive issue of gender imbalance. It can be very difficult for a young woman, or a young man, in their first job to tackle that—to have the confidence to raise it and know that it will be taken seriously. The root of the matter—I am really grateful for the consideration that has been given to this point—is power and the abuse of power, and how easily that can be very detrimental to young people who are vulnerable because they are working in this unique workplace and supporting us in our challenging duties.

Leadership is absolutely critical and essential. I hope that we can all play our part by holding our colleagues to account, however we do it. The issue of training also needs to be taken forward. It is not enough to train just once.

I have the great delight of having two psychology degrees, and I worked in HR for many years. Like my right hon. Friend the Member for Forest of Dean, I have had a lot of training—I actually was the person giving the training—on how to manage staff. It is one thing to ask people to change, but change is painful. There are people in this House who have been behaving in certain ways, possibly for decades. Change is difficult, and it is really hard to make organisational change stick. We need to pay close attention to that.

We need to be united in our determination to drive this through, for the benefit of all the people who work here and all the people who are looking to us to be examples. I end by again expressing my gratitude for the work that has been done, which I hope will lead to positive change.

4.15 pm

Jo Swinson (East Dunbartonshire) (LD): It is a delight to follow the hon. Member for Redditch (Rachel Maclean). It sounds as though she has some excellent skills and perspectives that will be important in the consultation about how to make this organisational culture change stick.

As a member of the working group, I very much welcome the motion and the debate. As well as making specific comments on what we put in the report, I want to talk about the wider context. We have come at this issue in Parliament from the events at the end of last year, which followed hot on the heels of the Weinstein scandal, and in recent weeks we have heard about the issues in the charity sector. An important point for us all to remember is that this is not a problem in any one specific industry. This problem is endemic across society and every sector. It is important that we get our house in order with our own procedures, but we also need to understand the wider perspective and the wider societal cultural change that, as parliamentarians, we have a role in leading. That is why it is vital that what we do is of an excellent quality and can act as a beacon to other organisations and institutions that are trying to grapple with similar issues.

Of course, for all that we have seen these cases in politics hit the headlines, I am painfully aware of how many women are in positions with so much less power than those connected to this place—women working in low-paid jobs—whose cases do not hit the headlines. We read in the briefing from the Young Women's Trust that three in 10 young women have experienced sexual harassment at work. This is happening all over the country.

The working group was a generally positive experience, if occasionally frustrating, but that was partly because we were grappling with difficult issues. I would like to praise the contribution of the staff, particularly the three representatives of staff who work for Members in various parties and the experts who advised the group. I for one learned a huge amount from listening to what they had to offer and the wisdom they had to impart.

These issues are not easy to deal with. We all come to them saying that we want to deal with them and get it right, but there are sensitive issues to work through. The right hon. Member for Forest of Dean (Mr Harper) talked about confidentiality. On the one hand, if names are published, that might encourage others to come forward and we might spot more patterns. On the other hand, that might discourage some people from coming forward because of the fear that their anonymity will be breached. We had a lot of discussions about how we work through that and how we deal with historical allegations and people who have already gone through a different process and are very upset with how that went. There are no answers to some of these questions.

We also discussed at length the interplay with the criminal justice system. While we want to ensure there is support for people who want to pursue a criminal

conviction in a case of sexual assault, for example, we recognise that in the survey we did, a tiny proportion of people—I think it was 2%—said that they would feel comfortable to go to the police in those circumstances. We looked clearly at how we could provide people with support if they wanted to do that, but we also looked at how we could give them control, so that if they wanted the case to be pursued as a grievance and effectively as a matter of professional conduct, it could be dealt with as an employment issue, rather than their being forced to have faith in our criminal justice system, which they may not have.

It is because this is not easy that the review clauses we have suggested are so essential. I am very confident that what we propose today will make things much better. I am also very confident that it will not be perfect. It will only improve things if we make sure we review it regularly and learn from what works well. There may well also be cases where it does not work well, and we need to make sure we take those lessons on board and not be overly defensive about that.

I also want to touch on the issue of gender. Harassment, bullying and sexual harassment happen to men as well as to women, but we know from our survey that they happen to women more often. The hon. Member for Harwich and North Essex (Mr Jenkin) posed an essential question: how did we let this happen? Part of my answer to that is that this institution was designed by men and built for men, and for the largest part of its existence, it has been run by men and made up almost exclusively of men. Therefore, the place of women within the institution, whether in this Chamber or among the staff who support our work, has not been viewed as equal.

As women in Parliament, we have all experienced being talked over in meetings, questioned about whether we are allowed to be somewhere—whether we have the right to be on the Terrace, or in a particular lift during a Division—and asked whether we are a researcher or a cleaner, instead of a Member of Parliament. A woman journalist bravely reported that somebody said to her, “Here comes the totty.” We now know that many other women journalists have experienced similar, and indeed worse, treatment from people in this place. When I was a Minister, I learned of a former Minister from the House of Lords who had engaged with his male private office staff but refused to speak to or take seriously the female staff, even when they were more senior, because they happened to be women. We know that these things happen.

I was really struck by the Young Women's Trust briefing, which states that 89% of women MPs and 58% of men MPs say that sexism still exists in Parliament. That gulf is significant. Almost all women know that there are still instances of sexism, but only just over half of men recognise that. That gulf is part of the problem, and it is part of the reason for the complacency that still exists. We are talking only about gender, but there is a layering of race, LGBT and socioeconomic barriers and disadvantage that all come together in this place.

Not every man does it, but this kind of behaviour is present in every single political party, and we all experience it and see it from time to time. It is not just a few bad apples; it is cultural. We all—women, too—have the capacity to make these assumptions or thoughtless comments. When we are in a position of power, those comments have so much more force, and we have an

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extra responsibility to be aware of that. I say to all Members of the House, including myself, that often when these things happen, they are tolerated. Someone will roll their eyes, or they will be embarrassed, but the behaviour is not always called out because doing so may feel uncomfortable or inconvenient, or it may be easier not to rock the boat. Part of what we need to do is to challenge and tackle that culture throughout our work in this place.

I want to touch on a couple of issues in the report. The behaviour code will be the foundation of what we do. It needs the widest possible involvement of Members and staff, and of passholders who are not in those categories, to ensure that it is built on a shared sense of values. That is vital to ensuring that it has the resonance that we need it to have so that people really buy into it.

There has been quite a lot of discussion about training, which I think is essential. For anyone who employs staff, such training should be part of what they have to do to access funds from IPSA to pay somebody. Training is also needed on harassment and issues of consent. When I did an interview on the day the report was released, I was challenged on the “Today” programme by John Humphrys, who said, “Surely, MPs know what is appropriate behaviour.” If that were universally the case, we would not be in this situation. There is no room for complacency. The #MeToo movement shows us that. It is, incidentally, why I think we need consent education in relationships and sex education in schools for all pupils, and I am slightly dismayed at the Government’s recent rowing back on that.

Mr Jenkin: The hon. Lady is making such a good speech, particularly when it comes to the point about assumptions. If we want to change culture, everyone has to stop making assumptions about their own beliefs and other people’s. We need to talk about that and get it into the open, without judgment. I agree with her wholeheartedly about training for MPs who employ staff. Ultimately, if an MP has not been through a basic training package, why should the taxpayer allow them to employ their own staff?

Jo Swinson: I would welcome the hon. Gentleman’s support on those points.

Some of what we experience on these issues of harassment is undoubtedly deliberate—done with intent and entirely with knowledge—but some is inadvertent. It is to tackle that complacency that the training is so essential. There will be people who sometimes do not understand the impact of all the words they use. I attended a recent session on anti-Semitism by the Holocaust Educational Trust, which was fascinating, and the more we can all listen and learn from the experiences of others, the more that will help us to engage in a more mature way on these issues.

That cultural change is important. Sarah Childs, as the hon. Member for Perth and North Perthshire (Pete Wishart) outlined, produced an excellent report in “The Good Parliament”. She recommended ways in which we could change the culture. She also gave evidence, and she talked about challenging the exceptionalism of MPs—that we think we are in some kind of unique scenario. Yes, there are many elements of our job that are very unusual, but that should not be

some kind of excuse for not having basic professional standards. That might be about good employment relationships; if we had good employment practice, that would deal in large part—not entirely, but in large part—with the problems we experience here. It might also be about the macho approach to late-night sittings, which are some kind of badge of pride—the parliamentary equivalent of having a jacket on the back of the chair in the office. That is not how modern workplaces are effective, so that cultural change is essential.

I agree with the hon. Member for Brighton, Pavilion (Caroline Lucas) that we need as fast as possible to extend the behavioural code to Members of Parliament and staff of Parliament, wherever they are when they are in that role and carrying out their duties—whether they are in their constituency, in an office or at some event, or whether they are here in Parliament.

I know that others want to speak, so, in conclusion, let me say that the problems that we are facing are not unique to Parliament, but we all have our part to play in dealing with them. This motion and this report are an important first step. They will lead to a real improvement and hopefully help us to get our own house in order.

4.26 pm

Jess Phillips (Birmingham, Yardley) (Lab): I, like everybody else, want to commend the work that was done by the Leader of the House, the shadow Leader of the House and everybody else on the working group. One hundred hours—I would definitely have lost the will to live halfway through the negotiations. Everybody worked really, really hard.

The report has been done relatively quickly for this place; it is the quickest thing I have known go through since I have been here. There are just a few slight concerns I want to raise about how we might take this forward, but, by and large, the work that has been done is brilliant, particularly when there are often not easy answers to the anonymity and privacy issues. This is not easy; people outside this building can say these things are easy, but when you are actually here, it is quite different.

We talk about the events of last November and those being the reason we are all here. I want to say thank you to Ava Etamadzadeh, Jane Merrick, Bex Bailey and Kate Maltby, who all had the guts to come forward and say that people who were powerful had not always behaved the best with them. They deserve huge praise and merit.

I have concerns about the issue of representation during any process on sexual harassment. The Leader of the House said both parties would be entitled to representation, which is absolutely as it should be—and fair—in every system in the land, whether that is trade union representation or legal representation. However, I have a concern about how we will make sure in this place that there is equality of arms in that representation. If a caseworker is working in one of our offices, and a very wealthy peer, for example, sexually harasses them, I worry that one of those people has very good representation and can frighten people with legal letters—I have received some myself in these past few months. It worries me greatly that there will be an unfair imbalance. If the Weinstein issue teaches us anything, it is that rich

men know how to use the law to get away with murder. We need to make sure that we address that all the way through this process

I also have one slight issue about the independence of MPs as decision makers. That is not in regard to them marking their own homework—I did not even know anything about the lay members until today, and I am satisfied with the explanations I have heard. However, in the report, one of the decision-making lines is that if a member of our staff perpetrates sexual harassment, bullying or harassment, we are one of the decision makers. I, as the employer, would be the decision-maker. That seems completely acceptable—that is what it would be like in the outside world. As the right hon. Member for Forest of Dean (Mr Harper) put it, that is the same standard as that used for other employers. In this place, however, we are in close quarters with our employees. I employ only one person here and she is very, very close to me. I feel incredible loyalty to her. When I walk around this building, I see Members' partners and children working here. I am not entirely sure that a Member of Parliament could be completely and utterly without bias in a case against a member of their staff, and that definitely needs to be looked into.

Andrea Leadsom: I hope to be able to reassure the hon. Lady, because we did come up against this issue. As she rightly says, there are some unusually close relationships in this place. Clearly, however, where there is a finding against somebody who is employed by a Member of Parliament, and the finding goes to that Member of Parliament and they fail to take action, the complainant will be able to take that Member of Parliament to the Parliamentary Commissioner for Standards for failing to fulfil their role as an employer. I hope that reassures the hon. Lady.

Jess Phillips: That does reassure me to some degree. My concern is that the complainant, as is always the case in such instances, has to do an awful lot of work. We need to make sure that they are supported all the way through the process. There is also the issue of equality of arms. As Members, we are much more powerful than most people and we are much more frightening than most people. *[Interruption.]* I am, that's right! I would like to think that I can recognise that and employ it appropriately, but I still worry that there will be a power imbalance. The working group has done everything it possibly could do on a matter that is very difficult, and I imagine there were lots of voices on both sides. I will finish by just saying that I totally commend the report—

Mr Jenkin rose—

Jess Phillips: I will give way to the hon. Gentleman, who is loquacious today.

Mr Jenkin: I am grateful to the hon. Lady, because I think she rightly points to the necessity that, as employers, MPs, because we are public figures, must be held to a much higher standard than we would expect of an ordinary small businessman and employer outside. That is because we are accountable, we are expected to be accountable and we are expected to be leaders and example-setters. I think, however, that the report addresses that and her concerns, because there will be HR support from outside the Members' office for the staff of Members of Parliament, so they get the support and counselling

they need to take a complaint against their employer in a way that has not existed before. I think it is a very important reform.

Jess Phillips: I totally recognise that and I am very happy with the progress that has been made. I personally felt listened to throughout the process, and I thank the Leader of the House and the shadow Leader for that. The system will need to be tested as we go through it. Lots of people have talked about review. It will be strength-tested by those who go through it. We have to ensure that, when the first case comes and things have not been as they should have been, we do not close ranks with each other. I will always commit to being the person who closes ranks with the people on the outside. I commend the report.

4.34 pm

Stella Creasy (Walthamstow) (Lab/Co-op): Abraham Lincoln said:

“Nearly all men can stand adversity, but if you want to test a man's character, give him power.”

What we have been talking about today is what happens when men—and it does tend to be mainly men—have power and how power can be misused. In that sense, I start by paying tribute to the Leader of the House, the shadow Leader of the House and all those who, in those 100 hours, looked at the issue in that vein, recognising that this is about the many different ways in which power can be abused, because this place is powerful and full of powerful people.

I started the morning at a school in Walthamstow, taking part in an assembly on sexual harassment. It is a very sobering moment to think, “What do I tell the younger women of our country about sexual harassment in 2018, in the environment of #MeToo, Harvey Weinstein, Larry Nassar and what we have seen in our charity sector?” Each of us may be individually responsible for what we do today about the motion and for what happens next, but we have a wider remit for our young people that involves recognising that it is simply not enough to pay lip service by saying, “This shouldn't be happening.” It is about asking, “What are we all doing to make sure that this never happens again?”

The message that we send out from Parliament—we know that this work must continue—has wider ramifications, because it sets a bar for other agencies. None of us here can claim that Parliament has covered itself in glory. We have been too slow. We have let the idea develop that it is somehow about leading a horse to water, rather than recognising that some of those donkeys have no place in our political process. Now is our opportunity to say that we are going to make a stand, not just in Parliament but across public life, because it matters to those girls. It matters that they have the freedom that we would want for them all to realise their potential, without thinking, “This is the kind of workplace that I might go into.”

In the run-up to International Women's Day, I will mention four points that I hope the Leader of the House will take on board, bearing in mind that many of us have been called shouty feminists today—I hope that this shout will come loud and full. First and foremost, on training, I understand where the hon. Member for Harwich and North Essex (Mr Jenkin) is coming from. For many years, we have been inspiring each other on issues of gender equality and feminism. I understand

[Stella Creasy]

his point about catching more flies with honey than vinegar, but with something like this, it is probably the people who are most resistant who are the most likely to need to change. We need to recognise that we cannot simply keep asking nicely and then apologise to the people who have to deal with the consequences. That is why having sex and relationships education for every young person in this country matters, and I hope that all of us will renew our resolve not to backslide on that now, because we can see that breaking the culture, so that we do not have to deal with this, needs to start as early as possible.

My second point to the Leader of the House is that this has to fit into the wider context. People do not end up as passholders here by accident. That is not just about Members of Parliament, but about our political parties and our political culture. How do people get involved in activism? How do they get employed? Although the Leader of the House has to look at the culture in Parliament, inevitably it is one piece of the jigsaw puzzle about how people become involved in public life. I pay tribute to the women who have come forward as part of the LabourToo campaign to give their stories. That tells us that we have work to do within our own political movement. I do not think that that is unique to the Labour movement; it probably goes across political parties. This process will be only as good as those who are coming into political activism, and political activism will be only as good as the environment that we create for our volunteers and activists. One of my questions, therefore, is: how do we fit this in with the broader work on making sure that there is no hiding place for the people who seek to abuse power?

My third point is about what happens when we find people who have behaved inappropriately. As the Leader of the House knows, I have persistently asked her about recall, and I am so pleased to see that it is now on the agenda. I believe that we have to have the sanction—the sanction that none of us wants to admit to, but know needs to be in the process—for when somebody is found to have behaved in these ways. We have heard questions today about where the standards board might come into this and whether there is a case for taking the initial decisions about sanctions out of the standards board altogether. Instead, it would be given information from an independent third party who would then advise lay members and MPs, so that we can take out any suggestion that political favour or fear of the consequences of recall would be part of the decision. If recall is the right course of action, it should be on the table, and it should be on the table because the transgression is serious enough that the local community that the person represents needs the right to say something. None of us wants to send one of these young girls to see their MP, as would be their right, knowing that that person has behaved in a way that we would not countenance in any other workplace.

My fourth point, simply, is that we know that this is yet another staging post. The shadow Leader of the House was so right when she said that this is the fourth time that we have debated this matter. We know that there is much more work to do. I pledge my support for the Leader and the shadow Leader in keeping going. I fear that some in this place, including those accused of

things, are hoping that, after the tidal wave has subsided, this issue will go away and life will go back to normal. Let us not make 2018 like 2017; let us make it the point when the sands shift, and that means keeping going and seeing these cases through, as difficult and awkward as that might be—because they might involve people we care about deeply. We owe the young women I spoke with today so much more, but that is at least something we can promise them.

4.40 pm

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): As one of the members of the cross-party working group and the leader of Plaid Cymru's Westminster team, I wish to congratulate everyone involved in this timely, long-drawn-out and, at times, demanding task.

It is worth stating some of the obvious facts that have brought us here. This policy has come about following co-operation between politicians representing all the parties in the House and representatives of staff employed here and trade unions. In particular, I commend the many witnesses who spoke to us and the specialist adviser on sexual harassment, Dr Helen Mott, as well as the Leader of the House for her able and patient work in chairing the working group—and that from the Opposition Benches!

The policy before us today represents a critical step in transforming Westminster into a 21st-century workplace. Again, let us take a moment to state the obvious and consider how ineffective we would be without the staff, including office staff, who hold things together, balance constantly conflicting demands and enable us to present composed and competent faces in our public lives. The flip side is that this is a highly pressurised, tiring and emotional environment, and there is potentially always a toxic mix of power, ambition and vulnerability, much of which is played out behind closed doors.

The de-sexualisation of this and any workplace is simply a matter of equality, and just as with the line between assertiveness and bullying, much of our discussion is around our fear of where we draw the line. The unique nature of the terms and conditions for MPs' staff, who, as we have heard, are employed directly by MPs, has meant that until now their last resort for complaint was either their MP or their MP's party, which is why the independent nature of the complaints and grievance policy is so significant. Political parties must, of course, ensure that their own grievance policies are fair and without prejudice, but the question of whose interests are best served will always remain in those routes.

None the less, as is obvious from these discussions, some of which have been quite sophisticated, work still needs to be done over and above today's recommendations. We need urgently to address the question of how to include visitors to constituency offices, and there is also the important question of how to decide when and where Members, their staff and all those to whom this is applied are engaged in parliamentary duties, be that here in Westminster, in our constituencies or on visits here and abroad. We need clarity on that to ensure fairness.

This will be a quasi-judicial process weighing up the pros and cons and the views of two people necessarily in conflict. There has been some discussion about the role of the Standards Committee, and the report anticipates changes, including to the voting arrangements on the

Committee. We are doing our best to merge House structures with cultural change, which will be challenging, but we have struck the best balance we can and will be moving ahead with the arrangements.

I urge that there be a high-profile campaign to inform staff about the new human resources facility—we know it exists, since we have talked about it, but we need to remind people as and when they need it—and about the independent complaints policy and the other working group proposals, with a particular emphasis on our staff in constituency offices, who are not necessarily part of the discussions and talking groups we have here. That process of informing new staff should continue into the future; it should not be a one-off event. Making effective human resources facilities available to Members' staff will address problems that may be minor or mundane, but will also prevent those problems from escalating.

There has been a fair amount of discussion about training today, and I think it important to depersonalise that issue. There has been a rather personal, individualistic approach to training, but it is not a threat to individuals; it is a way in which we, corporately—as an entire body—can bring about change. This is about corporate leadership. What I particularly commend in the report is the ability of politicians to rein in that inclination to feel concern as individuals: the inclination to over-emphasise the potential for political motivation in complaints. It has maintained the balance between supporting complainants and resisting an over-emphasis on malicious and vexatious complaints.

The measure of the success of these initiatives will be a change from a dated culture of deference and outmoded power structures to a culture of respect among equals working together in our many parliamentary workplaces, wherever they may be. Their future success will require rigorous implementation and rigorous monitoring. Just as, on a number of occasions, the contribution of staff and union representatives served as the glue that held the working group together, it is essential for staff and the representatives of all their unions to be involved in the future monitoring. These policies are not complete—they will evolve in practice and in review—but I am confident that they are the catalysts for change.

4.46 pm

Caroline Lucas (Brighton, Pavilion) (Green): It is a sad irony that, in a year that marks the 100th anniversary of the first women winning the vote, Parliament has been under the spotlight as a place in which women, in particular, face so much harassment and mistreatment. As we know, one in five people working in Westminster report that they have experienced or witnessed sexual harassment in the past 12 months, and twice as many women as men report incidents of harassment. It was a privilege to serve on the cross-party working group that was set up to respond to that routine sexual misconduct and, indeed, the concurrent routine failure to handle complaints either fairly or, in some cases, at all. I join others in paying particular tribute to the Leader of the House for her leadership and commitment to seeking consensus on the recommendations from the working group.

The report will set up a support system where previously there was none. It will also set in train the process of establishing an independent framework in which complaints

can be heard. Crucially, anyone who reports sexual misconduct will have access to a complaints process that is specifically designed to differentiate between such cases and bullying. That was the first and arguably the most important change that the working group pressed for. Complainants will have access to someone with expertise in supporting those who have experienced sexual misconduct—someone who understands that complainants must be in control when it comes to the next steps and who will fight for their rights to be upheld.

Parliament should lead by example and not take yet more power away from those who make complaints, as happens repeatedly elsewhere. I am pleased that that is reflected in the working group's recommendations. I think that this is progress, and it was possible largely because one of the country's best-qualified experts in sexual harassment had an advisory role on the group, which meant that our work and decisions were informed by both evidence and best practice. Huge thanks must go to her, but also to the whole secretariat for its tireless work and to all the experts who supported us. I agree with the hon. Member for Perth and North Perthshire (Pete Wishart) about the importance of the participation of staff representatives in our deliberations: it made the process far more effective and inclusive.

A complainant-centred approach is just the start of this procedure. The next steps are of equal importance, especially the question of sanctions. To some extent that is in the hands of political parties, and I welcome the commitment that all the parties have made to reviewing and improving their own processes. We in the Green party have committed ourselves to referring sexual harassment cases to an external body with relevant expertise. That is how we will try to ensure that there is independence and transparency.

I would like to make the case, however, that smaller parties are at something of a disadvantage in resourcing those more robust systems for training and constant evaluation, and I ask that Parliament be encouraged to look at this on the grounds that there should be some element of funding for political parties and this will be a good place to start. I made that point at the working group meetings. Previous complainants and MPs have told me that they have zero confidence in their parties dealing with cases fairly or taking appropriate action against perpetrators and that the threat of a by-election will be enough to kill off the prospect of suspension or other sanctions.

A vast amount of work must be done to overcome the years of sweeping under the carpet that have brought us to a place of such distrust and despair. No political party is perfect, and I am certain that my party will have its ongoing learning to do as confidence in procedure and a more vocal discourse on harassment rightly encourages more people to come forward. Today, I want to pay tribute to Labour and, in particular, to all the women who have shown the courage to raise this in the Labour party. The challenge for all political parties is to be brave enough to accept that no party or organisation is exempt from this, but that together we can work to challenge the culture of harassment and it can be changed if we are committed enough to doing that, and we must prioritise the voices of those coming forward over party reputation.

[Caroline Lucas]

The working group is clear, however, that many people experiencing sexual misconduct would not be protected by party policies even if those policies were the very best possible. That is why we have recommended the development of a shared and binding behaviour code that covers everyone working in Parliament, including all MPs, peers and parliamentary staff. That code, which will be developed in the coming months, is absolutely crucial. Volunteers, staff employed by political parties, contractors and officials working in Parliament will all be entitled and held to the same high standards of treatment, and it will cover behaviour in any designated place of work, or in the course of parliamentary duties or activities at home and, crucially, also abroad. The working group was not able in the timescale to reach agreement on how best to protect visitors to constituency offices, but I was reassured that the Leader of the House said earlier in the debate that that would be a priority for her.

We have had quite a bit of debate about the role of the Standards Committee, and while I appreciate that the inclusion of lay members on it improves the situation, the recommendation in the report about looking again at how it works is important. There is a risk of how this looks to people looking in from outside this place, and if it seems to them that the outcome of the complaint is in the hands of politicians who might well have a vested interest in not taking it any further, that will undermine all the good work we have done to date. There may be a perception that the system is left open to abuse by the Whips or political parties, the political string pullers and the other career makers or breakers. That flies in the face of what constitutes best practice and is utterly at odds with the stand-out principle of an independent system that underpins the working group's report. This risks perpetuating the lack of trust that is already keenly felt by the staff these new procedures are supposed to protect and risks further reputational damage for Parliament by opening us up, quite rightly, to accusations that we are dragging our feet or letting perpetrators off the hook.

We may have made huge strides in the past 100 years, but we still have a patriarchal political culture that denigrates, bullies and discriminates against women. A complaints mechanism that is fit for purpose will not radically transform things overnight, but it will make a big difference, and it will send a loud signal that we recognise the problem. That difference and that signal will, however, be fatally undermined if the independence test falls at the last hurdle and MPs are left deciding on recall and other sanctions.

I want to say a few last words about culture change. I have been heartened by the number of Members on both sides of the House who have stressed its importance. It was not formally within the remit of the working group, but I am glad that we strayed into it, because that was the right thing to do. That shows that we have an opportunity to start to dismantle the power inequalities that exercise such a damaging grip on politics and to replace them with a culture founded on dignity, equality and safety from harassment—a culture that goes further than merely sanctioning those who have not yet grasped why grabbing someone's knee without permission is a problem but that also seeks to educate.

I am sorry that we did not manage to get agreement for compulsory consent training during this Parliament, although I am glad that we have the famous kitemark by any other name—we decided not to call it a kitemark—and I think that the hon. Member for Perth and North Perthshire should be glad that we still have the idea of a naming and shaming device. None the less, that could still mean that proper, compulsory consent training does not start until 2022, and it is not right that staff and visitors to the parliamentary estate should have to wait another five years to be guaranteed safety in the workplace.

I want formally to put on record that I believe we will have failed all those who have experienced sexual misconduct and all those who experience it in the future if we do not continue the momentum that has been started in this working group to take radical steps when it comes to culture change. The immunity once enjoyed by the very powerful and influential is starting to wear off, but perhaps only because we are under a spotlight and because right now there are loud, strong voices for change. Those loud voices need to continue to be heard, and this issue must not be allowed to be kicked into the long grass.

We have heard the argument that only those who employ staff should need to undergo training, but those kinds of arguments must not be allowed to gain traction. Every peer and MP must learn about consent and about bullying. They must understand the power that they hold and the weight of their actions. That education must be ongoing, and delivered by experts in tackling misconduct and bullying. Crucially, and sadly, I believe that this training has to be accompanied by a system of financial penalties imposed on those who fail to co-operate—as has been recommended by the Public Administration and Constitutional Affairs Committee—that could include withholding pay and allowances. The systems and processes have to have teeth; otherwise, they will be rendered meaningless.

Unfortunately, serious sexual harassment and bullying are endemic in Westminster, and we have to call this out, name it and shame it at every turn. The behaviour in this Chamber is part of the problem, Madam Deputy Speaker, and I know that you and your colleagues will continue to show leadership in that respect, as well as demanding much more of colleagues.

I want to echo those hon. Members who have already talked about the importance of ongoing evaluation, review and development. We must ensure that, as we go along, we are tracking to see how effective our new procedures are. That good tracking must also include cases that are not taken forward. We need to devise mechanisms for capturing the ones that do not even come into contact with the system. I disagree profoundly with the witness whose evidence to the working group was essentially that we do not have a problem because no one has ever reported one.

I shall say a final few words about complainants who wish to remain anonymous. We have protected that right and at the same time reflected the importance of being able to build up a picture that includes those cases. For example, if one individual is accused by a number of people, that is a pattern of behaviour that can be investigated further, whether or not formal complaints are made. We must of course uphold data protection rules, but I am pleased that we have

found ways within that framework to pay attention to cases where the complainant chooses to remain anonymous.

The working group report does not go as far as I would like in some areas, but I am proud of the extent to which we have signalled a zero-tolerance approach to bullying, harassment and sexual misconduct. Making politics a world that is genuinely attractive, accessible and safe for all, irrespective of gender, race, sexuality or background, is a prize from which society as a whole can only benefit. I am reassured by the response that we have heard from both sides of the House today that this is something that we can do and that we can make a real difference.

4.58 pm

Andrea Leadsom: Today marks a positive step forward towards achieving a working environment that treats everyone with the dignity and respect they deserve when they come to work. Further work is needed, but I want to take this opportunity to thank all those who have helped us to get to this point. First, I want to thank all the members of the working group: the hon. Members for Walsall South (Valerie Vaz), for Brent Central (Dawn Butler), for Perth and North Perthshire (Pete Wishart), for East Dunbartonshire (Jo Swinson), for Brighton, Pavilion (Caroline Lucas), for Belfast South (Emma Little Pengelly) and for Dwyfor Meirionnydd (Liz Saville Roberts); my noble Friend Baroness Evans of Bowes Park and Lord Hope of Craighead; and our staff representatives, Max Freedman, Georgina Kester and Emily Cunningham. I thank them for all their commitment, dedication and perseverance over the past few months.

I should also like to thank the amazingly hard-working members of the secretariat: Nick Beech, Andrew Burrow, Christopher Clarke, Ian Hook, Justine How, Alix Langley, Helen Mott, Anna Murphy, Sophie Somervail and Kate Emms, as well as my own Leader's Office team. Their help, support and advice have been invaluable, and I sincerely thank them for their drive and determination.

I am grateful to all those who gave written or oral evidence to the group and to colleagues on both sides of the House and in the other place who have given their own thoughts and advice.

This Parliament must lead by example. It is a right, not a privilege, to be treated with dignity and respect at work. This place must set the best example of a workplace that protects and supports all those working in it, so I assure all those who have contributed and who care deeply, as I do, about changing the future for all who work here that I am 100% committed to seeing this through—no rowing back, no watering down and no delay. I hope that the House will support the motion.

Amendment agreed to.

Main Question, as amended, put and agreed to.

Resolved,

That this House endorses the recommendations of the Working Group on an Independent Complaints and Grievance Policy; and asks the House of Commons Commission to authorise House officials, reporting regularly to a steering group of Members and others in consultation with the Committee on Standards and the Parliamentary Commissioner for Standards, to undertake the work necessary to establish:

(1) a Behaviour Code for Parliament that covers bullying and harassment, and sexual harassment, and applies to all persons working for or with Parliament, or who are lawfully on the parliamentary estate;

(2) an independent complaints and grievance scheme to underpin the Code, together with associated policies, appropriate sanctions and the contractual arrangements necessary for delivering the scheme;

(3) particular procedures to deal with reports of sexual harassment, including the provision of a specialist Independent Sexual Violence Advocate;

(4) a system of training to support the Code;

(5) a human resources support service for staff employed by Members of Parliament or jointly by political parties, delivered by a third-party provider, and a handbook for these staff;

and to identify any amendments that may be necessary to Standing Orders and the Code of Conduct, for the approval of the House.

Middle Level Bill

Consideration of Bill, as amended in Committee

New Clause 1

MINIMUM DEPTH REQUIREMENT

"The Commissioners must ensure that the water in the waterways is maintained to a minimum depth of three feet across two thirds of the width of any defined navigable waterway. In the event that the said depth of water is not maintained no boater shall be required to pay any charge."—(*Sir Christopher Chope.*)

Brought up, and read the First time.

5 pm

Sir Christopher Chope (Christchurch) (Con): I beg to move, That the clause be read a Second time.

Madam Deputy Speaker (Dame Rosie Winterton): With this it will be convenient to discuss the following:

New clause 2—*Requirement to provide specified facilities at Stanground Lock and Salters Lode Lock.*

New clause 3—*Requirement to provide specified facilities in March.*

New clause 4—*Requirement to provide specified facilities and moorings.*

New clause 5—*Removal of power to charge before specified facilities and moorings provided.*

Amendments 1 to 26.

Sir Christopher Chope: The background to new clause 1 is the principle of quid pro quo, because the petitioners are concerned that new charges and obligations are being brought in without their getting anything in return. Before I expand on that, I should say that all the new clauses and amendments are grouped as one, so we are effectively discussing the Bill as a whole. I think that every part of the Bill is included in one or other of the amendments.

Kevin Foster (Torbay) (Con) *indicated assent.*

Sir Christopher Chope: I am grateful to my hon. Friend for confirming that that is the situation. It would therefore be apposite for me to make a few introductory remarks by saying that I, the petitioners and others much appreciate how the Bill's promoters have responded positively to many of the points that have been made. A series of good points are set out in the promoters' statement. My hon. Friend the Member for Solihull (Julian Knight), who was an assiduous member of the Committee, is present, and everybody agrees that it is a credit to the House that the Bill has been considered in such detail.

Several points were made on Second Reading, the commissioners responded to them, and some of those responses were reflected in amendments in Committee. When the petitioners had the chance to be heard—I think over three days—many of their points were also accepted. The stage that we are at now is the consideration of the amendments that were proposed as a result of those representations. There are questions over whether the amendments go far enough, whether they could be tweaked in some way and about what signals could be sent to the other place, which has yet to consider the Bill. When the Bill goes to the other place, I am sure that there will be petitions against it.

We will be able to see the extent to which the petitioners' arguments are accepted today, because it is obviously open to the Bill's promoters to say at any stage, "Well, I think that's a good point. We hadn't thought of that." My hon. Friend the Member for Torbay (Kevin Foster), who is sponsoring the Bill on the promoters' behalf, is a good listener, and I sure that things will go well in the future. If the Bill had never been objected to, it would have gone through as it was originally, but it is now much better. However, "much better" does not mean that it is not capable of being improved further. That is the whole purpose of putting forward these new clauses and other amendments this afternoon.

Paragraph 2.3 of the statement on behalf of the promoter, the Middle Level Commissioners, in support of the Bill makes it clear that

"the Commissioners currently do not receive any income from navigation of the waterways."

With the passage of the Bill, they will receive such income. New clause 1 is designed to ensure that the quid pro quo is that if the waterway is not navigable, those charges should not apply. The petitioners believe that under case law in the case of *Brett v. Beale* and others, the commissioners must provide something beyond what is already provided in return for making additional charges. I am sure that my hon. Friend the Member for Torbay will accept that that is a reasonable proposition.

The March Cruising Club is of the opinion that if boaters can be charged to use the system for navigation, it is essential that boater facilities are maintained and that an adequate depth of water is introduced as a minimum standard. Where that does not apply, any requirement to pay charges should be waived.

Sir Henry Bellingham (North West Norfolk) (Con): My hon. Friend will be aware that the Bill affects my constituency. Without the Middle Level Commissioners, we would not have many homes protected and many thousands of hectares of farmland would not be kept productive. Does he agree that the key point is that if navigation, locks and waterways are funded through this charge, there will be more money for flood defences, which are a key priority in this part of East Anglia? Does he agree that the principle of the Bill is fit for purpose? Now that he is involved with his various amendments, the Bill may well become better, but surely the principle is very strong.

Sir Christopher Chope: I think the principle is that if the farmers—I know my hon. Friend has a significant interest in farming—are going to benefit from land drainage schemes, and this is essentially one mega land drainage scheme, I do not see why they should not have to pay for the benefit that they get from the scheme. That is what this is all about.

I am told—I do not hold myself up as an expert on anything, but certainly not on this—that if there was no longer any land drainage, the navigation would be much wider, more effective and deeper. In a sense, the land drainage enables the farmers to make their profits off the land and is of direct benefit to them, whereas the navigation would be there even if there was no land drainage. I do not know whether my hon. Friend accepts that that is a true analysis—perhaps he is a better student of geography than I—but that is what I am told.

When the commissioners were first given their role, it was on the basis that they would recover charges from the landowners, rather than from the users of the navigation. If charges are to be introduced for the use of the navigation, the argument is that those charges should be used to keep the navigation open and usable by those who are being charged for using it. That seems to me a perfectly equitable principle on which to proceed. That is the background to the first new clause.

Philip Davies (Shipley) (Con): I apologise to my hon. Friend for missing his opening oration. Can he tell me how many times this water is not maintained to this depth? Are we dealing with a solution looking for a problem or is this a genuine problem?

Sir Christopher Chope: I am not briefed to have an answer to that. All I can do is make the general comment that this has been raised by the March Cruising Club, which I imagine would not be concerned about it if it was not a problem. The March Cruising Club believes it is important to have this adequate depth of water set out to make sure the navigation is available.

That brings me on to new clause 2, which would require the provision of specified facilities at Stanground Lock and Salters Lode Lock. It states:

“The commissioners must, within twelve months of the day on which the Act comes into force, provide facilities at Stanground Lock and Salters Lode Lock including a lavatory, a fresh water point, bins for the disposal of refuse”

and so on. It also states that they should provide

“a minimum of ten moorings, each available for up to seven days at any one time and capable of accommodating a boat of up to fifty feet in length.”

Again this is a quid pro quo: if the commissioners want to make money out of the navigation and the vessels using it, it would be sensible for them to make sure there are proper facilities for those vessels, which will be paying significantly for the privilege of using the navigation.

A similar point is raised in new clause 3 by the March Cruising Club. This clause states:

“The Commissioners must, within twelve months of the day on which this Act comes into force, provide facilities within the town of March including a lavatory, a coin operated water shower”

and so on. I understand that the commissioners have more or less guaranteed that that is what they are going to do, but the petitioners understandably want to ensure that those undertakings and expressions of good intention are properly reflected in the legislation, rather than just being left as a matter of good will.

Sir Henry Bellingham: Surely there are few precedents for putting in the Bill specific infrastructure service provisions such as these. Doing so would cheapen the Bill in some ways and would make the point publicly that there was not this confidence between the Middle Level Commissioners and the different boating interests. What those boating interests want above all else is good navigable waters that are well maintained and at the right depth and with locks that work so that they can enjoy their boats at different times. If there is a surplus of revenue, and the relationship between the commissioners and the boating interests is positive and proactive, these other facilities can be looked at in the future. I urge my hon. Friend to consider that putting this in the Bill is not a good idea.

Sir Christopher Chope: I am glad my hon. Friend agrees that the provision of these facilities is a good idea, but I cannot understand why he thinks requiring them to be provided in the Bill is not a good idea.

Sir Henry Bellingham: There is no need.

Sir Christopher Chope: Ultimately, it is an issue of trust as to whether or not the undertakings given will be honoured. We have precedents from other private Bills in this House—for example, the north London cemetery Bill—where the promoters have written to the Chairman of Ways and Means giving an undertaking, which was then put in the public domain. That may be another way of resolving this problem. From what my hon. Friend is saying, it seems that everyone is agreed that these facilities are necessary and desirable, and should be provided.

New clause 4 says that the

“Commissioners must within twelve months of the day on which this Act comes into force enable access to the facilities and moorings specified under this Act to be by a boater key system paid for by boaters for a nominal fee and operated by the Commissioners.”

That is not an unreasonable suggestion. It is a commonplace practice in the boating industry.

5.15 pm

The most important new clause is new clause 5, which would make provision such that no boater

“shall be required to pay any charges under the provisions of this Act until the facilities and moorings specified in the Act are maintained in good repair and working order.”

The question is whether users should be required to pay before they have the facilities, or only once they are in place. That is important.

Philip Davies: I particularly support new clause 5 and struggle to find a reason why anyone could not, because it seems to be only fair and proper. Has my hon. Friend had any discussions with the Bill's sponsor or the people behind it to find out whether they think it is a common-sense clause that they would accept or, if not, what logical reason they have for not accepting it?

Sir Christopher Chope: We have not yet reached that stage. That might be my fault, because I have not sat down with the Bill's promoters to discuss these issues in detail. I understand that there was quite a lot of discussion of such issues in Committee. For the reasons that I have set out, the petitioners are still unhappy and feel that there should be a new clause to incorporate this provision.

Kevin Foster: I am finding my hon. Friend's speech of some interest. He might be interested to know that clause 4 was amended in Committee to make it clear that revenue from navigation would be spent only for navigation purposes. That was done specifically in response to the petitioners' concerns, to ensure that they could be confident that, although they are currently getting something for nothing, they will get something for what they pay—the navigation fees will go on navigation facilities and costs.

Sir Christopher Chope: I am grateful to my hon. Friend for his intervention. We will come to clause 4 and the amendments to it later. I shall say nothing other than that the petitioners and I were pleased that clause 4

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was introduced in Committee in response to the concerns that were expressed. As I mentioned at the outset, just because it was introduced at that stage, that does not mean that it is perfect, which is why we are dealing with these new clauses and the amendments to clause 4, to which I shall come in due course and in order, because it is much easier for people to follow proceedings if people start at the beginning and go through clause by clause.

Philip Davies: Does my hon. Friend agree that if new clause 5 is not accepted, that would effectively mean that people think it would be fine for the charges to be made but the facilities not to be in good repair and working order? That would clearly be intolerable—*[Interruption.]*

Sir Christopher Chope: I hear my hon. Friend the Member for Torbay, who speaks on behalf of the promoters, saying from a sedentary position that my hon. Friend the Member for Shipley (Philip Davies) is wrong about that. Let us wait until we discuss clause 4, which was introduced in Committee, to see whether we can tease out a little more information on all the implications.

Amendment 1 basically says that the time given between the Bill obtaining Royal Assent and being implemented is unreasonably short. The period is currently specified as only 28 days; it seems to me that it would be reasonable for it to come into force six months after the day on which it was passed. I would not say that it is the most important of the amendments, but it would be interesting to hear why the promoters do not think that that is a reasonable position to have. We know that, under the provisions of this Bill, some byelaws will have to be drawn up. That does not mean that work on the byelaws cannot start in advance of the Bill being passed into law—a period of six months will then need to be left for the Bill to be implemented—bearing in mind the fact that we are dealing with a lot of lay people who will probably need quite a lot of notice of the changes that will have to be made under the provisions of this Bill.

Amendment 2 is, in a sense, a drafting amendment. As we get a definition of “polluting matter” under clause 2, it seems much easier to keep it as an objective test. I have no quarrel with defining polluting matter as “sewage or any other injurious matter, whether solid or liquid”.

We will not let our imaginations run riot on that. What I find more difficult is what is meant by the word “offensive”. What is added by including that word? Essentially, what is offensive to one person may not be offensive to another, and it is a subjective test. I would be interested to know from my hon. Friend the Member for Torbay what that subjective test adds in that particular part of the clause on polluting matter.

Let me turn to amendment 3. I am going through these amendments quite quickly, because there is no need to spend a lot of time on amendments to which there should be a short and succinct answer, saying, “Yes, I agree with my hon. Friend, these are good amendments and we will be happy to incorporate them in the Bill.”

Amendment 3 is more of a probing amendment. We are in the new age of electricity, and the definition of power-driven vessel here includes

“any vessel propelled by a detachable outboard engine”

but it does not include a sailing boat, a rowing boat or a canoe—fine. However, now that we have a new generation of electric motors, why do we not introduce in a Bill such as this an incentive for people to use electric power on these waterways? Obviously, electric power is much less polluting and better for the atmosphere. If it is as quiet as many of these new cars seem to be, it will hardly disturb anybody, as the boat, powered by an electric motor, glides down the route of the navigation. I am interested in hearing the thoughts of my hon. Friend on that.

Indeed, in recognising the Minister for Agriculture, Fisheries and Food on the Front Bench, who has come along to help us in our deliberations, I could perhaps say that this is an issue for the Government. Perhaps the Government might be interested in thinking about introducing some sort of incentive for the use of electric motors rather than outboards. I know that a lot of my constituents would be very happy if there were more electric-driven vessels rather than power-driven vessels. This could open up a much larger issue, but why not start raising it now on the first occasion today?

That takes me on to amendment 4, which is about the “use”. Are we talking about the use of vessels? The Bill says:

“‘use’ in relation to any vessel on a waterway, includes launching the vessel onto the waterway, keeping or mooring it on the waterway”.

I have no quarrel with the rest of it, which is

“navigating it on the waterway, and letting it for hire on the waterway”.

There seems to be a lot of concern about what happens when people have a vessel that is kept at the side of the waterway or even in a marina, or is used as a houseboat. Are we really saying that that amounts to using the vessel on a waterway? Under this definition, it would amount to using the vessel on a waterway and that does not really seem to be common sense. Surely using a vessel on the waterway means actually using it—navigating it and letting it for hire on the waterway—but it does not include keeping or mooring it on the waterway.

Amendment 5 is a more extensive version of a similar concern that has been raised by a number of the petitioners. They say that the amended definition of waterways, compared with the definition before the Bill was in Committee, is a

“move in the right direction”,

but that

“it still serves to extend the jurisdiction and control of the Commissioners into privately owned property (such as marinas), which will usurp the rights of property owners to decide who and which boats can use the water over their land.”

The petitioners feel that this is an

“unwarranted interference with the rights of private citizens”,

and that, at the very least, there should be a provision for boat owners whose vessels remain permanently in the marina to make an off-the-water declaration—a sort of waterways statutory off road notification—so that they are no longer liable for the charges. In fact, that is a very good analogy. If individuals do not use their motor vehicle on the road, they do not have to pay road tax, so if people are not using their houseboat on the water, why should they have to pay these charges?

That issue could be resolved by having a narrower definition of waterway, which is what amendment 5 would do.

Lines 11 to 18 of clause 2 say that

“‘the waterways’ means the waterways in respect of which the Commissioners are the navigation authority...including...the waterways set out in...Schedule 1”—

what we would all understand as the waterways—

“water control structures...or...the banks of, those waterways; and...any watercourse in the Middle Level”,

which is obviously what this Bill is about. However, I do not see why that should include a lake, pit, pond, marina or substantially enclosed water adjacent to those waterways and from which any vessel may be navigated, whether through a lock or into the waterways themselves. If a vessel is navigated into the waterway, it is in the waterway and is liable under the provisions of this Bill. But if it is not navigated in there, it does not seem relevant to say that it could be navigated. One way of reducing the scope of the definition of “waterway”, about which the petitioners remain concerned, would be to support amendment 5.

I turn to amendment 6 to clause 3—a clause that was introduced as a result of the work done in Committee. The clause establishes a navigation advisory committee, and the petitioners are very pleased about that, but they also think that it needs further definition. That is not a criticism of the people who tabled the amendment. However, given the way that we deal with legislation in our two Houses, sometimes an amendment can be improved when further considered.

5.30 pm

The petitioners are concerned that the duty on the commissioners, although it is a good idea, gives the commissioners too much discretion over, for example, the constitution of the proposed navigation advisory committee. They think that that element needs further consideration and clarification, both as to the criteria of election and the effectiveness of the committee’s advice. The fact that the committee is to consist of

“persons appointed by the Commissioners who appear to the Commissioners to be...representative”

puts full control over the membership of the committee firmly within the commissioners’ discretion.

Amendment 6 deals with that point by changing clause 3(2) so that instead of saying

“the Committee is to consist of persons appointed by the Commissioners who appear to the Commissioners to be (taken together) representative”,

it would say, “who are representative”. What can be the problem with that? It is straightforward English. Why should we not have a committee consisting of persons appointed by the commissioners who “are” representative of

“recreational motor-boating interests in the waterways...the interests of individuals who use vessels”,

who have “other navigation interests” and so on? Why use such a circumlocutory expression when plain English would suffice?

Kevin Foster: I thank my hon. Friend for the points that he is making. However, does he agree that the slight danger with this amendment is that it would say that the

persons are representative of all the interests, when the whole point of a representative committee would be to have people who represent different interests, just as we in this House all represent different constituencies even though we have the same duty as Members?

Sir Christopher Chope: My hon. Friend makes a brilliant point, but it is nothing to do with this. It is not a question of what the persons are representative of, because that is spelled out, but a question of whether they are representative of the groups listed or appear to the commissioners to be representative of them. It should be quite easy to establish whether somebody is representative of these interests rather than appearing to the commissioners to be representative of them.

David Linden (Glasgow East) (SNP): On a point of order, Mr Deputy Speaker. I had intended to make this point of order when the hon. Gentleman stopped speaking, but I feel that he might be in the middle of a “Stackhouse filibuster”. Earlier today, Toys“R”Us announced that the company has gone into administration. That has ramifications for the store in Parkhead in my constituency. I have spent the majority of today trying to get in touch with the administrators of Toys“R”Us, with no success. Have you been given advance notice of any ministerial statement tomorrow? How can Members of Parliament do their job if they cannot get in touch with the company to seek security for the staff who work for it?

Mr Deputy Speaker (Sir Lindsay Hoyle): Normally I would not take a point of order at this stage, but as Sir Christopher has only just cleared his throat in making his speech, I recognise that it would be frustrating for the hon. Gentleman not to get in. The matter is on the record now. I have been given no notice of a ministerial statement about the serious issue at Toys“R”Us. I do recognise that you are representing your constituents. I hope that the message has gone out loud and clear that Toys“R”Us should be linking up with the Member of Parliament to ensure that you can represent the rights of the workers there.

Sir Christopher Chope: Unfortunately my children and I are so old that they do not benefit from visits to Toys“R”Us, but it is very sad when any long-established business goes into administration.

Philip Davies: With regard to whether people are representative or appear to be so to the commissioners, perhaps the commissioners might fear that there could be some kind of legal action on the basis of whether and how someone could be determined to be representative—that somebody might say, “Well, I don’t think these people are representative of X, Y and Z”—and so a qualification was put in to help to get them out of a potentially sticky situation. Does my hon. Friend think that that is why the amendment was worded as it was?

Sir Christopher Chope: If I may say so, that is a more plausible explanation than the one being put forward by my hon. Friend the Member for Torbay, but I think we have said enough about that. We will hear what he thinks when he responds to the debate.

I turn to amendments 6, 7 and 8 to clause 3. The petitioners are concerned that the requirement that the commissioners must take the committee’s views into

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consideration has limited use, because the commissioners could say that they have taken those views into consideration but found them to be of no value. The only remedy for any such failure to take the committee's views properly into account would then be judicial review, which is strictly time-limited, expensive and hugely unreliable, with historical bias, they think, in favour of authorities. I do not know about that, but certainly they are right in saying that judicial review is a long-winded and potentially expensive way of seeking redress.

In the light of those concerns, I have tabled amendment 7 to clause 3(6), which would mean that instead of the commissioners being required to "take into consideration" any matter, they must "give full" consideration. There is a difference between taking into consideration and giving consideration. If the commissioners gave full consideration to any matter, that would be useful.

To reinforce that point, amendment 8 would add a sentence to the end of subsection (6), which would then say that the commissioners give full consideration to any matter, recommendation or representation which may from time to time be referred or made to them by the committee

"and in the event of not accepting such a recommendation or representation give full reasons for that decision."

That would provide the sort of protection that the petitioners seek and would strengthen clause 3 and make it an even more effective addition to the Bill.

Amendment 9 to clause 4 would leave out subsection (2). It is in essence a probing amendment, to draw attention to the whole issue of charges and constraints upon the way in which charges can be made, which, as has been said, is a useful amendment to the Bill. I am suggesting that it could be linked more specifically with each of the different uses for which charges will be recoverable.

Amendment 10 would mean that in exercising the power under clause 4(1)(a), rather than the whole of subsection (1),

"the Commissioners must aim to secure that, taking one financial year with another, the income from charges under that subsection does not exceed the annualised costs incurred by the Commissioners in exercising their functions in respect of navigation under the navigation Acts."

It seems that that relates to the use of any waterway by any vessel. Those would be the charges for the use of the waterway, and they would link in directly with the functions in respect of navigation under the navigation Acts.

I am much more dubious about linking in the reasonable charges for the provision of services and facilities in respect of the waterways and their banks, because they are not separated out from the more general, nor is the requirement for registration of any vessel under navigation byelaws. Those charges should be separately identified and accounted for, and they should undergo this test: taking one financial year with another, the charges under those subsections should not exceed the annualised costs. This is a refinement of clause 4, and I think that it would improve the clause significantly.

Amendment 11 also deals with the annualised issue. The effect of amendment 12 would be as follows:

"The Commissioners may revise, waive or remove any charge fixed under subsection (1)(a), and different charges may be fixed for different cases or classes of case."

The amendment would extend the commissioners' discretion, while making sure that it was specific to the different categories of activity for which they can recover charges.

Amendment 13, which is a probing amendment, would leave out subsection (4). I hope that we will hear further explanation of why the commissioners want to

"make the use of the services and facilities referred in subsection (1)(b) subject to such terms and conditions as the Commissioners may specify in writing."

The most radical amendment that I have tabled to clause 4 is amendment 14, which I hope will find favour with Members from across the House. The amendment would add, at the end of the clause:

"No charge shall be payable in respect of the use of a waterway by a vessel being used by a person who is registered disabled".

I raise that because there is quite an issue about disability, the use of waterways and the use of powers similar to those sought by the promoters of the Bill. Such powers have been abused on occasions, and disabled people have been severely pilloried and discriminated against. Why should it not be possible to exempt disabled people from these charges?

I have been sent a press cutting dated April 2015 from Wiltshire, where a disabled boat owner who lived on the Kennet and Avon canal faced costs of up to £76,000 as a result of action that was taken against him by the Canal and River Trust. The individual was living on incapacity benefit and disability living allowance. Instead of allowing him to repair his boat over a period of time, the trust strictly imposed the conditions of his licence and required him to vacate his boat, which was also his home. Insult was added to injury by the fact that he was denied legal aid, and he was instead represented by the legal officer of the National Bargee Travellers Association.

Mr Deputy Speaker (Sir Lindsay Hoyle): Order. Sir Christopher, I am just waiting to see how this links in with the Bill.

Sir Christopher Chope: It links in with my amendment 14, Mr Deputy Speaker, because amendment 14 would exempt—

Mr Deputy Speaker: Order. I am more bothered that this is about the Avon canal and that particular individual, who is not actually on the Middle Level or affected by it. I understand you making a reference, but not in detail.

5.45 pm

Sir Christopher Chope: I accept that we do not want to go into any more detail than I have already, but the analogy is that the powers that are being sought in the Bill by the Middle Level Commissioners are almost identical to the powers that have already been obtained by other organisations, such as the Canal and River Trust, which operates on the Kennet and Avon canal.

Sir Henry Bellingham: Is there any serious demand from disabled people in the boat-owning community in East Anglia for this exemption? I have a number of disabled constituents who are boat owners, and as I pointed out on Second Reading in the last Parliament, many boat owners from my constituency will motor

upstream into the different parts of the Middle Level. I have not come across any demand from disabled people; this is not like the blue badge scheme. We have great respect for those in the disabled community, but is my hon. Friend really saying that there is a desire to give them an exemption from these charges? Would that not just make the scheme that much more bureaucratic? Also, most disabled people are very proud, so do they really want this exemption?

Sir Christopher Chope: Obviously, they would get the exemption only if they applied for it. Disabled people are proud, and I have a lot of disabled residents among my constituents, but that does not mean that, for example, they do not cherish the ability to park their cars using a discretionary parking permit.

In direct answer to my hon. Friend's intervention, I had not received any representations from disabled constituents of his before making this speech; if I had, I would have referred them to him. However, what I can say is that the Canal and River Trust, which was dealing with this issue in Wiltshire, has now accepted in principle that disabled boaters should not have enforcement action taken against them in the same way as able-bodied boaters, but it has not yet been very keen to communicate that policy to disabled people there.

All I can say is that, given how the powers have been used on inland waterways in other parts of the country, there is potentially an issue, and by putting forward amendment 14, I have at least ensured that it is discussed. As we know, there is even more interest in the other place in promoting the cause of disabled people than there is in this House. It may well be that, when the Bill gets to the other place, Members there will wish to pursue the content of amendment 14 if it is not accepted by the sponsor today.

Amendments 15 and 16 are designed to leave out clauses 5 and 7. I tabled them to enable us to have a debate on the content of those clauses, should that be thought desirable. However, having regard to the time, the best thing to do is probably not to speak to those amendments but to go on to one or two of the later amendments.

Philip Davies: That's a shame.

Sir Christopher Chope: My hon. Friend says that that is a shame—

Sir Henry Bellingham: It is not a shame at all.

Sir Christopher Chope: Well, it is one each on that one.

Mr Peter Bone (Wellingborough) (Con): My hon. Friend is making a very informative speech. He will recognise that other Members are affected, other than just those from the fens, because the River Nene—or “Nen”, depending on which part of my constituency someone is from—flows into the Middle Level. So this issue is wider than just a local area.

Mr Deputy Speaker: This is the Middle Level Bill!

Sir Christopher Chope: It is very important that my hon. Friend has been able to put his interest in this subject matter on the record.

Amendment 17 relates to clause 9, which addresses stranded, grounded and sunken vessels and vehicles. The amendment would remove the subsection 3, which states:

“Whenever any vessel is, without lawful authority, left or moored in any waterway the Commissioners may after serving not less than 28 days' notice on the owner of the vessel, unless it is not practicable after reasonable inquiry to ascertain the name and address of the owner, raise and remove the vessel.”

As set out in the rest of clause 9, it is perfectly reasonable for a vessel that is stranded or abandoned in a waterway and is interfering with navigation to be removed quickly. However, when one takes into account the very wide definition of “waterway”, the inclusion of subsection 3 is potentially oppressive. It could mean that the commissioners could, for example, go into a marina and raise and remove a vessel at considerable cost after no more than 28 days' notice. The amendment would therefore remove that power from the Bill.

Clause 11 relates to the requirements for registration and incorporates a very important amendment promoted by the March Cruising Club and others on the charges and the amount by which they could be increased in any one year. It introduces a requirement that such charges should not increase above the rate of inflation as defined by the consumer prices index. Many boaters—some may be represented by my hon. Friends here this evening—are not very well-off in financial terms and need to be able to plan their budgets ahead. When they work out the costs of having a vessel on the waterway, they need to have the certainty that the charges levied cannot be increased by more than the rate of the CPI each year. By analogy, the Government have said that council tax should not increase by more than the CPI. They have made some exceptions to that recently, but the general proposition is that they cannot be increased by more than the CPI.

Mr Bone: On that point, is my hon. Friend not concerned that the Bill does not state what the initial fee will be? It just says “a reasonable application fee”. Would he not prefer the Bill to state what that fee should be?

Sir Christopher Chope: Much as I would like to agree with my hon. Friend, there has to be some discretion, because the fees need to relate to the powers and duties that will be carried out and funded by them. One of the clauses that we looked at earlier specified that the money for the fees had to be spent on various things, particularly, for example, on navigation.

Mr Deputy Speaker (Sir Lindsay Hoyle): Can I just help a little? In fairness to Mr Bone, he was not here, but you do not need to explain what we have already discussed and we do not need to go back over it. I know that you were not attempting to do so—come on, Sir Christopher!

Sir Christopher Chope: Okay, amendment 26 is to clause 15, line 38. The clause, on the protocol of removal of vessels, states:

“The Commissioners must, in consultation with the Navigation Advisory Committee, prepare, publish and maintain a protocol on the use of powers under or by virtue of this Act to remove vessels.”

My amendment proposes to change “in consultation with” to “in conjunction with”, because it seems to me that the Navigation Advisory Committee should work

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jointly with the commissioners rather than just in consultation with them on this important matter. Again, amendment 25 tries to reduce the powers conferred upon the commissioners under clause 14(4) and how they can be exercised.

As I said at the beginning, this is a much improved Bill, compared with how it was. It has now reached the stage where, because all the amendments have been grouped together, it would not be sensible to test the will of the House on each one—I am glad that you agree with me on that proposition, Mr Deputy Speaker. However, the Bill's promoters are worried about whether the fact that we are discussing these things in the House today means that they cannot be discussed further when the Bill gets to the other place. My understanding is that when it goes to the other place, there is a fresh opportunity for people to put in petitions, in which they can include whatever they wish to, and I am sure that the other place will build upon the discussions that we are having this evening and have had prior to it, so that eventually, the Bill will be even better than it is now.

Holly Lynch (Halifax) (Lab): I am pleased to respond on the Opposition's behalf to this opposed private business. Although it might not be the most conventional way to introduce legislative change, and I have heard the detailed reservations of the hon. Member for Christchurch (Sir Christopher Chope), we are none the less satisfied that the Bill makes sense, and our intention is to support the Bill as it stands. Although the Bill is fairly narrow in scope, we acknowledge that it has important consequences for those who will be affected. We are satisfied that due scrutiny has taken place in Committee and is taking place at consideration stage this afternoon.

The Middle Level of the fens was first drained in the 17th century to reclaim an area of farmland in Cambridgeshire and west Norfolk. The Middle Level Commissioners are the navigation authority for the waterways, established through a series of local Acts passed between 1663 and 1874, so we appreciate that the legislative framework underpinning the role of the commissioners is in need of an update. This is not least because almost all the fenland within the Middle Level waterways is below sea level, and if it was not for a complex system of flood mitigation and drainage schemes managed by the commissioners, the waterways could pose a significant risk to the estimated 100,000 people who live and work in the area.

In the simplest terms, the Bill will introduce a registration scheme for vessels in the Middle Level and allow the commissioners to bring in revenue from boat owners that will be used to improve the waterways. The Environment Agency, the Canal and River Trust and the Broads Authority all have similar powers in respect of their own navigations, so in many ways, the Bill is long overdue in bringing the Middle Level into line with its neighbours. Additional income for the commissioners could make a real difference to the fenlands and waterways, and although I appreciate the desire of local boat users for improved facilities on the waterways, as we have heard, the Bill will allow the commissioners to raise revenue to deliver this.

6 pm

The chief executive of Middle Level Commissioners, Iain Smith, has said that about 1,500 vessels use their locks every year and that about 100 boats are “hiding” unlicensed on the waterways. He believes it is the largest stretch of water in the country that boaters do not have to pay to use. I acknowledge that the National Association of Boat Owners has expressed concerns that there should be statutory provision for a minimum level of facilities and visitor moorings in the Bill and that the Bill could be a

“money gathering exercise for the Commissioners”.

As outlined by the hon. Member for Torbay (Kevin Foster), however, provisions in the Bill—in clause 4, if I am not mistaken—prevent the commissioners from raising more in navigation revenue than they spend on navigation. I hope that this will reassure boat owners that the Bill is not simply a matter of “money gathering” and that the appropriate safeguards are in place.

On Second Reading, the hon. Member for Torbay also noted that the Inland Waterways Association, the East Anglian Waterways Association, the Association of Nene River Clubs, the Middle Level Watermen's Club, the Residential Boat Owners' Association, the Association of Waterways Cruising Clubs and five local councils were in support of the Bill, and I understand that they remain in support. I have heard the detailed reservations of the hon. Member for Christchurch and the interventions of other hon. Members.

Philip Davies: Does the hon. Lady have any sympathy with any of my hon. Friend's amendments, particularly the one about no charge

“being payable in respect of the use of the waterway by a vessel being used by a person who is registered disabled”?

Is that not something the Labour party would welcome?

Holly Lynch: I understand the hon. Gentleman's point, which is a valid one, and of course we want to improve accessibility so that everyone can enjoy our waterways. It is certainly something we would consider further in later discussions on the Bill, but it is not something we would vote for later today.

Taking everything into account, we are satisfied that the Bill is sensible in updating the legal framework setting out the role of the Middle Level Commissioners and bringing them into line with what is now standard practice across comparable waterways. Despite its unusual journey through Westminster, we have no problem supporting it this afternoon.

Kevin Foster: It is a pleasure to get another opportunity to speak on the Bill. Given that it has already had its Second Reading, I will focus my remarks on today's amendments and the changes made in Committee.

As the hon. Member for Halifax (Holly Lynch) just mentioned, a number of positive changes were made to the Bill in response to the petitioners' concerns, and I was grateful to hear my hon. Friend the Member for Christchurch (Sir Christopher Chope) say that changes had been made and that people had listened. It is appropriate, however, that I say briefly why I do not think it would be appropriate for the amendments and new clauses to be accepted.

New clause 1 would set a minimum navigation depth actually lower than the one in current legislation. New clauses 2 to 5 refer to specific facilities that could be provided. As suggested in an intervention, it does not seem logical to specify in statute things such as coin-operated water showers. Were that to sit in primary legislation, it would run the danger of the Bill becoming completely outdated. It also makes sense for users, via the mechanisms proposed in the Bill, to be able to discuss what are appropriate facilities. The inclusion of some of these items might also render particular powers ineffective where planning permission is refused. I therefore urge the House to reject all the new clauses.

Philip Davies: I take my hon. Friend's point about the specific items, but new clause 5 does not mention anything specific; it just maintains that something should be in "good repair and working order". If that new clause is not accepted, what would the appropriate remedy be for boaters to ensure they did not pay for something they cannot use?

Kevin Foster: Clause 4, as amended, means that incomes can only be used for navigation purposes. Ultimately, this becomes a chicken-and-egg situation: money will have to be raised if the commissioners are to provide the type of facilities people want on the Middle Level in consultation with navigation users. The alternative is to ask those who are paying for drainage to pay for those facilities to be provided initially via their council tax bills, which seems neither fair nor equitable. This cannot be a money-raising exercise. The purpose of any moneys raised by navigation must be absolutely clear. People are already paying for drainage via council tax and a levy.

Fiona Onasanya (Peterborough) (Lab): Would the historical public right of navigation and extending the powers to privately owned waters and marinas give the Middle Level Commissioners complete control and enable them to charge boats licence fees?

Kevin Foster: An amendment was made in Committee making it clear that the powers would not be extended to someone who owns the waterways and the frontage of a property. The promoters have confirmed that the owners of the marinas wish to be included in the powers of the commission. There is no specific definition. We are not talking about a lock or a quay; we are talking about an open waterway. The aim is to manage it as a whole system, with registration applying throughout, and without different safety standards or insurance requirements. That should benefit the hon. Lady's constituents.

Amendment 1 would extend the time between the passing of the Act and the date on which it would come into effect. A 12-month transition period applies to many of the provisions relating to construction and use, but it does not make sense to delay all the provisions—such as the commissioners' new duty to have regard to the interests of boat dwellers—to that extent.

Let me now deal with amendment 2. My hon. Friend the Member for Christchurch asked where the words "any other offensive" had come from. The wording is actually similar to the requirements under the Environment Agency's powers to control discharges into water for works purposes under section 163 of the Water Resources Act 1991. It is a well-established definition, and I hope that that will reassure my hon. Friend.

My hon. Friend said that amendment 3 was a probing amendment. Adding a reference to electric vehicles to a provision that also includes vehicles under sail does not take into account the direction in which technology could well move. Electric motors are becoming much more powerful, certainly far more powerful than a sail vessel. However, as I have said, my hon. Friend did say that this was a probing amendment.

The promoters would find amendment 4 unacceptable, because it would potentially remove the need for a static vessel to meet construction and safety standards or insurance requirements. I think that, given the issues that we have been debating over the past year, few of us would consider it sensible for those requirements not to apply to houseboats.

Amendment 5 would extend the commissioners' powers in quite an odd way, and could require them to dig out virtually every watercourse in the area that is not a navigable course. It suggests the idea of a sort of waterway statutory off-road notice. This has already been taken care of by a change that was made in relation to boats that people own that are on their own property and used only by them. Parking a boat in a marina, for example, would be the equivalent of parking it in a public car park.

I made a point about amendment 6 in an earlier intervention. As was pointed out by my hon. Friend the Member for Shipley (Philip Davies), replacing the words "appear to the Commissioners to be (taken together)"

with the word "are" could allow a challenge over who had been appointed if someone felt that an appointee did not represent them. I do not feel that that would be an appropriate or helpful addition to the Bill. Such a challenge to the advisory committee could potentially frustrate its establishment.

I oppose amendments 9, 16 and 22 because the point of introducing a practical power is to provide for a simple registration plate that can be enforced. Getting into an argument about whether a boat has been used or not seems neither sensible nor appropriate, particularly if we are talking about looking to have basic construction and safety standards and insurance standards. In exactly the same way as if we park a car on a public road, it does not matter whether we are driving it or not as it still needs to be roadworthy and have paid vehicle tax. There are therefore similar precedents in other areas of legislation, so again I suggest that these amendments are both unwelcome and unnecessary.

As for amendments 10 and 11, the Bill makes it clear how the income from navigation will be used to fund benefits for navigation so, again, neither of them is necessary. On amendments 12 and 13, it does not seem unreasonable to allow commissioners to set conditions on the use of facilities such as, for example, cleaning showers and not abusing waste facilities. Indeed, it could undermine the purposes of providing those facilities if they were not able to provide a basic regulation system for how they were used, which is common in many other environments.

On amendment 14, I appreciate the passion of my hon. Friend the Member for Christchurch for ensuring that disabled people have a strong voice in this Chamber, along with my hon. Friend the Member for Shipley, who is a passionate advocate of equalities, hence his membership of the Women and Equalities Committee.

[Kevin Foster]

However, this amendment is flawed as it refers to a register of disabled persons when that register was abolished by the Disability Discrimination Act 1995, so again I suggest it would not be sensible to bring that in.

Philip Davies: I appreciate my hon. Friend's ability to find a technical reason why he should not accept the amendment, but does he accept the principle behind it?

Kevin Foster: We are on Report, whose purpose is to look at the technical detail of the Bill and satisfy ourselves it would be appropriate. In terms of whether I support the principle, my council does not offer a parking fee concession for those who hold a blue badge, only the ability to use reserved spaces that are very close. Again, that principle is established in many areas, so I do not think the principle of this is one to take forward. This is not about someone needing an extra facility because they are disabled; this is about a boat and navigation and whether people pay the same charge as everyone else and are effectively treated exactly the same.

On amendments 15 and 16, it does not make any sense to remove the ability to promote reciprocal arrangements, and it could end up costing boat owners more if they have to have separate licences and registration and different standards, so I urge the House to reject these amendments. On amendments 17, 18, 19 and 20, a protocol will be put in place, so I do not accept the suggestion that the existing powers would be oppressive. A houseboat would only be removed in the last resort and where it was proportionate to do so.

On amendment 23, it makes little sense to apply this cap only to the application fee; it does not apply it to the registration fee. This could produce perverse effects in the long run, and I again suggest it should be rejected.

My view and that of the promoters is that amendment 26 this would cause confusion: if things are done in "conjunction" with, rather than through "consultation", and someone wishes to take legal action, whom do they take it against? They could end up taking it against members of the navigation advisory committee which actually just got involved to represent people, so this could act as a deterrent for anyone wanting to be involved.

There are many good reasons for this Bill to be passed. It has been examined in great depth in the Opposed Bill Committee and on the Floor of the House. I thank my hon. Friend the Member for Christchurch for his great interest and the scrutiny he has given this Bill, but I urge the House to reject all the new clauses and amendments, if necessary.

Dr David Drew (Stroud) (Lab/Co-op): I am pleased to be able to make this short speech in support of the Bill, unamended as it is. I congratulate the hon. Member for Torbay (Kevin Foster) and those who sat on the Committee. They seem to have done a great deal of clever and thoughtful work. I know very little about the Middle Level Bill, but I do know a lot about the Gloucester and Sharpness canal, where we had similar issues relating to the need to update and to who should be able to moor and therefore be charged for facilities. That was resolved, although not without difficulty,

because there was some opposition. Eventually, however, people saw sense on issues such as shutting the canal on certain days when there is limited need to use it, to allow people easier passage over its many bridges. It is right and proper that such arrangements should be revisited from time to time, to ensure that our canal system and the waterway system in general are fit for purpose. I should like to add my congratulations on the work that has been done, and I hope that the Bill will pass without amendment.

6.15 pm

Julian Knight (Solihull) (Con): I had the pleasure of chairing the Opposed Private Bill Committee, which took evidence on this legislation. I and four parliamentary colleagues—two from this side of the House and two from the Opposition—have considered the objections raised by the petitioners in great detail, and the undertakings made in response. I should like to thank my hon. Friend the Member for Christchurch (Sir Christopher Chope) for his kind comments about the conduct of the Committee, and about its work. I believe that the Bill strikes the right balance between the clear need to upgrade the levels and the legitimate concerns of those who use them, and as a result I am happy to recommend the new Middle Level Bill to the House.

Fiona Onasanya (Peterborough) (Lab) *rose*—

Julian Knight: I will give way to the hon. Lady, as I know that she has a local concern.

Fiona Onasanya: I thank the hon. Gentleman for giving way. Can he assure me that low-wage families living on boats will not suffer homelessness as an unintended consequence of the legislation? Can he also confirm that the revenue acquired from the licence fee will be spent on boaters and their facilities?

Julian Knight: I thank the hon. Lady for her intervention. I know that she has taken a particular interest in this matter. On the question of homelessness, I shall deal in detail with the potential for a review if the interests of houseboat dwellers are not taken into account. She also asked about licence fees, and the Bill contains the idea that the money raised from those fees should be spent on navigation. In fact, according to the information that we have, that is unlikely to be enough to cover all the potential navigation costs.

As I have said, I believe that the Bill strikes the right balance. Today's debate is, rightly, restricted to the technicalities of the Bill, as the case for updating the law governing the Middle Level navigations is undeniable and has been accepted by the House. The existing Acts were laid down in the 19th century and simply do not reflect the realities of managing a modern waterway. The Bill will bring the Middle Level into line with the rules governing neighbouring systems, prevent the diversion of resources away from vital flood prevention measures, and allow the commissioners to provide the standards of safety and convenience that should be standard on all British waterways.

I know that some object to the Bill on the ground that to charge those who navigate the levels breaches an ancient right of free navigation. However, after close scrutiny, my colleagues and I do not believe that that is the case. For starters, there has always been a levy for using the Middle Level. When the previous Middle

Level Acts were drafted, the waterways were heavily used by commercial and industrial shipping, with pleasure craft almost an anomaly in that respect. It was therefore sensible to concentrate fees for maintaining the navigations on commercial shipping.

However, the situation today is entirely the reverse: the levels are well used by pleasure and leisure craft, and they see little, if any, commercial traffic. It is therefore only right that we empower the commissioners to levy funds from those who enjoy the Middle Level today. We should also remember that many of the costs are incurred explicitly through keeping the waterways navigable. Locks could easily be replaced by much more cost-effective alternatives such as weirs, were flood control the commission's only consideration. I believe that this also addresses concerns about a supposed right to free navigation. Certainly, the case can be made that the state ought not to levy a fee to sail on a naturally navigable river, but when public funds must be laid out to maintain an artificial navigation, it is just that those who benefit should pay.

I also urge the House to remember that the Middle Level navigations are not only navigable waterways but important flood protection measures, without which much of the fens would be under water for at least part of the year. The Middle Level commissioners are responsible for both those important functions, but without the ability to levy funds from those using the waterways, they have no choice but to maintain them by diverting money from their flood defences. As a matter of public safety, as well as one of basic fairness, this should change.

In Committee, we heard another important objection to the proposed fees system that I would like to address here: what will those who pay the fee receive in exchange? That is a perfectly reasonable concern, and I will briefly explain to the House how the Bill has addressed it. First, we have a commitment from the commissioners that they will not under any circumstances levy more money from boat users than they need to maintain the navigations in good order. In fact, I am told that they are likely to raise much less than that. The commissioners also know that they will only undermine their own fundraising efforts if they set the rates at a level that discourages the use of the waterways. I am therefore confident that the rates will remain competitive and in line with the rest of the inland waterway network, which is in effect a market.

Secondly, the commissioners have committed to spending the money raised from those using the navigations on maintaining the navigations themselves. Thirdly, the facilities on the Middle Level are clearly in urgent need of an upgrade. At present, there are only two public facilities on the entire system, and it needs not only more toilets, but other services such as drainage, watering posts, and refuse collection. All that needs to be paid for, and it does not seem right that local council tax payers are asked to fund improvements so that the actual beneficiaries can enjoy them free of charge.

Another objection heard by the Committee was that new rules would unfairly penalise houseboat dwellers. The rules in question are the commissioner's powers to move vessels that have been abandoned or moored without authority. Some of the petitioners were concerned that the notice periods were too short. Others even alleged that the proposals violated the human rights of those who live on the level. However, I believe that the

Bill has addressed such concerns. For a start, there is obviously no possibility of this or any other Bill empowering the commissioners to violate anybody's human rights unless some explicit exemption were written into it for that purpose.

Beyond that, the Bill contains several additional measures intended to reassure residents of the Middle Level. It provides a clear definition of the "lawful authority" under which vessels can be removed and specifies that any notices must be served to the vessels in question. Clause 15 requires that the commission publish a clear protocol to specify that moving a vessel will be a last resort. Moreover, clause 13 explicitly mandates the commission to have regard for the rights and interests of boat dwellers and to report annually on how they have upheld that duty. That means that the Middle Level navigations will offer some of the best and most explicit protections to houseboat users of any part of this country's inland waterways. I concluded that the protections are more than adequate to offset the legitimate concerns of boat users while still allowing the commission to perform the essential function of moving abandoned or illegally moored vessels that are either blocking the use of moorings by others or obstructing navigation of the narrower waterways.

Finally, on byelaws and regulation, the new powers proposed in the Bill will allow the commission to require vessels to be insured and to meet proper safety standards, while providing a period of adjustment so that those using the levels can make sure their boats are up to code. My colleagues on the Committee and I all felt that that was important not only for its own sake, but to prevent the Middle Level becoming a dumping ground for old, unsafe vessels that are no longer legal on other parts of the network. Furthermore, the Middle Level will be adopting standards similar to those of neighbouring waterways, which will mean minimal disruption for anybody trying to use the navigations as part of the broader network. In short, the Bill will modernise the management of the Middle Level while preserving, and indeed enhancing, its unique historical character both for today's users and future generations.

Sir Henry Bellingham: The Bill affects my constituency along with several others, and it is vital to the people living in the fens. Without the modern drainage that was brought in during the 18th century, they would not have homes, and we would not have nearly 200,000 acres of prime agricultural land. It is also important to the owners of pleasure craft. I thank my hon. Friend the Member for Solihull (Julian Knight), who chaired the Committee, and agree with what he just said, and I particularly thank my hon. Friend the Member for Torbay (Kevin Foster) for his indefatigable work as the Bill's sponsor.

It is important that we have a charging regime that is simple, transparent and not too bureaucratic. Some of the amendments do make quite a lot of sense but, with great respect to my hon. Friend the Member for Christchurch (Sir Christopher Chope), I urge the House not to have anything to do with the new clauses, which would complicate the Bill and make it more bureaucratic. What we want is a simple Bill, with a charging system that really is fit for purpose. We want to build up a position of trust between the commissioners and the boat owners and users who will be paying the navigation fees.

[Sir Henry Bellingham]

On that basis, I very much hope that the Bill is not delayed a day longer than is necessary, because it is so important to my constituency.

The Minister for Agriculture, Fisheries and Food (George Eustice): Members will be pleased to know that I can be relatively brief.

The Government support the Bill, which is promoted by the Middle Level Commissioners, a statutory corporation constituted under the Middle Level Act 1862. We have had a good debate this evening and I commend the many probing amendments that my hon. Friend the Member for Christchurch (Sir Christopher Chope) tabled, but I believe that all the points he raised have been dealt with comprehensively, in particular by my hon. Friend the Member for Torbay (Kevin Foster), who has a deep grasp of all the detail of the Bill.

The legal framework that governs the commissioners' navigation function is made up of a number of 18th and 19th century Acts, which are now considerably out of date and do not align with modern requirements or the statutory framework that is applicable to other navigation authorities. In particular, the current legal framework that governs the commissioners does not include adequate provision for the registration of vessels using the waterways or the levying of charges for the use of the waterways and associated facilities. As a result, the commissioners do not receive any income from the navigation of the waterways, which has meant that moneys raised through drainage rates and levies have had to be used to fund navigation rather than for flood defence purposes, which is contrary to Government policy.

The commissioners are therefore seeking to update and clarify their powers to enable them to properly regulate and fund their waterways. The powers that they are seeking are similar to those used by other large inland navigation authorities, for example the Canal and River Trust, the Environment Agency and the Broads Authority.

I very much support the Bill and hope that it will pass unamended this evening.

Sir Christopher Chope: We have had a good humoured and thoughtful debate, and I am grateful to everybody who has participated. I am grateful to my hon. Friend the Member for North West Norfolk (Sir Henry Bellingham), who conceded that some of my amendments were sensible, if not the new clauses. I hope that if they are not accepted by the promoter tonight, they will be taken forward when the Bill is debated in the other place in due course, as it inevitably will be.

The issues we have discussed are of considerable concern to the petitioners. I am very grateful to my hon. Friend the Member for Solihull (Julian Knight) for having got to his feet. It is quite unusual in these debates for the person who has got down to the detail in Committee to come here to explain his reasoning and the work that he did. I thank him and the other members of the Committee once again for the work that they did and the courteous way in which they dealt with the concerns expressed by the petitioners. He has set a useful new precedent: instead of hiding their light under a bushel, the people who get involved in the Committee stage should participate on Report, as he has done.

I am also grateful to the hon. Member for Halifax (Holly Lynch) for showing sympathy with some of my amendments, although she cannot bring herself to support them yet.

I will not press all the amendments in the House tonight, because it will be much better for them to be dealt with in the other place, where the ideas can be developed and the responses from the petitioners and the promoter can be made available. However, I do think that amendment 14 bears further consideration. For the benefit of those who were not here for the debate, amendment 14 is in page 6, clause 4, line 11, at the end to add

“(8) No charge shall be payable in respect of the use of a waterway by a vessel being used by a person who is registered disabled”.

I only got one response on that from my hon. Friend the Member for Torbay (Kevin Foster), whom I thank for having gone through all my amendments seriatim, which is fantastic. He, like my hon. Friend the Member for Solihull, is assiduous in answering the points that have been made. It makes it much easier for someone summing up a debate if they know their points have been answered.

On the issue of disabled people, my hon. Friend the Member for Torbay seized on the fact that “registered disabled” is no longer a category of persons, but this amendment would apply to people who were registered disabled with the Middle Level Commissioners. Obviously, there is a registration system for people who have these boats and it would be able to include provisions as to whether or not someone is disabled, so the technical objection that my hon. Friend raised is not a valid one. If I had used a capital “R” and a capital “D” in my amendment, perhaps it might have been. I hope people will support the amendment on the basis that a lot of people are disabled and face considerable difficulties, and it would be reasonable for all other boaters to be prepared to cross-subsidise those who register with the commissioners as being disabled.

6.30 pm

I have only one other issue to raise in conclusion. I note from what has been said that there is a move to ensure that substandard vessels will be removed. I hope that that will not be done in a way that is harassing. I chair the all-party group on park homes, so I know that there is a lot of concern that people, mostly elderly people, find themselves harassed just because their park home has not been updated for 20 years or so. There is a danger that in the drive for what I might describe as the “gentrification” of the inland waterways we may be working against the interests of the people who have been resident on those waterways for many, many years and whose vessels are not up to modern standards but are, for their purposes, perfectly good. I hope that the commissioners and the promoters will not abuse the power we are giving them.

I shall ask the House to express its opinion on amendment 14 and whether or not we would like to give disabled people who are using these inland waterways in vessels registered with the commissioners the right to do so without having to pay charges. However, I beg to ask leave to withdraw the clause.

Clause, by leave, withdrawn.

Clause 4**CHARGES**

Amendment proposed: 14, page 6, line 11,

“at end add

‘(8) No charge shall be payable in respect of the use of a waterway by a vessel being used by a person who is registered disabled’.”—
(*Sir Christopher Chope.*)

Question put, That the amendment be made.

The House proceeded to a Division.

Madam Deputy Speaker (Mrs Eleanor Laing): I ask the Serjeant at Arms to investigate the delay in the Aye Lobby.

The House having divided: Ayes 5, Noes 177.

Division No. 125]

[6.33 pm

AYES

Chope, Sir Christopher
Mills, Nigel
Redwood, rh John
Skinner, Mr Dennis

Stewart, Bob

Tellers for the Ayes:

**Mr Peter Bone and
Philip Davies**

NOES

Adams, Nigel
Afolami, Bim
Andrew, Stuart
Argar, Edward
Atkins, Victoria
Bacon, Mr Richard
Badenoch, Mrs Kemi
Baker, Mr Steve
Baldwin, Harriett
Barclay, Stephen
Bebb, Guto
Bellingham, Sir Henry
Benyon, rh Richard
Blackman, Bob
Bowie, Andrew
Bradley, rh Karen
Brine, Steve
Bruce, Fiona
Burghart, Alex
Carmichael, rh Mr Alistair
Cash, Sir William
Caulfield, Maria
Chalk, Alex
Churchill, Jo
Cleverly, James
Clifton-Brown, Sir Geoffrey
Costa, Alberto
Courts, Robert
Crouch, Tracey
Davies, Chris
Davies, Glyn
Davies, Mims
Docherty, Leo
Donelan, Michelle
Dowden, Oliver
Doyle-Price, Jackie
Duguid, David
Duncan, rh Sir Alan
Dunne, Mr Philip
Ellis, Michael
Ellwood, rh Mr Tobias
Elphicke, Charlie
Eustice, George
Evans, Mr Nigel
Fernandes, Suella
Foster, Kevin

Francois, rh Mr Mark
Frazer, Lucy
Freer, Mike
Gauke, rh Mr David
Ghani, Ms Nusrat
Gibb, rh Nick
Gillan, rh Dame Cheryl
Girvan, Paul
Glen, John
Goodwill, Mr Robert
Gove, rh Michael
Graham, Luke
Grant, Bill
Grant, Mrs Helen
Green, Chris
Green, rh Damian
Gyimah, Mr Sam
Hall, Luke
Hammond, rh Mr Philip
Hancock, rh Matt
Hands, rh Greg
Harrington, Richard
Harris, Rebecca
Hayes, rh Mr John
Heapey, James
Heaton-Harris, Chris
Heaton-Jones, Peter
Hinds, rh Damian
Hoare, Simon
Hollingbery, George
Hollinrake, Kevin
Howell, John
Huddleston, Nigel
Hunt, rh Mr Jeremy
Hurd, rh Mr Nick
Jack, Mr Alister
James, Margot
Jardine, Christine
Jayawardena, Mr Ranil
Jenkin, Mr Bernard
Jenkyns, Andrea
Jenrick, Robert
Johnson, Dr Caroline
Johnson, Joseph
Jones, Andrew
Jones, Mr Marcus

Kawczynski, Daniel
Keegan, Gillian
Kennedy, Seema
Knight, Julian
Kwarteng, Kwasi
Leadsom, rh Andrea
Lee, Dr Phillip
Leigh, Sir Edward
Lewer, Andrew
Lewis, rh Brandon
Liddell-Grainger, Mr Ian
Little Pengelly, Emma
Lopresti, Jack
Lord, Mr Jonathan
Loughton, Tim
Macleane, Rachel
Mak, Alan
Malthouse, Kit
Mann, Scott
Masterton, Paul
Maynard, Paul
McLoughlin, rh Sir Patrick
McPartland, Stephen
McVey, rh Ms Esther
Merriman, Huw
Milton, rh Anne
Morgan, rh Nicky
Morris, David
Morris, James
Newton, Sarah
Nokes, rh Caroline
Norman, Jesse
O'Brien, Neil
Opperman, Guy
Parish, Neil
Penrose, John
Percy, Andrew
Perry, rh Claire
Philp, Chris
Pincher, Christopher
Pow, Rebecca
Prentis, Victoria
Pursglove, Tom
Quin, Jeremy
Quince, Will

Raab, Dominic
Rees-Mogg, Mr Jacob
Robinson, Mary
Rosindell, Andrew
Rudd, rh Amber
Rutley, David
Seely, Mr Bob
Shannon, Jim
Sharma, Alok
Simpson, David
Skidmore, Chris
Smith, Chloe
Smith, rh Julian
Smith, Royston
Spencer, Mark
Stephenson, Andrew
Stewart, Iain
Stewart, Rory
Stride, rh Mel
Stuart, Graham
Sunak, Rishi
Swayne, rh Sir Desmond
Thomas, Derek
Thomson, Ross
Throup, Maggie
Tolhurst, Kelly
Tomlinson, Michael
Tracey, Craig
Trevelyan, Mrs Anne-Marie
Vara, Mr Shailesh
Vickers, Martin
Wallace, rh Mr Ben
Warman, Matt
Whately, Helen
Wheeler, Mrs Heather
Whittaker, Craig
Whittingdale, rh Mr John
Wiggin, Bill
Wood, Mike
Zahawi, Nadhim

Tellers for the Noes:

**Wendy Morton and
Amanda Milling**

Question accordingly negated.

Third Reading

6.48 pm

Kevin Foster: I beg to move, That the Bill be now read the Third time.

I thank all hon. Members who have come to support the Bill, which is a needed piece of legislation that will reform an outdated system of regulation of this waterway. I hope that all Members will support it receiving its Third Reading.

Bill accordingly read the Third time and passed.

Business without Debate**DELEGATED LEGISLATION**

Motion made, and Question put forthwith (Standing Order No. 118(6)),

ENERGY

That the draft Works Detrimental to Navigation (Powers and Duties of Inspectors) Regulations 2018, which were laid before this House on 18 January, be approved.—(*Chris Heaton-Harris.*)

Question agreed to.

PETITION

Nature Reserves in Dudley South

6.49 pm

Mike Wood (Dudley South) (Con): I rise to present a petition on behalf of residents of Dudley South relating to nature reserves in Dudley South.

The petition states:

The petition of residents of Dudley South,

Declares that Barrow Hill and Buckpool & Fens Pool Nature Reserves, including the Dingle and the Leys, are being blighted by the actions of motorcyclists and quad bikers who have no regard for the local environment, residents and wildlife, are causing damage to the reserve and are causing a nuisance.

The petitioners therefore request that the House of Commons urges the Government to work with Dudley Council, West Midlands Police and other authorities, to take immediate action to safeguard our nature reserves; further that Dudley Council should create a Public Space Protection Order as set out in the Antisocial Behaviour, Crime and Policing Act 2014; further that, by using this power and taking action against offenders, Dudley Council and West Midlands Police will be able to reduce the negative impact current behaviour has on local residents and wilder wildlife.

And the petitioners remain, etc.

[P002116]

Suspicious Deaths Abroad

Motion made, and Question proposed, That this House do now adjourn.—(*Paul Maynard.*)

6.50 pm

Hannah Bardell (Livingston) (SNP): I think it is fair to say that when we are elected to this place, we have our own ideas and ambitions about what we want to campaign on. So often, however, we are guided by the real-life experiences of our constituents, and that is what brings me here today for a debate on deaths abroad in suspicious circumstances, particularly in relation to two of my constituents—Julie Pearson and Kirsty Maxwell—and their families. I am honoured and privileged to get a chance today to tell their stories. Some of the details are very harrowing and distressing.

Julie Pearson and Kirsty Maxwell were two young, beautiful and vivacious young women taken from their families when they still had their whole lives ahead of them: two bereaved families; two innocent women killed in suspicious and unexplained circumstances abroad, both at the hands of, we believe, violent men. In both cases, the alleged perpetrators of the crimes are walking free, with very little having happened in terms of investigations into their deaths.

I want to put on record the admiration and respect that I have for staff who work in the foreign service for the very difficult job that they have to do, often in the most challenging and dangerous circumstances.

Jim Shannon (Strangford) (DUP): I sought permission from the hon. Lady to intervene because she is bringing forward an issue that has touched my constituency as well—in May last year, before the election. I commend her for doing so. I want to put on record my thanks to the Foreign and Commonwealth Office for working hard over the weekend to enable the young boy's body to come home at a very difficult time for the mum and dad, who were in Northern Ireland when he was in Spain. Those of us who have been through this with our constituents know just how heartbreaking it is. When we have staff who work hard and do the business, as our Foreign and Commonwealth Office staff do, we have to put that on record and say thank you.

Hannah Bardell: I thank the hon. Gentleman for his intervention. As someone who worked in a foreign consulate—for the American State Department in its consulate in Edinburgh—I know first-hand how difficult the job of consular staff is. I have sat in on calls with senior officers when they had to break the news of the death of a loved one. However, it is my belief, having spent a lot of time with both Kirsty's and Julie's families, that much, much more can be done by the Foreign and Commonwealth Office to resource and support its staff to help families such as Julie's and Kirsty's when their loved ones die abroad in suspicious circumstances.

Julie was 38. She was learning Hebrew to get citizenship in Israel because her dad was Jewish. She went to Israel to live and work and immerse herself in the local culture. Her aunt Deborah, who is my constituent, talked of how Julie loved the heat, loved to sing karaoke, and was really fun-loving. On 26 November 2015, Julie was badly beaten by her ex-boyfriend. The police were called and attended, but she was never offered medical

treatment or admitted to hospital. The following day, 27 November, Julie was found dead in her hostel room in Eilat, Israel.

Following Julie's death, and largely because of erroneous and inaccurate claims made by the authorities in Israel, her family took the hugely brave step of releasing photographs of Julie's badly beaten and bruised body. Those images are deeply distressing, but the family felt they had no choice, because the autopsy report, which the family believe is deeply flawed, claimed that Julie had died of natural causes. The bruising and damage to Julie's beautiful face, in my view, tells a very different story.

Royston Smith (Southampton, Itchen) (Con): Will the hon. Lady give way?

Hannah Bardell: If the hon. Gentleman will let me make some more progress, I will then take interventions.

Julie is survived by her parents and her aunt Deborah, who is one of the most determined, fearless and inspiring women I have ever met. In her own words,

"My family will continue to fight for justice for Julie. We'd hate for any other family to go through what we have. The FCO promised in 2014 there would be processes in place for suspicious deaths abroad yet our family had to fight every step of the way for help and advice, even after requesting freedom of information. Instead of the promised 20 day response, I had to pursue every 21 days and eventually received it after 5 months. I ask the Foreign Office when will they listen to what families need? Why did it take so long for basic information to be relayed to me? Why are families still being let down with lack of help and support?"

Just over a year later, I find myself dealing with another tragic case, that of Kirsty Maxwell. Kirsty was 27 years old, newly married to husband Adam, and was on holiday in Benidorm, Spain, with friends. On 29 April 2017, Kirsty fell to her death from a balcony on the 10th floor of a block of apartments where she had been staying. The family are still struggling to get full details, largely because the Spanish police failed to interview key witnesses and initiate major crime scene protocols and procedures.

We know that the room she fell from was not her own. However, due to the apparent flawed investigation, the reason she was in that room is not known. The room she entered was occupied by a group of English men who were high on drugs and alcohol, and the circumstances that ensued may have been fuelled by the men's use of drugs and a case of mistaken identity by the men in the room. The Spanish police report, Spanish media reporting and some crime scene examinations indicated that Kirsty tried to escape, possibly in fear of her life.

Adam sent me a poem that he read out at Kirsty's funeral. I will not read it here, but it gives the view of a warm, funny, loving young woman who had just been promoted at work and loved her family, her husband and her pug dog with all her heart. I have spent quite a significant amount of time with Kirsty's husband Adam and her parents, Brian and Denise. They too are some of the bravest folk I have had the privilege of meeting, and they have worked tirelessly to get answers, along with the independent reviewer, David Swindle. It is impossible to put into words the depths of their devastation and sorrow, but they provided me with the following words:

"Mentally, emotionally and physically this has been extremely tough and still with no real end in sight. When Kirsty was brutally taken from us they also took a part of us all, something we will never regain. Kirsty was visiting an EU country as a British

citizen, she lived by the 'rules' set out in today's society. She worked every day, paid her taxes and never called on the system for any assistance. Now we plead for that assistance, plead for justice to be sought, plead for her country not to desert her and her family in their hour of need. She needs this help more than ever, needs much more than lip service to be done, needs more support for Scottish and UK families who lose a loved one abroad in suspicious circumstances. Those past 10 months as a family we have felt lost, confused and abandoned. Lost at the lack of direction and compassion we were shown from authorities. Confused at the revolving door of dysfunctional protocol and procedures which are not in place, displaced and misunderstood. Abandoned by legal systems not understood, not relevant and not fit for the purpose of protecting victims of suspicious deaths and murders abroad. This and trying to grieve while fighting a case through the Spanish courts with no assistance financially, legally or morally from either the UK or Spain. We hope this cross party of MPs"—

a group that I hope to set up in the very near future—

"can get together to produce a procedure that can offer their constituents assistance, support and a means of gaining justice for any suspicious death of a loved one abroad."

Royston Smith: I am very grateful to the hon. Lady for giving way. I apologise for interrupting her when she was making such a powerful and emotional speech. It was at a point that reminded me of my constituent, Mrs Brenda White, who, tragically, lost her son Michael in Thailand. She was told that it was suicide, but she simply did not believe that, and much of the evidence did not support that. I agree with the hon. Lady that, although the Foreign Office does a great job under some very trying circumstances, she, myself and others are giving examples of where the Foreign Office has fallen short for our constituents who feel they should have had much more support when their loved ones were so tragically taken from them.

Hannah Bardell: I thank the hon. Gentleman for his intervention, and my thoughts and prayers are with his constituents.

7 pm

Motion lapsed (Standing Order No. 9(3)).

Motion made, and Question proposed, That this House do now adjourn.—(Paul Maynard.)

Hannah Bardell: What can we say to those families—our constituents—other than that we need to resolve, right here and now, that we cannot and will not let any more families die?

Martin Docherty-Hughes (West Dunbartonshire) (SNP): I congratulate my hon. Friend, and I am grateful to them for allowing me to intervene. Since 2015, three families in my constituency—that of Caroline Hope from Clydebank, whose family had to raise funds to allow her to come home to die; that of Lisa Brown, who has been missing in Spain for two and a half years; and that of Jagtar Singh Johal, who has been in detention in India without charge for nearly four months—have had to go through a maze of bureaucracy. Does my hon. Friend agree that it is time to consider a legislative framework for consular support, because of its complexity, rather than the ad hoc policy approach that we have seen for a long time? That is no detriment to the staff of the FCO, who do a commendable job.

Hannah Bardell: I absolutely agree; it is about having the most robust framework possible and giving officers in the foreign service the tools and the resource to do the best job they can.

Hugh Gaffney (Coatbridge, Chryston and Bellshill) (Lab): A young man from my constituency, Craig Mallon, was killed—murdered—in Spain in 2012. The case could be resolved if we had more information. I want to work with the hon. Lady and the Foreign Office on the Craig Mallon case, and the police have to work with us. They are withholding information, six years on. The family is distraught, and we need more information.

Hannah Bardell: I thank the hon. Gentleman for his comments, and I look forward to working with him. I am aware of the case of Craig Mallon, and my thoughts and prayers are with him. The experience of the families whom I have supported is that at times, communication has been disjointed and it has been difficult to interact with officers. In the case of Kirsty's family, her husband Adam received a call from the Spanish police to say that Kirsty was dead. Adam told me that he thought initially that it was a prank call, and he asked whether the FCO should have clearer protocols for informing family members of a death.

Julie Pearson's family learned of her death through informal channels. It was Julie's aunt, Deborah, who brought the news of Julie's death to the attention of the FCO. Deborah told me recently that the consulate denies ever having received a letter from me or correspondence from her about getting Julie's personal belongings back. I have that letter, and I know that I sent it. More than two years on, Julie's personal effects have just been passed to her family. It is a very basic thing, but having the personal effects of a loved one back is vital.

Chris Davies (Brecon and Radnorshire) (Con): I thank the hon. Lady for securing this most important debate. On that point, I raised in this House last summer the case of Kirsty Jones, a constituent of mine. Her parents, Sue and Glyn, received a phone call from the Foreign Office to say that their daughter Kirsty had been tragically murdered in Thailand. That was 18 years ago, and Thailand closes cases after 20 years. The family are trying to get Kirsty's belongings back into this country. DNA testing has improved, and they are trying to get DNA tests done. The local police force now has to send another international letter of request to get Kirsty's belongings back over here for final assessment and analysis. The process—internationally, rather than that of the Foreign and Commonwealth Office—is wrong, and we have to change it.

Hannah Bardell: I absolutely agree. There is much more that can be done on the global stage about these issues, particularly when they cross jurisdictions and families have to deal with a legal system that is alien to them. While I appreciate that many of the issues we are raising may have been outside the power of the FCO, it is interesting to note that, in 2014, the House of Commons Foreign Affairs Committee published its fifth report, "Support for British nationals abroad: The Consular Service". I quote from that report:

"In cases of deaths abroad, we received substantial anecdotal evidence to indicate that FCO services to bereaved families are inconsistent and have at times fallen well below the expected standards of the FCO, with repeated failures of communication and compassion. We welcome the FCO's ongoing review of how it provides services in cases of suspicious deaths abroad, and give our support for a proposal for a specialised central unit to provide expert and dependable assistance."

Patricia Gibson (North Ayrshire and Arran) (SNP): I thank my hon. Friend very much for bringing this important debate forward. One of the issues that she has raised, in common with Members on both sides of the Chamber, is the series of unanswered questions that families have to experience. Does she agree that another concern is the lack of pastoral care and support for families who go abroad? Two of my constituents lost their son abroad. When they went out to the EU member country where he died, they were given no police contact and no pastoral support; they were completely abandoned in their grief and isolated in a country where they did not speak the language. This really is not good enough. People do not just need help with the legal process; they also need support in their time of grief.

Hannah Bardell: I thank my hon. Friend for that intervention, and I absolutely agree. This is often about taking a lead, but some of the language in the Foreign Office guidance is very conditional, and I will come on to that.

In Kirsty Maxwell's case, it took me from first writing to the FCO in October 2017 to February 2018 to get a contact name, which is not the sort of compassion I find acceptable. To date, I am still unclear about the remit and power of the murder and manslaughter unit, and I also do not know why it cannot become involved when a criminal investigation is ongoing. Perhaps that is something the Minister can shed some light on.

Similarly, we have been chasing the whereabouts of the clothes that were on Kirsty's body when she died. We found out only very recently that these key pieces of evidence have been destroyed by the Spanish authorities—a matter I believe the FCO should be raising at the highest possible level. I appreciate that, at times, these are diplomatic issues—matters that have to be raised and pushed by the Government or by a Minister—but it is vital that the flow of communication is as clear and defined as possible.

The report I referred to goes on to highlight the use of language and the fact that support is discretionary. It quotes the FCO:

"We will consider making appropriate representations to the local authorities if there are concerns that the investigation is not being carried out in line with local procedures...Where possible, if you visit the country during the early stages of the investigation and initial court hearings related to the death, our staff there may be able to meet you...Where legal systems differ significantly from the UK, or proceedings are conducted in a language you do not understand, we may help to arrange, or attend, an initial round of meetings with the authorities."

The language is too discretionary—it is way too conditional—and it needs to be more robust and more definite.

Peter Grant (Glenrothes) (SNP): My hon. Friend is giving a very powerful and moving speech. I have details of what happened to constituents of mine. It was not a suspicious death, but very much a sudden death, involving an elderly constituent on holiday with his family. In that instance, the local embassy failed the family very badly. The advice they got consisted of an email with a link to a 28-page document that they were supposed to read in the hours when the lady was still trying to come to terms with the fact that she had lost a husband and the rest of the family were trying to come to terms with the fact that they had lost a father and a father-in-law.

The family were at the departure gate waiting for what would have been a very difficult flight home when they got a phone call saying that they were responsible for finding a Spanish qualified lawyer who spoke English. Later, they were told out of the blue that they had to find £2,000 to have documents translated between Spanish and English. Nobody told them at the time that when their dad was brought home, there would need to be another post mortem. Somewhere along the line, the authorities lost his passport and death certificate. I think the insurance company and the insurance broker are still arguing between themselves as to who should be funding the additional costs.

Not all of that is down to the Foreign and Commonwealth Office, but does my hon. Friend agree that a first step would be to make sure that one person in the specific embassy or consulate is attached to a grieving family and is responsible for sorting out whatever needs to be sorted out, so that the family do not have to argue with undertakers, lawyers and insurance companies at a time when, as in this case, all they want to do is get their dad home for a burial?

Hannah Bardell: I thank my hon. Friend for his intervention. He raises some very pertinent and important points. I appreciate that some of them are outside the FCO's remit, but there are wider issues in relation to insurance companies, with whom some of my constituents have struggled, and protocols, procedures and legal systems. Unfortunately, when Kirsty's family arrived in Spain they were initially given very little support. They were given a list of English-speaking lawyers, but there was no indication of whether any of them had any expertise in homicide. That has been very challenging.

Mr Alister Jack (Dumfries and Galloway) (Con): I thank the hon. Lady for securing the debate and for the proposed all-party group on deaths abroad, on which I have said I will help. She refers to poor local police performance. That was certainly the case for Michael Porter, whose mother from Dumfries died in suspicious circumstances in March 2009 on the island of Crete. It was over a year later that the police decided it was murder. Since then, very little has happened and Michael Porter is still fighting for justice for his mother. I hope that the Minister will meet Michael Porter at some point. I also hope that the hon. Lady's proposed all-party group and this Adjournment debate will help the many people in this dreadful situation.

Hannah Bardell: I thank the hon. Gentleman for his intervention and I very much look forward to working cross-party on this issue, which transcends party political boundaries. We can all work constructively to bring about change.

We want to know what more the FCO can do to assure people like Julie's and Kirsty's families that, where a police investigation is not being properly executed, it will make representations and put pressure on the authorities to investigate properly, or invite the police from the nations of the UK to help, as was rightly done, as we all remember, in the case of Madeleine McCann. No one expects them to promise to fix it, but more attempts can be made. I feel very strongly that not enough has changed for the families I represent since the report.

We have heard of many other cases from constituents. I know that my hon. Friend the Member for Glasgow North (Patrick Grady) has a constituent, Julie Love, who has done a huge amount of work on this issue following the death of her son Colin, who died in a swimming accident in Venezuela. She successfully campaigned to have the law changed in Scotland on fatal accident inquiries.

The correspondence with the Government on both of my constituency cases has uncovered some concerning points.

Patrick Grady (Glasgow North) (SNP): I thank my hon. Friend for giving way. She is being incredibly generous with her time. I, too, pay tribute to the amazing work of Julie Love, and the determination with which she fought for that change in the law. Indeed, our fellow colleagues Anne McLaughlin and Bob Doris, the local MSP, helped her with that. My hon. Friend makes a point about the need for the FCO to listen carefully and to respond. The expectations people have of their own Government's representation in foreign countries very often does not match their experiences. I have also dealt with constituents who have survived terrorist attacks. They, too, found that the service they received from the FCO did not match their expectations. I therefore wish my hon. Friend all the best with what she is taking forward.

Hannah Bardell: I thank my hon. Friend. It is a testament to the police services of Scotland, England, Wales and Northern Ireland that they do have the highest standards. I know, from talking to a very senior police officer, the level of support received by the families of foreign nationals who die in Scotland. She spoke to me about how they took the family of a loved one who had been killed in a road traffic accident to the site and how they had been given support every step of the way. Rightly, our citizens expect a high level of service because they get a high level of service across the UK.

On 11 August 2016, in response to my letter about Julie Pearson, the then Minister, the right hon. Member for Bournemouth East (Mr Ellwood), stated:

"The FCO does not translate formal documents because this type of support is best provided by independent professionals and we do not have the funding or the expertise to provide such specialist services... The FCO also does not pay legal costs so could not contribute towards any case Ms Pearson's family may wish to initiate in Israel."

I understand that. That is a very fair point, but it raises the question about translation services and what more can be done in that regard.

On 7 February 2017, the Prime Minister said in response to a letter:

"I fully understand why you believe improvements can be made to the way in which the Government provides support to the relatives of British nationals who die abroad... The Government has a responsibility to help them through the subsequent process with clarity and compassion."

Even the Prime Minister recognises that there are flaws and issues with the FCO's support and processes when dealing with deaths abroad in suspicious circumstances. I wonder whether the Minister would like to take the opportunity to apologise to the families who have been let down. I and other Members and campaigners on this issue have been inundated with stories and experiences of the families of British citizens who have died in difficult and distressing circumstances abroad.

[*Hannah Bardell*]

As I said at the beginning, I have the highest regard for the Minister, for the Foreign and Commonwealth Office and for the consular profession and the work that they do in some of the hardest and toughest circumstances. However, it is clear to me from the experiences of Kirsty's and Julie's families that they deserve better, and for the families and constituents of Members across this House, we need to make sure that there is a review of support and proper action to ensure that the processes and protocols are absolutely the best that families can expect.

In memory of those who have died and to protect and prevent future distress, I plead with the Minister: let us work together to help the families who are suffering now and to change the system. We owe it to them and to the memory of those who have died to make sure that the services that are offered abroad to our citizens are the very best that they can be and that our citizens get, where possible, proper investigations into such deaths, and answers and justice.

7.16 pm

The Minister for Africa (Harriett Baldwin): I congratulate the hon. Member for Livingston (*Hannah Bardell*) on securing the debate, on the very sensitive way in which she put her case and those of her constituents and on the very constructive way in which she is approaching her engagement with us on this issue.

Every year from this country, 70 million Britons travel abroad. Last year, tragically, 3,912 British citizens died overseas, and 74 of those were identified as cases of murder or manslaughter. The death of a loved one in any circumstances is distressing, but when it happens far from home, where the culture or practices are unfamiliar, and particularly when the cause of death is unclear, it can be especially traumatic. My thoughts go out to all those who have been mentioned in today's debate and to all those who have lost loved ones, and I offer my deepest condolences in particular to the families of Julie Pearson and Kirsty Maxwell, about whom the hon. Lady has spoken so movingly this evening.

Sadly, British nationals do tragically die overseas, and our global network of 772 consular staff are there to be contacted in these situations. I am glad to add my tributes to the work that they do out in the field. We heard that echoed by the hon. Member for Strangford (*Jim Shannon*) and other Members. Whenever the death of a British national is reported to us, our consular officials in London and in our posts overseas do everything that they can to support the relatives. They explain to them what they need to do under the local system—for example, the procedure for getting a death certificate, how to find out whether a post mortem will be carried out and whether or not there will be an investigation into a death. They also provide details of local lawyers, local translators or organisations that can provide specialist help. However, as we try to make clear in our travel advice, we cannot ourselves provide legal advice or translation services. We must also respect the other country's legal systems and cannot interfere in their processes, just as they could not interfere in ours.

Hannah Bardell: I am grateful to the Minister for her initial comments. Does she recognise that it is only fair and appropriate for the UK Government and authorities

to press where processes and procedures are not being followed? In the case of my constituent Kirsty Maxwell, Spain has a victims' bill of rights, which, as far as I can see, is not being respected. The rights of the victim and the family are not being respected. It is only appropriate to intervene and put pressure on to hold that country and its authorities to their standards—not necessarily ours, but the standards that they have in their own judicial system—and say, "Look, you need to undertake a proper investigation, in line with your own law."

Harriett Baldwin: The family in this case have retained the services of a local lawyer. The hon. Lady asked about the case of Madeleine McCann and UK police going out to help. She will appreciate that UK police only go out following a request from the local police team. We cannot just send out a team of police officers without a local request. In our travel advice, we emphasise that we cannot interfere in local processes, and we would not want that kind of interference in our own.

We regularly review our consular policy to make sure we provide the best possible service to British nationals travelling abroad, and this sometimes leads to changes in our approach. For example, in response to recommendations from the FAC report the hon. Lady referred to, and following our own internal review, we created a dedicated murder and manslaughter team in our consular assistance department. Formed in 2015, the team has established strong relationships with key stakeholders and partners, who can include organisations such as Victim Support as well as police family liaison officers and coroners' officers. The team has also created new guidance for bereaved families. We now have 15 country-specific leaflets explaining the requirements and processes that families need to follow, and consular officials receive specialised training on handling deaths abroad. We continually work to ensure that our internal guidance reflects the needs of British citizens.

On average, 60 British nationals are murdered overseas every year. Since our murder and manslaughter team was established, it has provided assistance to approximately 220 families across the globe. A great deal of interest has been expressed today in two cases, which I would now like to turn to, if I may.

Hannah Bardell: I want to take the Minister back briefly to her point about the police going abroad and the case of Madeleine McCann. I am sure that she will appreciate, as will others, that it seems somewhat random how much publicity a case gets or in what circumstances police are invited abroad. In the case of my constituents, the families want to know that there is equity in how cases are investigated and how negotiations are done around police being invited abroad. The police in Scotland would very much like to go to Spain to investigate the case of Kirsty Maxwell but cannot without that invitation. What can she and the Government do to initiate invitations and make sure that police forces work together and that in more cases the police across the UK, who do an excellent job, can go abroad, support families and investigate?

Harriett Baldwin: It is hard to make generalised statements when talking about specific cases, but, by way of a generalised statement, I am saying that it will always require a request from the local team. We will sometimes work through Interpol and others, but, given

that the variety of cases is so broad, I can only make the generalised point that a request has to come from the local teams.

On the specific cases the hon. Lady raised, I commend Kirsty's husband, Adam—they had been married only seven months when she died—and her for their continued efforts to find answers about the circumstances of her death. Throughout this time, consular officials in Spain and London have continued to provide support to the family. She rightly raised the phone call that Kirsty's husband received from Spanish police, and we have gone back and made very clear the process we would prefer they followed. We have spoken to the Benidorm police to ensure that it is local police who break the news to families back here in the UK.

I understand, however, that the families still have concerns about how the Spanish authorities have handled the case, especially what steps the police took to compile the evidence they presented to the courts. I hope that they can resolve those concerns with the help of their Spanish lawyer, who is best placed to advise them on local law. As I said earlier, we cannot intervene in another country's legal affairs. My right hon. Friend the Minister for Europe and the Americas discussed this case with the hon. Lady back in November, and I know that he is always willing to discuss consular cases on his patch with Members, as am I. Since that meeting, we have continued to raise our concerns about the case with the Spanish authorities, and our consulate in Alicante remains in contact with the family's lawyer. We stand ready to make further representations if they do not receive a satisfactory response from the authorities.

As I said earlier, the police cannot become get involved in cases outside their jurisdiction unless they are invited to do so. I am pleased to hear that Kirsty's family have received additional support from a homicide consultancy, which has helped to review her case.

Royston Smith: The Minister said that we could intervene only if we were invited to do so. What if we are never invited to do so? My constituent, whose son died in suspicious circumstances, went to the Thai police, who said that they had misled the results of the autopsy. How would the Foreign Office or our authorities involve themselves in that case? The Thai police are almost certainly never going to invite them to become involved.

Harriett Baldwin: I do not want to single out any particular countries, but as my hon. Friend will know—the hon. Member for Livingston made this point—legal processes around the world may not necessarily meet the standards to which we are used in this country.

Let me now turn, in the few minutes that are left, to the equally sad case of Julie Pearson. Following her death, consular staff provided assistance to her family and liaised with the Israeli authorities about the investigation. The authorities have now concluded their review of the case and have decided not to take further action because they could not find a sufficient connection

between criminal activity and Ms Pearson's death. I am aware that Ms Pearson's family have expressed dissatisfaction with the Israeli authorities' handling of the investigation, and I fully understand their deep frustration at the outcome of the review. As I said earlier, we cannot interfere in the legal processes of another country, but we will continue to work with the Israeli authorities to ensure that due processes are followed in relation to any appeal against the closure of Ms Pearson's case.

Chris Davies: Will the Minister give way?

Harriett Baldwin: I have so little time left that I am going to use it.

The death of a loved one is devastating wherever it happens, but particularly when it happens in another country and suspicious circumstances are apparent. We know that families are often desperate to find answers. In such cases—and, indeed, whenever a British national dies overseas—the consular staff of the Foreign and Commonwealth Office support bereaved families with compassion, dedication and tenacity, often in very difficult circumstances. We will continue to take every one of these cases extremely seriously and to provide that dedicated consular assistance for those who are most in need of our help, seven days a week, 24 hours a day.

I welcome the idea of an all-party group, which I think is extremely constructive. I have my own opinions about how we can improve assistance in these cases, as did my predecessor, now the Minister of State, Ministry of Justice. First, I am sure that we would all want to ensure that resources are focused on the most vulnerable. Secondly, we must try to work with British citizens to ensure that they take responsibility and take precautions, such as obtaining adequate travel insurance, following the advice on the Foreign Office website, and not engaging in inherently risky activities. Thirdly, we must be very clear about prevention.

Hannah Bardell: My hon. Friend the Member for Motherwell and Wishaw (Marion Fellows) has a constituent whose son was killed in a road traffic accident in Ibiza. In a bid—unfortunately—to smear his name, it was insisted that there should be an alcohol test and blood should be taken from his eyeballs in what was a very distressing case. I hear what the Minister says about British citizens abroad, but it is important that we critique such processes in-country.

Harriett Baldwin: I think that it would be very helpful for the all-party group to become involved in such issues.

Again, I congratulate the hon. Lady and all the Members who have raised constituency cases. We in the Foreign and Commonwealth Office stand ready to meet individual colleagues, and we continue to look for ways in which to improve our consular service.

Question put and agreed to.

7.30 pm

House adjourned.

Westminster Hall

Wednesday 28 February 2018

[STEWART HOSIE *in the Chair*]

Funding Higher Education

9.30 am

Mr Gary Streeter (South West Devon) (Con): I beg to move,

That this House has considered funding for higher education.

It is a pleasure to serve under your chairmanship, Mr Hosie, in a debate that I suspect has been slightly snow-affected. No doubt my hon. Friend the Member for Cannock Chase (Amanda Milling), who is standing in for the Minister, will say more about that in a moment. Also, I would like to thank Mr Barnaby Austin, who is a fine young man who is with me for three months. He has helped me to prepare my remarks today, so my thanks to him.

Like many Members, among my constituency duties I particularly enjoy interacting with sixth-formers in schools in my constituency, and I always feel encouraged coming away from those encounters. Not that everyone necessarily supports everything that the Government say or do, but I always feel encouraged that the coming generation is as bright, motivated and impressive as any has ever been. Looking forward, I feel that the country is in very safe hands.

Inevitably, as I am sure we have all experienced, the issue of student finance, student loans and tuition fees come up in those sessions. I have always been very happy over the last 10 years or so to support the system that we have, explaining that it is a generous system that does the job, that no one has to pay fees in advance and that it does not preclude anyone from going on to higher education. I am very happy to support the funding model that we have and always make the point that education is the best investment that any young person will ever make. A show of hands normally demonstrates pretty clearly that no one is ever deterred—or very few are—from accessing higher education as a result.

However, in the last few months I have been less sure about the fairness of the current arrangements and have been looking into some of the statistics on student finance. Therefore, I applied for this debate, to put on record a few concerns that I have and some thoughts about the future. I was both delighted and surprised that, after I had applied for this debate but before it was granted, the Prime Minister herself—perhaps picking up on my thoughts, leading wherever I go—has now announced her own review of student finance, which I greatly welcome. In particular, I support the important focus in the official terms of reference of the review, which seeks to ensure

“a funding system that provides value for money and works for students and taxpayers”.

I hope that this 90-minute debate provides us with an opportunity to explore together in a hopefully thoughtful way—it is a subject that deserves a thoughtful approach—how the system might be improved. I look forward to hearing the comments from colleagues from all parts of

the House—I am sure that many have greater expertise in this area than I do—in trying to find a way forward to a system that is both fair and sustainable.

The current system of student tuition fees and loans as a means of funding higher education has achieved many positives over the years, not least an increase in the number of students from lower-income backgrounds entering higher education, which has to be a good thing.

Paul Blomfield (Sheffield Central) (Lab): The hon. Gentleman is making a really thoughtful contribution, and I share his hope that we can have an interesting and useful debate. On the question of providing more opportunities for people from disadvantaged homes, the top-line numbers are clear. Does he recognise that there is a problem in the way that the system is limiting choice—there is substantial evidence that those from lower-income homes are seeking to minimise their financial liability by going local—and that, to give students real choice, issues relating to fees have to be wrapped up with those relating to maintenance?

Mr Streeter: I do agree with that, which is one of the reasons I am speaking today. I will talk about that in a moment, because the full-on higher education experience of going away to university and growing up during those three or four years, or however long it is, is an important part of the process. As I will set out in a moment, when a young person chooses to stay local and live with their parents or parent still, to me that is not the full-on experience, which is regrettable. I agree with the hon. Gentleman: I am beginning to see the top-line figures becoming quite a barrier to a number of people. I certainly would not want to be 24 with a debt of £40,000 hanging around my neck as I entered the workplace.

That is why we are here this morning: we have to try to find a new way forward together, and I very much welcome the Government's review. I will briefly summarise the operation of the current system—although I know that you are an expert on it, Mr Hosie—then I will point out some of the areas in which it falls short and finally present my thoughts about the way forward.

As we know, currently universities in England can charge up to £9,250 a year for undergraduate tuition, with substantial variations in some parts of the United Kingdom, such as Northern Ireland, Wales and Scotland—that is what devolution is all about. Students can apply to Student Finance Ltd for a non-means tested loan of up to £9,250 a year to cover the tuition fees, while also taking out loans to cover the cost of living while at university.

To reflect on that point for a moment, we sometimes look back to the old days of maintenance grants. I came to King's College in London in the 1970s, between 1974 and 1977—I cannot believe it—and had a minimum grant, based on my parents' financial circumstances. I do not want to do a Neil Kinnock, but I was the first Streeter in a thousand generations to go to university, and my parents did not really understand that they could top the grant up, so I spent my three years in London with not very much money. It was still a wonderful experience, but it was not all gold in the old days, depending on people's circumstances. I hope my parents never get to read the *Hansard* report of this debate, because they are wonderful people.

Gordon Marsden (Blackpool South) (Lab): You might get a cheque in the post.

Mr Streeter: It would be a little bit late, but I thank the hon. Gentleman for the thought.

Repayment of loans is a shared responsibility between the Student Loans Company and Her Majesty's Revenue and Customs. The Student Loans Company receives all its funding from the UK Government and the devolved Administrations. Therefore, the system is based on the student owing however much money he or she needed to borrow to get through university and gradually paying it back during their working lifetime. Perhaps not surprisingly, 93% of all students in England take up student loans.

The total amount of debt that an average student who completes a three-year undergraduate course will owe has now risen to around £50,000, according to the Institute for Fiscal Studies. That sum will include just under £6,000 in interest accrued during the period of study, at a rate of up to 6.1%. A student who has taken out a loan will begin repaying 9% of their income when they are earning higher than the repayment threshold, and any unpaid debts are written off after 30 years. Broadly, that is the system.

The Government announced in October 2017 that the repayment threshold on student debts would be raised from £21,000 to £25,000, commencing from April 2018. At the same time, the fee cap was frozen at £9,250.

Daniel Zeichner (Cambridge) (Lab): I commend the hon. Gentleman for making a very good speech. He has just outlined the way that the system is currently working, but does he agree that what is happening now is not what people anticipated when the coalition Government introduced it? They anticipated that there would be differential fees—different amounts paid at different universities—but because the system has not worked, a whole generation has been left with enormous debts. The system is absolutely broken, and the levels of interest are unacceptable. We really have to change it quite dramatically. Does he agree?

Mr Streeter: I do agree. I am looking for change and I think the Government are looking for change, which I guess is why the review is taking place. When the level of fees was increased, we were led to believe that different universities would charge different fees. Some of us who have been around for quite a long time recognised that that might not happen, and indeed all universities went for the maximum more or less straight away. However, the reason why we are here today and why the Government are reviewing this matter is that the system is not working as planned, and we now need to see some real change. That is very much what I am calling for.

Under our current system, students in the United Kingdom are landed with the greatest amounts of student debt in the developed world—greater even than the notoriously large student debts in the United States of America, which reach an average of \$36,000 on graduation. The Institute for Fiscal Studies has recently reported that 77% of UK graduates will never pay off their full debt, even if they are still repaying in their fifties, and that is projected to rise to 83% once the new figures have been introduced. This is an important point: we have a system that is almost set up to fail. Built into the system

is an understanding that most of the people who participate will not repay. I do not want that system in place for the long term. When graduates immediately move abroad, that results in more unpaid debts. When a graduate's employer is not UK-based, they are not subject to the automatic repayment system as they would be in the United Kingdom. In 2014, it was estimated that, by 2042, £90 billion of student support funded by the Treasury will remain unpaid.

It is certainly right for students to contribute to the cost of obtaining a degree. The stats still demonstrate that, over a lifetime, a graduate is likely to earn significantly more than a non-graduate. According to Universities UK:

“Official figures are clear that, on average, university graduates continue to earn substantially more than non-graduates and are more likely to be in employment.”

In debates with sixth-formers and others, I guess many of us have argued, “Why should a proverbial taxi driver who does not have a degree pay extra tax to help others improve their income?” There are pushbacks and answers to that, but it is still a compelling and important point. We must remember that the figures involved are significant, with each new crop of student loans being £13 billion a year. That is a substantial sum that we are having to find to support students going to university.

The principle of students contributing to their own higher education is surely right, but it must be sustainable. I am beginning to see that it is not sustainable for someone to have a debt of up to £50,000 around their neck when they enter the workplace.

Carol Monaghan (Glasgow North West) (SNP): Does the hon. Gentleman share my concern that some students, particularly those from a disadvantaged background, will experience much higher debt than that because their families are unable to support them financially? Students from disadvantaged backgrounds entering the workplace will have a much higher burden of debt.

Mr Streeter: I agree that people who are not able to draw down on the bank of mum and dad have a much tougher time. The figures I am quoting presuppose that someone has taken out loans for tuition fees and support. I think they are the maximum figures. I think the point that the hon. Lady and I would agree on is that there are students who do not rack up that kind of debt because they get support. Once again, there is an issue of fairness for students from disadvantaged backgrounds.

That debt is certainly a hindrance to getting on the housing ladder, to which 85% of young people aspire. It is something that the Government are desperate to encourage. If we are to meet the aspirations of generation rent, we might have to remove some of the burden from their backs. The prospect of having such a large debt hanging over their heads inevitably leads to some mental health worries among higher education students and graduates. In 2015, a study published in the *Journal of Public Health*, entitled “The impact of tuition fees amount on mental health over time in British students”, found that in the UK,

“poor mental health in students has been linked to financial problems, considering dropping out for financial reasons, financial concern, being in debt and concern about debt.”

It is worth noting that countries such as Sweden, Denmark, Finland and, more recently, Germany have moved away from the tuition fee model.

There are big questions about whether universities provide proper value for money for their degrees and offer favourable returns for graduates. The National Audit Office reported that two thirds of students consider that universities do not provide decent value for money. More students—especially those from poorer backgrounds, to come back to the point we were debating a few moments ago—are choosing to stay at home and attend their local university due to fears over unsustainable debt. That is a regrettable trend, because the whole university experience is partly about moving away from home for the first time, growing up and learning independence.

Paul Blomfield: I clearly agree with the hon. Gentleman on his point about the wider university experience, but does he recognise that staying at home narrows academic choice, depending on where someone lives? If people are choosing local, that might give those in London an immense range of opportunities, but in many parts of the country it narrows the choice significantly.

Mr Streeter: That is a good point. I represent the city of Plymouth. We have an excellent university, but it is particularly strong in certain fields. If someone is minded to stay local because of cost and debt and they want to become—I had better choose my subject carefully, because I do not want to diss any of its faculties, which are all excellent—a top-notch lawyer, they might not want to choose Plymouth. They might prefer Exeter. I think I have got myself into trouble here. I thank the hon. Gentleman for leading me down that path. Plymouth is an excellent university for all subjects, but he makes a compelling point.

Moving on, what might we do? We are right to ensure that students contribute. We want universities to be properly funded, but how can we make the system fairer and more sustainable? I have welcomed the excellently timed Government review, and I very much look forward to the outcome.

Universities could do more to reduce their costs. They are slightly strange organisations. In one sense, they are neither private sector nor public sector. They are a hybrid and in many ways they are perhaps unaccountable. The salaries of vice-chancellors is just one issue—acting on them would not have a huge impact, but would be emblematic. At the University of Bath the vice-chancellor's salary is £471,000, at the London Business School it is £448,000, and at the University of Southampton it is £424,000. How can the leader of a university earn three times more than the Prime Minister of this country? I do not understand that, and it has to be tackled. It is a bit like people wagging their fingers at us and saying, "MPs all earn so much money." Having proper oversight of vice-chancellor salaries would not save much money, but it would send a signal, bearing in mind that students contribute 50% of the cost of those salaries. The salaries are utterly outrageous and something needs to be done. Perhaps the Minister will touch on that when he winds up.

Paul Blomfield: Will the hon. Gentleman give way?

Mr Streeter: Yes, I enjoy giving way.

Paul Blomfield: Given the numbers here today, there is an opportunity to have a good interactive discussion. I will try not to lead the hon. Gentleman into difficult territory with this intervention. He is absolutely right about vice-chancellors' pay. The sector has got it wrong, and in some cases spectacularly. Does he accept that the problem is that people have said to universities, "Behave like the big businesses you are", and are then complaining when they do? Does he think we should have the same approach to unacceptably high pay in all parts of the private and public sectors?

Mr Streeter: If an individual sets up their own business and still owns it then it is up to them what they pay themselves, but other than that I tend to agree about large salaries at the top justified by being in a marketplace and having to compete with other organisations. The charitable sector is another one where we have seen massive chief executive officer salaries. I imagine that if many people knocking on doors raising money for charities really knew what was going on, they would not be so happy. There is a job to be done in all these sectors, perhaps sparked by the Government, to have more reasonable levels of pay at the very top. The gap to those at the top must be very dispiriting for those humbly working day in, day out for not very much money. I recognise that we need to do more about that. The Government have talked about it, and I support them.

I have three specific proposals before I sit down. There are two quick ones, and one where I will go into greater depth.

Dr Roberta Blackman-Woods (City of Durham) (Lab): Does the hon. Gentleman agree that we need the Government to look at sustainability in the sector? The briefing for this debate said that the forecast surplus for the university sector is only 1.3% this year, so it is not a bloated sector. It does not mean there is a differential outcome for various institutions. In fact, university budgets are under threat from Brexit, from the cuts in research funding, from the fall in part-time students, and from a possible fall in international students, not to mention demographic trends in our country. We have to be careful to ensure a sustainable funding system.

Mr Streeter: I agree. When the panel reports its findings, I hope the Government take action to help us put in place a system that is both fair and sustainable. We have a world-class university system in this country that we must not in any way seek to undermine. It is hugely important that, as young people increasingly compete with people from other countries, we keep our highest university standards.

Daniel Zeichner: It is important to recognise that there is a dispute going on in higher education at the moment and that staff have been out on cold picket lines. Whatever one's view of that dispute, it is partly about how resources are allocated and ensuring we have a sustainable system. Does the hon. Gentleman agree that we need an urgent resolution to the dispute? If we are to support academics in future, they must have a pension scheme in which they can have confidence.

Mr Streeter: I must confess I do not know the details of the current dispute. I am not a huge supporter of strikes, but I agree that it would be better to have the

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dispute resolved as quickly as possible. All people are entitled and should aspire to a proper and decent pension settlement.

Moving on to my three points, you will be pleased to hear that the first two are very brief, Mr Hosie. I have some ideas for the Government to grapple with, although I am sure they have thought about these things in advance. One possibility to soften the blow for students could be to make the monthly repayments tax deductible, which would basically reduce the true impact of the repayments and seems both reasonable and fair. Secondly, the current interest rate of 6.1% seems almost punitive when we have interest rates so much lower. I do not think that that was ever the intention when we started off on this journey. We should consider reducing the interest rates to the amount that Her Majesty's Revenue and Customs pays us when it has our money for any length of time. The interest calculation for overpaid tax is a lot less than 6%. If it is fair for that purpose, it would be fair for students. Again, it would encourage people to embrace the student loan system if the rate of interest was significantly lower.

Thirdly, and in a little more detail, for the first time in my life I wonder whether it is time to consider a graduate contribution system in place of the current tuition fees and student loans: in other words, what some people would call a graduate tax. We have all been involved in debates over the years in which we have said that that is an absolutely disastrous idea but, for the reasons that I am about to give, I think it should be reconsidered.

A graduate contribution tax is essentially a system sub in which the student becomes obligated to an income-related additional tax on graduating in return for Government subsidisation of higher education, resulting in low or no tuition fees to the student. The Government would in effect pay all or most of the fees directly to the university, and the student would pay a contribution over and above ordinary levels of tax for a limited period of time once they start work. That removes the burden of individual borrower accounts or balances owed. The exact percentage of earnings that graduates would be required to pay back would be up for discussion, but one option is to have a banded system in which the percentage paid back is determined by income and increases across income bands. What is the point? Two things. First, a system based on the ability to pay rather than the amount of money the student has borrowed to get through university is more reasonable and fair than the current system.

The Minister for Universities, Science, Research and Innovation (Mr Sam Gyimah): I thank the hon. Gentleman for giving way and register the fact that I have arrived at the debate. The point about a system based on the ability to pay is important. In a sense, the current system is a hybrid between a loan and a graduate contribution system. People pay 9% of their income, so those who earn a lot more pay a lot more of the loan back, and people who earn a lot less pay less back. There is already a significant taxpayer subsidy up to about 45%. I want to put on the record that the current system is a hybrid between the graduate contribution system that he is outlining and a loan system.

Mr Streeter: The Minister is absolutely right to make that point.

The second reason why I think a fresh look might be helpful is that, under a graduate contribution scheme, students would not leave university with the worries associated with personally owing so many thousands of pounds. There would be no massive debt figure around their neck. I know the Minister was snowed in this morning, so I am not sure whether he heard me say that I am coming to the view that young people having a personal debt of £40,000 or £50,000 around their neck as they enter the workplace is becoming a massive problem that we need to think about. I hope the review will look at that.

I believe that the vast majority of graduates would be happy to pay a fair income-contingent contribution in return for the direct payment of fees by the Government, thus breaking the perceived link between the cost of tuition and repayments from students. Such a change would hopefully serve to alleviate some of the mental health worries faced by students and graduates who, on finishing university, receive the infamous letter outlining how many tens of thousands of pounds they now owe: "Congratulations on graduating. Now we want the money back." Paying a regular, reasonable graduate contribution through tax gives far less reason to worry than the contents of those letters sent to graduates. A graduate contribution system would also provide the Treasury and higher education institutions with a long-term guaranteed stream of money as graduates pay regular instalments of additional tax in line with their incomes over a certain number of working years.

The Minister might like to reflect on this next point. It would be possible also to tailor the contribution system to change the rate of tax on degrees that the Government are keen to encourage, perhaps in science, technology, engineering and maths subjects, and nursing, as an inducement for students to pursue those degree courses and consequent careers. I can see that the Minister is not leaping to his feet to agree with me. He will no doubt deal with that point when he winds up the debate later.

Obviously, training and recruiting sufficient nurses to meet the growing needs of our NHS is becoming a huge priority for our country. The Royal College of Nursing, which I had a meeting with recently in my constituency, informs me that applications to nursing courses have fallen by 33% since tuition fees for undergraduate nursing were introduced. The Government wisely said that they would review the impact on nurse training and recruitment once the new system had been in place for a year or two. We are now approaching that moment in time. I hope the review currently being undertaken by the Government will reflect on that and make recommendations. We cannot have a system that starves our NHS of sufficient nurses for the future, because that would be short-sighted.

Carol Monaghan: Coupled with that we have the issue of the sharp decline in EU nurses applying for positions here in the UK.

Mr Streeter: Yes, I agree, and one of the many consequences of the decision made by the people of our country in June 2016—

Carol Monaghan: Not my country.

Mr Streeter: Well, the decision was made by the majority of people in the United Kingdom. One of the consequences is that fewer doctors and nurses are coming

here to work in our NHS. That is a very regrettable problem, but there we are. We are democrats and will therefore comply with the wishes of the people.

I hope my thoughts are useful to the Government—I can see the Minister nodding his head—as we try to find our way to a system that is fair and reasonable to students and taxpayers alike, and that ensures that the United Kingdom encourages the brightest and the best to reach their potential through higher education. I look forward to the rest of the debate and the Minister's response.

9.58 am

Andrew Lewer (Northampton South) (Con): It is a pleasure to serve under your chairmanship, Mr Hosie, particularly as you have experience and this is my first experience of speaking in a Westminster Hall debate. I hope you will be tolerant with me. I thank my hon. Friend the Member for South West Devon (Mr Streeter) for his excellent opening speech and the points that he made. Of his three points I wrote down the one about the 6.1% interest rate, which is almost unarguably a good point. I suppose his idea about the monthly repayments being tax deductible would be a “Yes, Minister” brave suggestion. On the concept of a graduate contribution, I think it may have been better if the present system has been not only set up slightly differently, but described differently at the time it was set up, taking into account the points that both my hon. Friend and the Minister have made about its true nature.

I welcome the fact that the Prime Minister's speech on education and today's debate have opened up an opportunity to discuss the reforms that we need to pursue in the funding of higher education. It is often the case, and I think it is here, that the obvious solutions are not necessarily the best. Revising education options for those over the age of 18 is, however, a welcome initiative. As a former member of the European Parliament, I was the lead member for the European Conservative and Reformists group on the Committee on Culture and Education, and therefore had a lot to do with Erasmus, Horizon 2020 and so on. We have as much to learn from other European countries as we have to teach them in showing them innovative ways of working.

I have been a governor of the University of Derby for the past eight years, so I try to keep up to date with the challenges of higher education. The point about vice-chancellors' salaries is particularly relevant. In many cases, the solution is robust internal governance on the part of governing bodies at universities. I am pleased to say that the system at Derby is robust, but elsewhere there can sometimes be a culture of embarrassment, and of deferring to the vice-chancellor and senior executive members of the university. There can also be a concept that a governor ought to be a cheerleader for the university, rather than providing challenge and pushing back at some of the ideas of those in executive positions. That is not necessarily a call for more rules about governance; it is more a cultural point. It is for the universities to make sure that their governors are providing challenge, and are not just there to say, “You're doing a great job; keep it up,” even if they are doing that, as is often the case.

Lowering tuition fees for higher education to, say, £6,000 may seem like a good idea in theory, but in practice it may, slightly counterintuitively, benefit only

wealthier graduates. Even with that reduction, the tuition fee would remain hefty, and it would become easier for higher-income students to pay it off altogether, while lower-income graduates would still end up potentially with 30 years' worth of debt to pay. Moreover, the immediate income of universities from the loan repayments of higher-income students would decrease. Smaller, more modern universities, such as the University of Northampton in my constituency and the University of Derby, would be affected the most, because they rely on tuition fees to survive more than the elite, more market-manageable, more international universities with various external sources of funding. Furthermore, it is newer universities that tend to recruit a high proportion of their students and graduates from lower-income families.

The problem, however, is not without a range of solutions, one of which could be the reintroduction of some kind of maintenance grant for disadvantaged students. Although cutting fees may not lead to financial support for those who need it the most, grants would be targeted specifically towards lower-income students. We also need other solutions as part of a toolkit. The format of today's debate is useful in that respect, because we are not just standing up and saying, “This is the solution to the issue,” which would not be the right approach.

One solution might be to encourage private investment, and partnering up with private sector institutions. High-quality education leads to skills that are good for business. Revising skills and education, and adapting that to economic needs, as has been touched upon, could lead to new sources of funding in the form of grants from the private sector to university students and institutions, and to even more private investment in research—an area in which UK universities are very much world-leaders.

Only a few months ago, in November, the University of Northampton was one of six universities that contributed to an independent review of social impact investment in the UK made by the Treasury, showing that they are very much up to speed with what is going on in the sector. Part of that involves catching the eye of companies for financial partnerships. The university is moving from the constituency of my neighbour, my hon. Friend the Member for Northampton North (Michael Ellis), to an exciting new campus in my constituency of Northampton South, which is leading regeneration. Universities have a key role in that in obvious ways, such as buildings and the presence of the students, and in less obvious ways, such as changing and mixing up the culture of a neighbourhood. That brings potential problems, but if managed correctly it can bring significant benefits.

Another aspect that needs to be considered is that, although graduates can officially leave university with debts of £50,000, as my hon. Friend the Member for South West Devon began by saying—that sum of money is a key point in the debate—many never repay those sums, owing to the nature of the loan agreements, as they do not reach a certain level of income. The level of graduate contributions thus depends on the salary level that the students get after leaving university, which in turns depends partially on the skills and education that they received. However, the fact that that huge burden of debt is not, in many senses, actually there is lost on people due to the way in which the system is set up, expressed, and currently administered. There is scope in

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the reforms that have been put forward and the review that has been announced to look at the system not just presentationally, but in terms of how it operates.

Investing in universities is a healthy approach to getting funds into the institutions and providing opportunities for low-income students to study. The University of Derby has invested £120 million in facilities over the past five years, and graduate outcomes have improved markedly as a result, which is really the point of all such investments. Some 74.1% of students are in graduate-level roles within six months. We all know that education is the foundation of a good, productive economy and a rich, diverse society. It will always remain a top priority for the Government, and it should not be overlooked by today's innovators and entrepreneurs, who will be the beneficiaries of it as well.

We have a terrific university sector in the UK. It is the envy of the rest of Europe and attracts huge numbers of international students. Despite changes that have taken place, which have been referred to, those numbers are still very strong. Our changes need to be forward-looking and build on that success. Although I am a great lover of nostalgia, I do not think that solutions should hark back to what was a much more elite and restricted past in the university sector.

10.7 am

Paul Blomfield (Sheffield Central) (Lab): It is a pleasure to contribute with you in the Chair, Mr Hosie. I had not intended to speak today, but I was interested to hear what the hon. Member for South West Devon (Mr Streeter) had to say, and I have obviously been inspired by his contribution.

I want to make a few, probably disjointed points, the first of which is about the sustainability of the sector. As has been pointed out, we have one of the best higher education sectors in the world. At a time of uncertainty for the country, we ought to build on our strengths, and not do anything to undermine them. When the Minister winds up, I hope that he will assure us on how the review will maintain, or indeed strengthen, the sustainability of the sector.

There is a fear that, because of the way that the debate has opened up, the Government may intend simply to mitigate the costs by constraining fees without replacing them with teaching grants, rather than looking ambitiously at how the system works, as the hon. Gentleman suggested. Clearly, a move to reduce fees in certain subjects could have the perverse consequence of leading people in a contrary direction to the one suggested by the hon. Gentleman. Likewise, a fee cut that is not replaced by teaching grants across the board, or in any other way, could really bring into question the sustainability of the sector.

Dr Blackman-Woods: My hon. Friend is making a really important point, which I hope the Minister can address. There is real concern among universities that the review could result in a huge loss of income. As I said earlier, the whole of the sector is not making a huge surplus. We want our university sector to thrive, compete globally, and give our young people and others the skills that they need to compete in the workforce. My hon. Friend has raised an important point, and it is one that the Minister needs to address.

Paul Blomfield: I agree with my hon. Friend. In his introductory remarks, the hon. Member for South West Devon rightly said that when the new system was introduced in 2012, there was an expectation of a variety of fee options. I shared his scepticism at that time. There was a thinking in Government that the £6,000 to £9,000 range would mean that Oxbridge, obviously, would charge £9,000, and everybody else would neatly rank themselves in accordance with the Government's perception of quality. Those of us who had a relationship with the sector knew that that was not viable, because it costs as much to provide a degree in Plymouth as it does in Russell Group universities. So what happened was not surprising.

Although the review should focus on value for money, as the hon. Gentleman said, we need to be careful not to reduce higher education to a crude transactional relationship. There is an element within the teaching excellence framework that does that.

I was on the Higher Education and Research Public Bill Committee. Those of us on this side of the House supported the principle of focusing on teaching quality, but were worried that some of the metrics drove the debate in the wrong direction. We are pleased that the Government moved more towards a qualitative evaluation, rather than the simple crude quantitative measures they were initially looking at, but there is still an aspect of the debate that says we should be measuring quality by crude and easily measurable standards. We might take contact hours, for example. If we are going to measure by contact hours, Oxford would be bottom of the table. Nobody would argue that Oxford is the worst university in the country, but that illustrates the danger of crude metrics.

Andrew Lewer: Although crude metrics are not helpful, would the hon. Gentleman accept that having some metrics, such as the teaching excellence framework, is helpful?

Paul Blomfield: The hon. Gentleman is right. As I said, those of us on this side of the House who were on the Bill Committee, such as my hon. Friend the Member for City of Durham (Dr Blackman-Woods), argued that a focus on teaching quality was right, but we needed to get the way that we measured that experience right.

The other metric that is problematic is employment outcomes. The current Minister's predecessor, the hon. Member for Orpington (Joseph Johnson), acknowledged that they were crude and, in a sense, unreliable metrics, but they were being used because they were the numbers that were available. I pointed out to the Minister at the time that there is not necessarily a relationship between teaching quality and employment outcomes. If a student had been to Eton and Oxford, like he had, and were from the right family and knew the right people, that person's employment outcome was likely to be fairly good, irrespective of teaching quality. So when looking at the funding review, my warning is that we should make sure that we look at the educational experience of universities in the round. We argued that there should have been a statement in the Higher Education and Research Act 2017 about what universities were for.

Dr Blackman-Woods: I am glad that my hon. Friend has raised the discussion we had in that Bill Committee about what universities contribute to our society in

addition to teaching and education. They contribute to sports development, cultural development and social outcomes in our communities. They do a lot of voluntary work. Students from my own university, Durham, do a lot of voluntary work in the local community. If we are going to look at value for money, which I agree we should, we felt that the additional benefits that universities deliver to society should somehow be brought into the equation as well, and there was certainly a danger under that legislation of the wider benefits of universities being completely discarded in the Government's TEF measures.

Paul Blomfield: I thank my hon. Friend for that intervention. Clearly, we are at one on that issue.

Mr Jim Cunningham (Coventry South) (Lab): I apologise for being late for the debate, Mr Hosie. My hon. Friends make an interesting and important point. In Coventry, universities make a major contribution to the local economy, for example. Very often, we find that students are also helpful to community organisations. Sometimes, someone who is doing a law course can give unofficial advice, which is helpful, given the situation we now face with cutbacks. The other point is that further education has taken a bit of a hit as well. In Coventry, there have been 27% cuts.

Paul Blomfield: I have visited the university that my hon. Friend represents. It does particularly innovative and good work in supporting small businesses and is a leader in the sector. He makes an important point. At a time when one of the issues we face as a country is the imbalance in the economy between London and the south-east and the rest of the country, universities offer a unique asset in ensuring that economic growth is distributed across the country. They are the one asset that we have in every part of the UK, in its regions and nations. The role that they play in driving economic growth is hugely important. My hon. Friend makes that point very well.

I have three additional points. First, will the Minister answer the question—which the Education Secretary was unable to in the statement the other day—relating to widening participation and fair access funds? There is a concern that one of the ways in which the sector will be squeezed in order to hit ambitions on fees is by reducing the amount of money allocated to widening participation and fair access. Investment in that area was one of the few good things that came out of the 2012 reforms, so I would be grateful if he could give a reassurance on that.

Mr Gyimah: I would like to give the hon. Gentleman that reassurance now. He is absolutely right: the widening participation funds—£1,000 out of every £9,000 paid by students in fees—go towards access. We will not be doing anything to diminish that access project. Although many people talk about the fact that we have global, world-class institutions, one of the successes of our higher education system is actually the number of disadvantaged people who are going to university as a result of those funds being available. There is a challenge in making sure that they are successful at university and get well-paid jobs. We will not be doing anything to diminish that.¹

Paul Blomfield: I thank the Minister for that intervention. As we said earlier, fairness of opportunity and the choices available depending on where a person lives are issues in the current system. The widening participation and fair access programmes are hugely important, and I am grateful for the Minister's assurance that not one penny will be taken from those areas of funding.

I endorse the point that the hon. Member for South West Devon made about nursing, midwifery and allied health courses. When we had a debate on the Government's proposals in this Chamber previously, some of us challenged the Government and said that taking away bursaries and introducing fees for those courses would lead to a drop in applications. The then Minister, who is no longer a Member of the House, assured us that what the Government were trying to do—you couldn't make it up, Mr Hosie—was share the benefits of the funding system for other undergraduates with nursing and midwifery courses. Share the benefits! Some of us questioned whether a £50,000 debt was a benefit, and warned of the sort of drop in applications that we are now seeing. I hope the Minister will tell us that the decision about the funding arrangements for nursing, midwifery and allied health courses will be reconsidered as part of the funding review, and that the Government will put on hold the current proposals to extend those arrangements to other health courses that are not currently subject to fees and loans. The Minister is obviously aware of those areas. The Opposition have tabled prayers seeking a halt to those proposals.

As the hon. Member for Glasgow North West (Carol Monaghan) said, a number of things are coming together and will cause an enormous crisis in the NHS, but that is not the only issue. Nursing, midwifery and allied health courses are one of the few areas for second-chance education. They are dominated significantly by mature students, who see them as a route into a professional career and personal advancement, which is not available through the 2012 funding system. Since the 2012 funding system was introduced, there has been a significant drop in the number of mature students.

Mr Jim Cunningham: We have raised the issue of education maintenance grants many times in this place. Women often have an ambition to go into nursing when their children grow up, and they are affected because they cannot get education maintenance grants. This is a very important issue, and once again women are carrying the can.

Paul Blomfield: Again, my hon. Friend is absolutely right. From the point of view of the needs of the NHS and the opportunities for mature students, and just for the sake of justice, we need to look again at nursing, midwifery and allied health courses.

I will make my third point very briefly, because this is a much bigger topic. I raise this issue as co-chair of the all-party group on international students. Universities' financial stability is partly based on this country's enormous success in attracting international students to come and study here. Those numbers are flatlining as a result of measures taken by the Home Office and the inclusion of international students in the net migration numbers, which inevitably leads to policy decisions that discourage international students. The Minister will say that the

1. [Official Report, 21 March 2018, Vol. 638, c. 2MC.]

[Paul Blomfield]

numbers are holding roughly up, but holding roughly up is not good enough in a growing market, because it means a relative decline.

There is a huge risk as we leave the European Union, because some 125,000 of our 450,000 international students come from the EU, and most universities are modelling on the basis that we will lose about 80% of them. One third of non-EU students said before the referendum that if we chose to leave the European Union, they would find the UK a less attractive place to come to. The Government need to put in place measures within the framework of the strategy to actively encourage more international students. They can start by removing them from the net migration targets.

Carol Monaghan: One of the other issues with international students is that we have lost a lot of the diversity within that group. Whereas in the past, students came from India, Australia, the United States and Canada, we are more and more relying on the Chinese student population. That is problematic, because if anything happens politically to change that relationship, our universities could have difficulties.

Paul Blomfield: The hon. Lady makes a very important point. The numbers have been sustained only by the huge increase in the number of Chinese students. Of course, Chinese students are very welcome in the UK, but no business would be satisfied with becoming over-dependent on one customer. China is moving ahead in leaps and bounds in developing its own universities, and now has some of the finest universities in the world, doing some of the finest research in the world, so we cannot rely on that market. The hon. Lady is absolutely right that part of the new strategy that we need to encourage people to come from all over the world needs to be about looking at countries such as India, from which the numbers have dropped.

10.25 am

Carol Monaghan (Glasgow North West) (SNP): It is a pleasure to serve under your chairmanship, Mr Hosie. I thank the hon. Member for South West Devon (Mr Streeter) for securing this debate. I listened to his speech with interest, and surprisingly I found myself nodding along to a lot of what he said. We have had an admission from the Prime Minister that the current system in England is not working for students. Admitting we have got it wrong is one thing, but actually carrying out a review and making appropriate changes is another. I worry that we might get stuck in the detail.

I will try to limit my comments about Scotland, where the Scottish National party has restored the tradition of free higher education while maintaining educational maintenance allowance for those in school or further education, and bursaries for young people from disadvantaged backgrounds in higher education. Our support package works: Scottish 18-year-olds from the most disadvantaged areas are now 67% more likely to apply to higher education institutions than they were 12 years ago. Scottish students graduate with the lowest debt in the UK. Their debt is less than £12,000, which contrasts with the astronomical figures we have heard about this morning. We believe that university education should be based on the ability to learn, and never on the ability to pay.

Mr Gyimah: To be absolutely clear, university education in England is not based on the ability to pay. On the contrary, no one has failed to get a university place in England because they cannot pay. Payment is only significant after the graduate earns more than £21,000—it will be earnings of more than £25,000 from 1 April. It is important to get the facts right.

Carol Monaghan: We also have to look at the retention rates for young people from disadvantaged backgrounds who do not have full support.

Ultimately, this debate should be about who benefits. We educate children in schools not simply for their own economic benefit, but for the benefit of society. We have got to ask whether the young people embarking on tertiary education courses will contribute economically and societally to our nations, or whether we are simply providing them with a service, for which they must pay. As legislators, we must be clear about that. Post-Brexit, the UK's economic success will rely on a well-educated population. We have skills shortages in science, technology, engineering, healthcare, education and digital. Graduates are needed now to ensure that the UK remains competitive outside the EU.

The hon. Member for Sheffield Central (Paul Blomfield) mentioned the variance in fees. I have difficulties with that. If as has been rumoured we lower the fees for less expensive courses, how will we encourage our young people to study the more expensive science, technology, engineering and maths subjects, graduates of which are so desperately needed? EngineeringUK estimates that we have an annual shortfall of 20,000 engineering graduates alone. The hon. Member for South West Devon mentioned the impact of removing the nursing bursary. Again, who benefits? We should encourage young people to study those courses, not put additional barriers in their way.

Fees are not the only difficulty for English students. The interest on student loans has risen sharply—it is currently 6.1% for some students. Maintenance grants have been scrapped, and it is rumoured that student debt on completion has reached £50,000. Many young graduates will be left saddled with debt throughout most of their working lives.

The hon. Member for South West Devon mentioned students staying at home for their university experience, and was concerned about the impact on the whole package experienced by students at university. In Scotland and Ireland there is a cultural predisposition to stay at home. It is not necessarily financially driven—my son is staying at home during university—so there may be other factors at play. His education is not impacted. Students have opportunities for other life experiences, such as summer placements, industrial placements and travelling abroad. The hon. Member for Northampton South (Andrew Lewer) mentioned Erasmus, which is a rich experience for students even if they stay at home during university. I push the Minister to make a commitment on Erasmus, because university students and many people across the sector want that commitment as part of the Brexit process.

We are often told that our free tuition policy in Scotland prevents Scottish students from accessing available places, but since 2007, the number of Scottish-domiciled full-time degree entrants has risen by 12%. Since 2013, the total number of funded places available at Scottish

universities, including additional places to widen access for students from Scotland's most deprived communities, has also increased. The hon. Member for Sheffield Central mentioned the metrics used in the teaching excellence framework, and graduate success as an indication of our universities' quality. Graduate salaries are a lot lower in many geographical areas in the UK, so students graduating in parts of England and Scotland will automatically have a lower salary than those in south-east England. That is a flaw in that metric.

We often talk about the number of young people going to higher education as a measure of economic success. I could not count the number of times I hear people talking about encouraging people to do high-quality apprenticeships, yet that seems to be forgotten when we talk about higher education. I would like there to be parity among apprenticeships, further education colleges and quality employment. In fact, we should look at positive destinations, not just the number of young people going to university. For many young people, a high-quality apprenticeship—degree level or otherwise—allows them to make excellent progress in the workplace without necessarily saddling themselves with debt.

Dr Blackman-Woods: The hon. Lady makes an important point. Does she agree that it is important not to talk in binary terms about university or technical education? Our universities deliver some of the best technical education in the country, and we should aim for a route to whatever form of education is best for the young person or older person retraining. We should not get stuck in the binary divide, but ensure that we make connections between them.

Carol Monaghan: We have a problem if we educate only graduates—we need a full range of different people with different skills. I usually speak about tertiary education because, in Scotland, the lines between further education and higher education are less defined than they are in other parts of the UK. In fact, a lot of our degree courses are delivered in further education colleges. The movement between FE and HE is a very important part of our educational landscape in Scotland.

Positive destinations should be a measure of success, and we should encourage young people of all backgrounds into whatever is appropriate for them. That includes those from the most advantaged backgrounds considering apprenticeships. We need to try to break down that barrier. I agree with the hon. Member for South West Devon that vice-chancellor pay has reached a ridiculous level for some. Lecturers were out on strike this week and last week because their pensions are under threat. I agree with him that perhaps the time has come to look at the pay package that we offer all staff.

Paying for education is a duty of Government, business and society, including the taxpayer. We need to ensure that we have a well-educated population that can provide economic growth in different businesses and sectors. Post-Brexit, there will be a struggle to create economic growth. We all have the duty to pay our taxes so that they fund the education of our young people, benefit society and fuel economic growth. The Scottish National party is fully committed to guaranteeing fair access to higher education, so that every young person, regardless of background, has an equal chance to go to university. My party will continue to work hard to ensure that.

10.37 am

Gordon Marsden (Blackpool South) (Lab): It is a great pleasure to serve under your chairmanship, Mr Hosie. I congratulate the hon. Member for South West Devon (Mr Streeter) on securing the debate. He spoke thoughtfully. We are both of the Kinnock generation, so I understand some of his points. He talked about his experiences in schools and people going to university. We must recognise the heart of the debate is not just the people who speak about what they might be deterred from, but the people who keep silent. The people who keep silent, whether they are older or younger learners, are being put off by the current financial structure that the Government have put in place.

The hon. Gentleman made a number of interesting suggestions about graduate tax and cutting the interest rates from 6.1%. There is consensus on that across the piece. We would have more sympathy with the Government if they had not been so intensely relaxed, and indeed complacent, when the interest rates were introduced. It was very clear that the previous Universities Minister—no doubt because he was a keen remainer—did not take into account in any shape or form the implications of Brexit in that respect. Two months before the referendum, inflation stood at 0.4%, but it is now 3.1% and rising. That is one of the reasons why the interest rate is 6.1%.

I welcome the thoughtful comments made by the hon. Member for Northampton South (Andrew Lewer). He made very sensible points about governance in higher education. He rightly touched on the impact on post-1992 universities if fee aversion hits the disadvantaged students they cater for, and talked about his experiences with the two universities he is associated with—the University of Northampton and the University of Derby. I support all that, but I remind him and the House that fee aversion is an issue not simply for students but for the taxpayer. My hon. Friend the Member for Manchester Central (Lucy Powell) made exactly that point in response to last week's statement. The Government have tried to make a virtue out of necessity by saying, "Oh, you don't really need to repay all this money," but we are irresponsibly laying burdens on future generations and on the tax system now. The Government should not be complacent about that in any way.

Mr Gyimah: I look forward to hearing the hon. Gentleman outline the Labour party's policy. His concern is burden on the taxpayer, but there would be an even bigger burden on the taxpayer if higher education were made free—that is my understanding of the Labour party's policy—unless places were rationed.

Gordon Marsden: There were several completely unproven assertions in what the Minister just said. He would do better to stick to this debate, which is about his policies rather than—

Mr Gyimah *rose*—

Gordon Marsden: No, I am not going to take another intervention. The Minister will have plenty of time to say what he wants to say.

My hon. Friend the Member for Sheffield Central (Paul Blomfield) rightly talked about the sustainability of the sector and some of the key issues in terms of Brexit. My hon. Friend the Member for Coventry South

[Gordon Marsden]

(Mr Cunningham), who is no longer in the Chamber, absolutely rightly drew us back to further education and nursing bursaries, and the hon. Member for Glasgow North West (Carol Monaghan) spoke about issues post-Brexit.

The point is very straightforward: since coming to office in 2010, Conservative-led Governments have repeatedly raised tuition fees. They trebled fees to £9,000 and subsequently increased them to £9,250. That agenda has hit students—particularly those from disadvantaged backgrounds—harder and harder since 2012. The cutting, one by one, of all the concessions that David Willetts introduced to temper the impact has been just as damaging. Those concessions were dismantled deliberately. The National Union of Students lists them in its briefing for the debate: the Government abolished maintenance grants, NHS bursaries, the disabled students allowance and the education maintenance allowance, and ended Aimhigher.

The Minister has inherited that. He is not responsible for it, but he would be wise to show due humility about its incremental impact on the people concerned. If he reads the “Fairer Fees” report published by the Sutton Trust late last year, he will see, as Members have already said, that the average debt for students in England is higher than the European average and twice the US average. As a result, the Government have racked up an unenviable record of nudging people away from, rather than towards, aspiration in higher education and chipping off many of the rungs of the ladder of social mobility that were designed to protect them.

The July report by London Economics for the University and College Union suggested that thousands of graduates would suffer a mid-life tax crisis, analysis undertaken last year by the Institute for Fiscal Studies shows the level of debt, and only this week the Sutton Trust gave us figures that show disadvantaged students across the UK are more than three times more likely to live at home while attending university. The hon. Member for Glasgow North West made that point, too.

The Prime Minister finally admitted last week, after months of us, the Sutton Trust and an impressive range of stakeholders all saying the same, that the current funding system leaves the most disadvantaged students with the highest debt, yet behind the warm words and soft soap that were ladled out by the Prime Minister in Derby and by her Education Secretary in the Commons, it seems that no new money is available and there is the potential for HE funding cuts. In her speech, the Prime Minister tried to talk the talk on social mobility and aspiration, but she did little to walk the walk and address either the FE sector, in which 10% of HE is delivered, or the problems with 16-to-18 provision that many colleges are suffering, including the one in which she chose to make her speech. It will take more than a brush-by in Derby one afternoon in February to remedy those issues.

The terms of reference published by the Department state that the review cannot make recommendations on tax policy and must make recommendations in keeping with the Government’s fiscal policies. Will the Minister confirm that that means there will be no new money for the policies in the review? Does it mean that savings will have to be found elsewhere in the FE budget if changes are to be made? My hon. Friend the Member for Sheffield

Central challenged him and, to give him credit, he made a commitment that access and widening participation funding will not be diminished as a result of the review. I warn him that the Treasury has a long reach and he will need a stout shield to resist it in this area and others.

Dr Blackman-Woods: Does my hon. Friend agree that, unless the Government are at least prepared to put more money into the sector, it is difficult to understand how we will get a sustainable system for funding universities? The Minister needs to be clear about that.

Gordon Marsden: I absolutely agree. As the Minister is eager to explore our policies, I remind him that Labour’s policies and our message of progression were taken on board so strongly by would-be and existing students, their families and their parents during the recent election because we had a cohesive narrative. Whether we were talking about adult learning, college learning or traditional cohorts of young people going into higher education, we said that we wanted to lift barriers and financial burdens to make a step change in social mobility. The Conservatives did not put that message across, and suffered accordingly. Given the restrictions on the review, they will miss another opportunity.

The Conservatives continue to falter on the reintroduction of maintenance grants, to which we have been committed for nearly two years. The Prime Minister engaged with that tortuously last week. Our position is echoed by the education sector, Universities UK, MillionPlus, the Chair of the Education Committee, the Treasury Committee and even the vice-chancellor of the private University of Buckingham, Sir Anthony Seldon. UUK has said that there are ways in which the current system can be improved, such as by reintroducing maintenance grants, as has MillionPlus, but it is likely that colleges and universities will be expected to cover any extra costs. The Prime Minister implied that in her speech last week when she said the Government will have to look at how “learners receive maintenance support, both from Government and universities and colleges.”

We have some idea of how that extra funding might be delivered under her policies: by robbing Peter to pay Paul. We saw the same sleight of hand from the Secretary of State in *The Sunday Times*, on the BBC and in his statement last week, when he talked about cutting the cost of tuition fees.

The bottom line is that those who already have a lot will be given more. Wealthy students and graduates will benefit the most, because they can pay off debt the earliest. Over the next 10 years, there will be 13 million vacancies but only 7 million school leavers to fill them, yet great swathes of our university extramural departments, institutions such as the Open University and Birkbeck, and new providers, have been swept away or at least crippled by the tripling of fees since 2012.

There is a social dimension. One in five undergraduate entrants in England from low-participation neighbourhoods chooses or has no option but to study part time. The Government need to address that. However, when the Prime Minister talked about lifelong learning last week, there were no words of contrition for what the Government have done: tripling fees, scrapping maintenance grants and introducing adult learning loans, half of which have been handed back unused to the Treasury.

What we need to know from the Minister—apart from why, curiously, there has been no reference to 16-to-18 education—is what he is going to do to reassure people. No direct grant has been available for university courses in the arts and humanities, social sciences, computer science, design, architecture or economics since 2014-15. Will there be anything in the review to support those? The Prime Minister and the Secretary of State have talked about two-year courses easing financial burdens on students, but where is the commitment to the continuous professional development that will be necessary in HE if those are to go forward correctly?

Finally, what are the principles behind the timing of the report? Of course, the report will not be independent but will have input—that is all it is—from the panel. However, that input may be quite weak. Why will there be no consideration of that? What will the Minister do to reassure us all that it is not just a PR exercise?

Henry Ford famously said that a customer can have any colour so long as it is black. If the Minister and his Government do not take proper regard of the various elements described in the debate, they will be just as guilty of that as Henry Ford.

10.50 am

The Minister for Universities, Science, Research and Innovation (Mr Sam Gyimah): It is a pleasure to serve under your chairmanship, Mr Hosie. I congratulate my hon. Friend the Member for South West Devon (Mr Streeter) on securing the debate, which has been wide-ranging and stimulating in a number of ways. Higher education is a complicated policy area, and since I have been appointed to this position I have been inundated with ideas about things to do. In the debate, hon. Members have made contributions where they have not just come up with ideas but thought of knock-on consequences of some policy suggestions. I welcome that.

There were many questions about the Government's HE review and what it seeks to do, but before I get to that I will deal with some of the myths around the current system, because it is worth clarifying that. The system does not stop disadvantaged people applying to university. Their parents' income and their income is not a barrier to getting into university at all. In fact, they can get into university and get on, and they have to pay back only once they have completed their studies and have a job paying—from 1 April—£25,000.

Another myth is that disadvantaged people in particular do really badly. That is not true. The system is very progressive in its repayments structure. I have been going around the country, speaking directly to students, and I went to Queen Mary in London, where 42% of students are the first in their family to go to university. That is a direct result of the policies the Government have pursued. I am not saying that everything is perfect and that there are not reforms to pursue, but it is worth recognising the success we have had.

No matter how we cut it, in every league table in the world our universities come second only to those of the United States. We have four in the top 10 and 16 of the top 100 in the world, and that is because we have put them on a sustainable financial footing. Those who have read the terms of reference will know that the review must have regard to the sustainability of the

university sector. An important point was made that universities are not just about the education that the individual gets; in many of our towns, universities are huge employers and a source of spreading wealth and growth. For that reason alone, ensuring the sustainability of the sector is particularly important.

This year, we will probably hit the target of one in two 18 to 30-year-olds having a university education. Such an education is not just about what is studied; it has become a rite of passage for many young people. It is the first time they move away from home. They have freedoms, and they become an adult at university. We think that is a positive thing. That aspiration was set by Tony Blair, a Labour Prime Minister, so to hear Labour Members criticising us for hitting a target set by a Labour Prime Minister is a bit rich.

Hon. Members: Who is criticising?

Mr Gyimah: Well, the suggestion from the Opposition spokesperson, the hon. Member for Blackpool South (Gordon Marsden), was that somehow we have pursued policies that are damaging higher education and the aspiration and prospects of our young people as far as the university sector is concerned. On the contrary, we have pursued policies that have put no cap on aspiration.

Gordon Marsden *rose*—

Mr Gyimah: I will take the hon. Gentleman's intervention in a second.

I will end this myth-busting section by focusing on Scotland, where controls on student numbers continue to restrict the aspiration of young people. The Sutton Trust recently stated that Scottish 18-year-olds from the most advantaged areas are still more than four times more likely to go straight to university than those from the least advantaged areas, compared with 2.4 times in England. Audit Scotland has stated:

"It has become more difficult in recent years for Scottish students to gain a place at a Scottish university as applications have increased more than the number of offers made by universities."

That is not an example I want to copy here in England.

Carol Monaghan: Of course, as I said, the distinction between FE and HE in Scotland is far more fluid, and UCAS admits that a third of young people studying degree-level courses are doing so in further education colleges, which is not captured by Sutton Trust figures or UCAS figures. Scotland is doing extremely well in this area.

Mr Gyimah: Audit Scotland clearly does not share the hon. Lady's view.

Gordon Marsden: The Minister speaks about rites of passage. Those are fine words, but fine words butter no parsnips. The truth of the matter is, he should be focusing on not just the number of people from disadvantaged backgrounds getting to university but what stops them staying there. He should also focus on the groups who never even think about getting there because of what his predecessors' tuition fees policies have done, particularly for mature and part-time students.

Mr Gyimah: In the spirit of compromise, I agree that, yes, access should be not just about getting to university but succeeding when there and getting a well-paid job afterwards. If people do not get to university in the first place, the idea of succeeding when there and getting a well-paid job is purely academic, not to put too fine a point on it. There is clearly work to be done, but where we are now shows significant progress from where we were in 2010.

The review seeks to look at the whole higher education sector for post-18 education, including choice and competition in the market, how the funding system works and how HE and FE can be joined up, and the overlaps. That is particularly important. However, we are not waiting for the review; a significant number of reforms are under way, building on our successes.

We are in the process of implementing the Higher Education and Research Act 2017, and the new Office for Students, at whose launch I will speak later today, will be a strong voice for students and ensure minimum standards. The OFS director for fair access and participation will further drive social mobility. The teaching excellence and student outcomes framework will drive quality teaching—that is particularly important—and the reforms will facilitate further diversity, with new providers and shorter degrees delivered at lower cost. In fact, today my right hon. Friend the Secretary of State is publishing the first statement of Government priorities and guidance for the OFS. The Government are also publishing the results of recent consultations on the new regulatory approach, and the OFS is publishing the regulatory framework. That marks a key milestone in delivering our higher education reforms in that area. The review will build on all of that.

There are questions about the teaching grant, which will be looked at in the review, and whether new money will go in. As always, it is important to look at things within the constraints of the Government's overall fiscal framework, and that will be considered alongside budget lines in wider education and our public spending.

There are issues around changing the system completely and whether we look at some kind of graduate contribution or graduate tax system. Obviously, those are all welcome suggestions. I would say they have been looked at by successive Governments over the years, but fresh thinking is welcome, and I welcome the fresh thinking that my hon. Friend the Member for South West Devon brought to the debate.

We have a higher education system that is the envy of the world, and many international students are queuing to come and study here, but the Government recognise that to deliver for students more needs to be done. My right hon. Friend the Secretary of State has said that the variability in fees that we expected has not materialised, and it is important to look at all the different ways in which universities operate. There were 534,000 students who accepted a place at university last year. They clearly do not all have the same desires, the same aspirations and the same needs, yet our university system gives all of them pretty much the same offer.

Stewart Hosie (in the Chair): Order.

Motion lapsed (Standing Order No.10(6)).

Death by Dangerous Driving: Sentencing

11 am

Eddie Hughes (Walsall North) (Con): I beg to move,

That this House has considered death by dangerous driving and sentencing.

It is a pleasure to serve under your chairmanship, Mr Hosie, and I thank the House of Commons digital team for their support in publicising this debate on social media. They put details of the debate on the House of Commons website, and I understand that 5,500 people saw that post and several hundred engaged with it. From the key themes identified, those who have lost loved ones said that they felt they were serving a life sentence, and they did not feel that the person convicted of causing death by dangerous driving received an adequate sentence.

In support of tougher sentencing, Carole said:

"Definitely. We are now a family living a life sentence. The dangerous driver that caused my 19-year-old son's death served 22 months and is out living their life."

Patricia said:

"My 17-year-old daughter was killed by a drunk driver. He got two years, four months, while I am doing life. I'm so angry."

I thank those members of the public who took the time to comment, especially those personally affected by this topic.

In securing this debate I intended to support a campaign initiated recently by the *Express and Star*, following recent tragic cases in the black country. I therefore make no apology for borrowing from articles that that paper, and others, have published on this subject. The *Express and Star's* "Stop the Speeders" campaign has attracted thousands of signatures, and it urges the Government to introduce tougher sentences for killer drivers. I am also extremely grateful for the support of Walsall Labour councillor, Doug James, who has spoken of his support for the campaign.

Support for tougher sentencing is echoed right across the country, and I pay particular tribute to my hon. Friend the Member for North East Cambridgeshire (Stephen Barclay) for his work in this area following a very sad case in his constituency. On 20 February 2011, 22-year-old Jamie Butcher was crossing at a pelican crossing in Wisbech when a speeding driver careered into him, throwing him 43 metres through the air and killing him instantly. He had been walking into town after a family dinner with his parents when the driver, who was travelling at twice the 30 mph speed limit, ran a red light and killed him. The driver was sentenced to just 43 months in prison. Following their son's death, Steve Green and Tina Butcher joined road safety charity Brake, and campaigned relentlessly for a change in the law. Partly as a result of their hard work, in December 2016 the Government launched a consultation on driving offences and penalties relating to causing death or serious injury.

For the purpose of this debate I would like to draw attention to the summary findings in respect of the penalty for death by dangerous driving. Consultees were asked:

"Do you think that the maximum penalty for causing death by dangerous driving adequately reflects the culpability of the offending behaviour or should it be increased from 14 years' imprisonment to life?"

Some 70% of the 8,305 respondents to that question thought that the maximum penalty for the offence of causing death by dangerous driving should be increased to life imprisonment. Only 15% of respondents thought that the current 14 years was adequate. Those who agreed with an increase in the maximum penalty commented that that would provide the courts with tougher sentencing powers in the most serious cases.

Gareth Johnson (Dartford) (Con): I congratulate my hon. Friend on securing this debate. Does he agree that in many of these instances the charge should be manslaughter, not death by dangerous driving? If someone were to kill another person in any other circumstance through dangerous or reckless behaviour, they would be charged with manslaughter, yet it seems that that is not the case on the roads. With a charge of manslaughter the court could give a maximum of life imprisonment rather than 14 years.

Eddie Hughes: I completely concur with my hon. Friend, and I will touch partly on that issue later in my speech.

It was also argued that an increased maximum penalty would better reflect the culpability of dangerous driving behaviours and the disregard that some motorists had for others. A number of respondents also suggested that deliberate driving actions directed at other road users should be charged as murder or manslaughter. Under the current law, the Crown Prosecution Service can, and will, charge a person with manslaughter where the evidence supports that charge. However, as many of those who did not agree with an increase commented, in many driving cases the offending behaviour, which may be highly irresponsible, does not suggest that the vehicle was intentionally used as a weapon to kill or commit grievous bodily harm, so it would not amount to murder or manslaughter.

It was also suggested that causing death by dangerous driving should attract the same sentence as murder or manslaughter because the harm caused—the death of the victim—is the same in all three offences. Increasing the maximum penalty for this offence would enable the courts to impose a life sentence or any lesser sentence, including a determinate sentence of any length. However, increasing the maximum penalty does not guarantee sentence length, as decisions on sentencing remain with the independent courts and are made on a case-by-case basis.

Some also suggested that consecutive sentences should be imposed for each death caused. It is an established principle of law that sentences are served concurrently when they relate to the same course of events, and consecutively when they relate to separate incidents. The court will impose a sentence length that reflects the seriousness of the offending behaviour. Therefore, in circumstances where multiple deaths were the result of a single incident, concurrent sentences will be imposed by the court, but it will take account of the number of victims when setting the overall length of the sentence.

Where are we today, and why are we still debating this subject in Westminster Hall, rather than the Chamber of the House of Commons? Four months after the publication of the consultation findings, the law remains unchanged and, as of today, no Government time has been allocated to implement those changes. That can be

of no comfort to the family of John Hickinbottom, whose killer recently received a seven-year sentence for killing John in Walsall while speeding. The court heard that on Friday 9 June 2017, Craig Edwards got behind the wheel, despite pleas from his mother to hand over the keys to his BMW because he was drunk. He travelled just a quarter of a mile before losing control of the car as it sped at almost twice the 30 mph limit along Bentley Road North in Walsall.

Jim Shannon (Strangford) (DUP): I congratulate the hon. Gentleman on bringing up this issue for consideration by the House. In Northern Ireland, the reduction of the drink-driving limit has reduced deaths and accidents significantly. Importantly, it has also reduced the police's workload. Does he agree that liaising with the devolved Administrations to ascertain their direction would be helpful, and that reducing the drink-driving limit to 50 mg in England and on the mainland would be a step in the right direction?

Eddie Hughes: That is an interesting suggestion. Perhaps the Minister will comment on that when he replies to the debate.

Taking a right-hand turn, Craig Edwards careered on to the pavement, hitting Mr Hickinbottom, a retired builder from Bentley, who died three days later last June. Mr Howard Searle, prosecuting, said that Edwards left the wrecked BMW clutching a bottle of Baileys and, when told by an eyewitness that he had knocked down a pedestrian, replied, "So?"

The 29-year-old defendant from Walsall had 15 previous convictions for 34 offences, including two previous cases of dangerous driving. He was jailed for just seven years after admitting causing death by dangerous driving, failing to stop at the scene of an accident, driving when disqualified, drink-driving and having no insurance. He was also banned from driving for four and a half years on release from prison.

Justin Tomlinson (North Swindon) (Con): My hon. Friend is making a powerful case. There can be no excuse for the Government not to take the matter forward, because that example clearly shows why this should be treated like manslaughter. That driver's disgraceful actions merit nothing short of a manslaughter punishment.

Eddie Hughes: I completely agree with my hon. Friend. People need to understand that when they are in control of a vehicle, it is a lethal weapon, and that is manslaughter.

Douglas Ross (Moray) (Con): I thank my hon. Friend for the excellent speech he has delivered so far and the harrowing local cases he has explained. In Scotland over the last five years we have had 166 convictions for death by dangerous driving. However, many of the concerns he has raised in England are also pertinent in Scotland, where there are concerns about the overly lenient sentences. Does he agree that this is an issue that the devolved Administrations must also look at?

Eddie Hughes: I completely agree. The crime is the same, regardless of where in the United Kingdom it is committed, and the impact is felt equally.

[Eddie Hughes]

The time has come. The Government must now make Government time available to implement the change. We must ensure not only that those who kill while speeding face the full force of the law, but that there is a new charge for those who fail to stop at the scene of an accident. On that point, I completely agree with Brake, the road safety charity, which said:

“There needs to be a new charge of ‘failing to stop following a fatal or serious injury crash’. This would not have any requirement to prove the driver who failed to stop caused the crash, as there can be an assumption that if they fled, they caused it. This is necessary because, at present, British law acts as an incentive for the worst law-breaking drivers to flee a crash if they kill someone. If a drink or drug driver kills someone and remains at the scene, they are likely to be tested for alcohol or drugs, prosecuted for ‘causing death by careless driving when under the influence of alcohol or drugs’, and face up to 14 years’ imprisonment. But if they run away and sober up, and there was no other evidence of careless or dangerous driving, they can only be prosecuted for the minor offence of ‘failing to stop or report an accident’, which carries a paltry maximum sentence of six months. If someone steals a car, kills someone and remains at the scene, they will be identified by the police as driving a stolen car. They can be prosecuted for ‘aggravated vehicle taking’ and face a maximum 14 years’ imprisonment. Much better to flee, ditch the car, and hope never to be identified. Drivers who hit and run are despicable: to escape the law, they leave behind suffering and dying victims in need of urgent medical attention. The law must be changed to remove this incentive to flee.”

This Government are on the side of those affected by atrocious crimes of that kind. We sympathise completely with the families of those affected and we understand the need to send a strong message to the public that we will come down hard on those who show total disregard for the lives of others.

I will finish by asking two things of the Minister. First, I ask him to listen to the thousands of people who have already backed the campaign by the *Express and Star* asking the Government to implement tougher sentences for killer drivers. Secondly, I ask him to listen to the call from Brake, the road safety charity, to create a new offence of failing to stop following a fatal or serious injury crash. Let us work together to ensure that fewer families have to grieve for the loss of loved ones. Let us stop the speeders.

11.13 am

The Minister of State, Ministry of Justice (Rory Stewart): It is a great privilege to serve under your chairmanship, Mr Hosie. I begin by paying tribute to my hon. Friend the Member for Walsall North (Eddie Hughes) for bringing this extremely important debate to the House. I also pay tribute to the work of the *Express and Star* and to the local Labour councillor, Doug James, who has done an enormous amount of work on the issue.

This issue combines the House across different parties, linking people from Scotland, Northern Ireland and England, and I am sure that colleagues from Wales would be here too, because, as my hon. Friend pointed out in his eloquent speech, this horrifying tragedy is something that does not stop at any national border. He has provided, much more eloquently than I can, a description of what that means for a family. We have seen cases in the last week where dangerous drivers have killed a toddler and a baby in a pram by charging across a road. Those are people whose recklessness with 1.5 tonnes of metal—an incredibly dangerous weapon

—is unbelievable. The loss that it means for a family is something unimaginable. The hole it leaves in somebody’s life to have lost a child or a loved one in that way is unbelievable.

That is why we as a Government have committed to increasing the penalty for causing death by dangerous driving to a life sentence, and why we are now working to find time in the legislative agenda to bring that in. That needs to happen, and the fundamental reason for that is that families feel the system is not just. They feel it is not fair to them or to their experience. That has also been brought forward clearly by my hon. Friends the Members for Dartford (Gareth Johnson), for North Swindon (Justin Tomlinson) and for Moray (Douglas Ross), by the hon. Member for Strangford (Jim Shannon), and indeed by my right hon. Friend the Member for Ruislip, Northwood and Pinner (Mr Hurd), who raised it with me yesterday in relation to his constituents.

The one area where the Government would have some disagreement with my hon. Friend the Member for Walsall North is on the question of somebody fleeing the scene. There is already an offence for fleeing the scene, and although he pointed out that that in itself is a short offence, it is a very serious aggravating circumstance when the judge comes to convict. Were the judge to find that somebody had killed someone and then fled the scene, it would significantly increase the sentence that the judge was able to give. Once the opportunity for a maximum life sentence for causing death by dangerous driving is provided, fleeing the scene is an aggravating factor that would drive the sentence up towards a life sentence.

I know that Members of Parliament have challenged that, so I will be clear about what we are talking about. It is of course true that we are dealing with an enormous number of different types of situation. Those situations range all the way from somebody who is drunk, driving at twice the speed limit in a town and speeding through a red light, to my 25-year-old constituent who overtook, sober, at 5 in the afternoon and killed somebody coming the other way because he misjudged his overtaking. All of us in this House understand the importance of the judge and jury in making those difficult decisions in different cases.

We should be in absolutely no doubt about what dangerous driving means. Dangerous driving means that all those people, whatever they were doing, fell well below the standard we would expect of a careful and competent driver. They ought to have been aware of their physical surroundings, aware of the normal laws of causation, aware of the terrible danger posed by the vehicle they were driving, and aware that their dangerousness caused the ultimate thing—a lack of life.

The disagreement over whether that should be a case of murder is around the question of intention. This House believes that there is a difference between somebody who intentionally sets out to murder someone—to stab or shoot them—and somebody who is behaving dangerously in a car, who is overtaking, who may not intend to kill the person. However, the impact on the family is exactly the same; whether the individual intended to kill their family member or accidentally killed their family member, the impact is the same. That is why we owe a huge debt of gratitude to the Members of Parliament who have campaigned tirelessly on the issue, which has been neglected by this House. That is also why we will be bringing legislation forward, and why I pay tribute

again to my hon. Friend the Member for Walsall North, to the *Express and Star*, and to all the Members of the House who have campaigned on this important issue.

Gareth Johnson: The Minister is right to point out that there are a range of circumstances. That is why courts should be given lengthy maximum penalties, to cater for the different scenarios that can arise. We have a situation where the maximum penalty for someone charged with causing death by driving without due care and attention and then fleeing the scene is just three years. Worse than that, any unduly lenient sentence cannot even be appealed by the prosecution. Therefore, we need the matter to be reviewed right across the board.

Rory Stewart: The Government's belief is that, by increasing the maximum sentence to a life sentence for causing death in that situation, the distinction my hon. Friend is drawing between different types of crime—in particular, the question of manslaughter that he raised in his intervention earlier—will be dealt with. The maximum penalty of life that the Government will introduce will then allow life sentences to be imposed on an individual who did that, regardless of whether it was done in a car or in some other fashion. With that, I will conclude with another tribute to my hon. Friend the Member for Walsall North.

Question put and agreed to.

11.19 am

Sitting suspended.

Anti-Corruption Strategy: Illegal Wildlife Trade

[MRS MADELEINE MOON *in the Chair*]

2.30 pm

Dr Rupa Huq (Ealing Central and Acton) (Lab): I beg to move,

That this House has considered the anti-corruption strategy and the illegal wildlife trade.

It is, as always, a pleasure to serve under your chairship—not chairmanship—Mrs Moon. Right hon. and hon. Members on both sides of the Chamber know that we are all lobbied on animal issues: bees, foxhunting, which thankfully is not making a comeback, puppy smuggling and so on. Those issues are close to my heart, and as I am co-chair of the all-party parliamentary group on anti-corruption—I see that my trusty co-chair, the hon. Member for Amber Valley (Nigel Mills), is in his place—combating illegal rackets is never far from my mind, either. I see that the anti-corruption chair is also with us—sorry, champion, or is it tsar?

John Penrose (Weston-super-Mare) (Con): Tsar.

Dr Huq: I would have liked to see a tsarina, but we have a tsar and he is in his place.

In this debate, we are considering both the illegal wildlife trade and anti-corruption. The two are not as decoupled as one might think; the phenomena overlap more than one might imagine. We all remember the heart breaking case of Cecil the lion. He was lured out of a protected reserve to be killed and dismembered as a trophy—that is vile and revolting—as was his son. That highlights how trading in wildlife occurs worldwide. That is the case in fact, and in fiction recently. We have had the Panama papers, the Paradise papers, and “McMafia” on television on Sunday nights. That has reminded us of anti-corruption, corrupt practices—all those sorts of thing. This debate brings the two together; there is a nexus between anti-corruption strategy and the illegal wildlife trade. Drugs, human trafficking and the illegal arms trade might be the more obvious associations with the word “corruption”, and they hit the headlines more, but the illegal wildlife trade is ranked fourth globally, in terms of transnational crime networks, after those three things. It is worth more than £17 billion a year. That is the Government's estimate. We do not know, because the trade is illegal, but it could be worth more.

This debate therefore goes further than conservation matters. One often thinks that animal issues are for the big-hearted people who are concerned about furry and cute species. That is important, but issues of sustainability, endangered species, the damage to our ecosystems and biodiversity are all implicated in animal issues. Another issue is trafficked animals. As I said, the debate goes further. For a start, the trafficked animals that we are talking about include lizards such as chameleons, rhinos for their horns, elephants for their tusks, and pangolins, which were celebrated recently on World Pangolin Day—the Foreign Secretary feted that day of the year. Pangolins are hunted for their scales. None of those animals are

[Dr Huq]

furry at all; they are desired for their high-value body parts. All this stuff raises questions of transnational crime and corruption.

Zac Goldsmith (Richmond Park) (Con): I congratulate the hon. Lady on initiating this crucial debate. Given what she has said about the scale of the illegal wildlife trade and its connection to corruption, will she join me in supporting the Environmental Investigation Agency's campaign for the UN convention against corruption to be amended to include the illegal wildlife trade? It currently does not, and no cases have been pursued by that agency. That ought to change.

Dr Huq: The hon. Gentleman, who is well known for his love of animals and has fought for many years on these issues and other environmental matters, makes a very valid point. I do not know in detail the document to which he refers, but it sounds as if a horrible loophole needs to be closed immediately, so I am grateful to him for drawing that to my attention.

I want to address the Government's slightly lacklustre, "could do better" efforts to date at combating the illegal wildlife trade's contribution to money laundering and organised crime. I have tabled written questions, as many hon. Members have—a lot of them are here today—and quite often the answer given is that the Government will be hosting a summit in London in October to address these matters, or they state sums of money that have been spent on this issue. To the layperson, a sum of money is a bit intangible. It is a figure; they cannot see what is actually happening. The October summit seems to be the answer to all our ills, but I have a series of questions for the end of my speech about specific things that I would like to happen.

As my co-chair of the APPG will know, the elephant in the room—ha-ha—on all this and on the anti-corruption strategy, which thankfully has now been published, is the slowness of the UK not just to encourage but to ensure that all our overseas territories adopt public registers of beneficial interest as soon as possible. I know that that issue is not quite within the Minister's remit, but if she could pass it on to her colleagues, that would be great.

Martin Whitfield (East Lothian) (Lab): I am grateful to my hon. Friend for securing this most important debate. Does she agree that as well as wildlife trafficking, which covers our fauna, there is also the question of flora? Illegal logging is going on. That causes huge economic and environmental damage to an area and, consequently, the flow of that illegal wood into the system causes disparities in economic value.

Dr Huq: I completely agree. Both flora and fauna are handled by the EU body that deals with these things, and there is a worry about whether, when we leave the EU, we will still be covered. My hon. Friend is absolutely right to say that the issue is not just cute, furry animals, scaly animals or whatever. Both fauna and flora are implicated in this vile trade.

The supply chains are complex. There are both poachers and traffickers. The ivory trade alone is estimated by the UN to be worth \$62 million in east Asia, with approximately

75 tonnes of elephant ivory exported. It is not just, as one might imagine, one or two elephants being killed by rogue poachers. There is an industrial element to this organised crime—huge-scale shipments to foreign buyers at the other end. People get away with it because, in the words of Tom Cardamone in written testimony to the US Senate Committee on Foreign Relations, this is "Low Risks, High Profits".

John Penrose: As one of the chairs of the anti-corruption APPG, the hon. Lady is doing an excellent job in raising the very important nexus between illegal wildlife trading and the fight against corruption. Does she agree that perhaps the simplest way to look at the question of animal trafficking and poaching is to think of it rather like an extractive industry? Many of the risks that apply to mining or illegal logging and those sorts of thing also apply to the illegal traffic in both flora and fauna. If we think about it in that way, many of the same public policy responses, both in this country and in the countries of origin, will be effective if we can put them in place.

Dr Huq: The hon. Gentleman is absolutely right. Criminal intelligence gets more and more complex as criminals find different ways to convert their ill-gotten gains. The hon. Gentleman is right to say that the risks are the same, as are the effects of this crime on communities at the other end, which are often in the developed world, so he makes an excellent point.

This trade, if we can call it such, is popular with terrorist groups and militias. That relates to what the Government's anti-corruption champion just said. The Sudan People's Liberation Army in South Sudan, which was a rebel group but has now overthrown the person who was in power, has been partial to elephant poaching by grenade; and ivory poaching is a means by which the Janjaweed militia funds its activities in the same region.

The illegal wildlife trade goes much wider than being simply a peripheral concern of well-meaning people concerned with the world that we will leave to the next generation. The damage done is manifold, as the anti-corruption champion just told us. The corruption that supports illegal trading in wildlife poses threats to national security, as we have seen from the terror threat. It is seen by those who deal in it, like guns and drugs, as just another commodity and part and parcel of these organised crime networks. Bribery and corruption obscure the enforcement of existing laws—if there are bendable officials, that also mucks things up—and diminish efforts to strengthen them. Not everyone has an anti-corruption champion in the same way as we do, although the post was vacant for a while; I am very glad that the hon. Member for Weston-super-Mare (John Penrose) is occupying it now.

Credit where credit is due: the UK has not completely sat on its hands when it comes to anti-corruption efforts. We all remember David Cameron's anti-corruption summit in May 2016—the whole world came to London. The strategy he promised at the time finally saw the light of day at the end of last year, as did the long awaited champion. It was almost smuggled out in the dead of night and not everyone seems to have noticed. Ultimately, we must do more.

One of my main concerns with the anti-corruption strategy is the lack of strong action on open registers of beneficial ownership in our overseas territories. We have

said that before. The criminal gangs do not simply traffic in animal parts, but in drugs and arms. They launder their money through shell corporations. Again, we are dealing with these secrecy jurisdictions and mysterious properties with questionable ownership. I think there are whole streets in London where we do not know who owns them and dirty money is parked there.

Nick Herbert (Arundel and South Downs) (Con): I strongly support what the hon. Lady is saying about the need for transparency. I agree with her about the transparency of companies, the registers of beneficial ownership in overseas territories and the need for more enforcement. Does she agree that it is vital that we choke off demand for ivory? In the end, as with all crime, if we do not tackle demand, but only focus on enforcement, we will not be successful. It is just as important that we address the demand for ivory, as well as the vital enforcement measures, which I agree are important.

Dr Huq: I will come on to speak about demand. I agree that we need to stop these ivory products being desirable, especially in south-east Asia. The right hon. Gentleman made a very good speech the other day in the debate on the Sanctions and Anti-Money Laundering Bill, with which I agreed wholeheartedly. He has also noticed that the Government seem to have downgraded their ambition. In 2016, we were told that all countries needed to reach a gold standard of public registers of beneficial interest. David Cameron painted himself as a world leader in this and promised action. Now, the Foreign Office says that it expects UK tax havens only to adopt the public register when it becomes a global standard, so I think there has been a bit of slippage, but I know that the right hon. Gentleman has done excellent work on this. He is absolutely right that these products should not be desirable at all and people should not be clamouring for them.

The conservation community should be encouraged to work alongside anti-corruption organisations in bringing together anti-corruption strategy and environmental policy. We have an environment Minister responding today, but in a way this covers more than one Department. It is a multifarious issue.

It was good that a much-trailed document recently saw the light of day: the 25-year environment plan. That came out earlier this year and it includes a pledge to bring forward an anti-poaching taskforce. I hope that the Minister will tell us that that will happen well before 2043. We do not need 25 years to do this. We know what the issue is. That plan also includes a taskforce. Sometimes I feel that people can get consultation fatigue. I hope the taskforce has a better appointment procedure than the Office for Students. Perhaps that is something for my constituent, Toby Young, given that he is not serving on the OFS any more. I do not know how transparent the application process is.

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Dr Thérèse Coffey): A tiger never changes his stripes.

Dr Huq: Right, let us stick to the point. To stamp out poaching would cut off the source, which we need to do so that animal carcasses are not exported at all, let alone

the body parts. We have spoken about the products at the other end. I think there are some studies that show that only 3% to 5% of income from commercial hunting goes to local communities. The rest goes into central Government, agencies, international corporations, terrorists and all sorts of other destinations.

The consultation on the ivory ban last autumn was very welcome, but it has all gone a bit quiet since it closed last year. We are already in March, so when will the results surface? The ban needs to be more than just virtue signalling. There need to be proper measures for combating the ivory trade at source.

Zac Goldsmith: I just want to make one point and follow it up with a question. Since the summit initiated by David Cameron, there has been huge progress. Only a few weeks ago, China closed down every one of its ivory carving factories, which will have a huge impact in reducing demand in China. There have been all kinds of ripple effects across the world as a consequence of that early summit. Demand is being tackled at a very high level. As a country, we can take a lot of credit for that. Everyone expects that the consultation will result in a pretty clear position by this Government—the position that most people want the Government to take. The one concern I have is that it will not go far enough in terms of species. It is not just about elephant ivory. If the elephant ivory market is closed down, there will be a move—we are already seeing signs of this—towards other ivory bearing species, such as the walrus, the narwhal, what other species?

Nigel Mills (Amber Valley) (Con): Rhinos.

Zac Goldsmith: Rhinos do not produce ivory. There are other ivory-bearing species. Therefore my hope—I hope the Minister will acknowledge this later—is that the ban will be on not just elephant ivory, but all ivory.

Dr Huq: The hon. Gentleman makes a good point. China has introduced a total ban. That is what we would like from our Government. It is not often that we are following China. Usually we are leadership and not followership. He is absolutely right that this concerns other species as well. I think the famous chess set that people talk about came from walrus tusks, so it is not only elephants. I feel there has been a slowing in some of those laudable aims, perhaps because the bandwidth of the Government is being reduced by other issues—nobody foresaw Brexit at the time of that first anti-corruption summit. We can go further and faster.

Zac Goldsmith: I thought of the third species: the hippo. There are only 100,000 hippos in the world, which is extraordinary. If there is any increase in demand for hippo ivory as a replacement for elephant ivory, they are finished. I wanted to put the lovely, noble hippo on the record as well.

Dr Huq: Is the song about hippos “Mud, Mud, Glorious Mud”, or am I misremembering that from my long-ago youth? Yes, the hippos are a valiant species.

We are one of the largest countries to export ivory to south-east Asia. As the right hon. Member for Arundel and South Downs (Nick Herbert) said, this can create desire and demand for people to own these products as things with a luxury status. We need to work with China

[Dr Huq]

and other south-east Asian Governments to ensure that demand is dampened and even destroyed, and that ivory's cultural cachet—that it is a cool thing to have—falls.

In this post-referendum situation, as we head towards Brexit, there is a potential opportunity to promote other British luxury goods as alternatives to ivory in this brave new world we are heading to, which not all of us wanted to go to. I want to put on record the work done by my constituent Duncan McNair of Save the Asian Elephants—he deserves praise. Perhaps the Minister would like to meet him because he has some good ideas. Although in 1975 the Asian elephant in theory became a protected species, abuses continue to this day—he can talk ad infinitum about those.

The black rhinoceros—yes, the rhino was there—is in danger of being hunted to extinction in the wild, as an hon. Member mentioned. The organised poaching gangs associated with it promote corruption and organised crime. The rhino horn shipped to Asia from Africa is often sold for more than gold and platinum on the black market. The UN figures put the annual trade in Asia at £8 million. Lion numbers declined by 43% between 1993 and 2014. As of July 2017, the continental population of African lions was estimated to be 20,000. All these wonderful species are disappearing from our planet. Across their range, lions are in decline. They face threats from loss of habitat and prey, as well as illegal poaching and hunting. Lion bones, as well as those of leopards and other big cats, are used in some east Asian medicine—there is a myth that they have medicinal properties.

There have been success stories in the fight against the organised illegal wildlife trade. Lion hunting trophies are no longer permitted in Benin, Burkina Faso, Cameroon, Djibouti, Ethiopia, Guinea, Guinea-Bissau, Mauritania and Somalia. It is not all doom and gloom. The Kenya Wildlife Service has been praised by the UN and the coalition Government because it introduced a £10 million grant to combat the trade in ivory and rhino horn. This debate was not meant to be about simply knocking the Government, but I do want to outline some areas where we could do better.

Some other good news is that, in 2017, a Chinese trader in Nanjing was arrested for what he believed to be tiger bone, but was in fact a lion bone. That illustrates how criminal gangs can use lion bones to skirt restrictions on tiger bones—there is slippage. There is a sense that the commercial farming of lions and tigers in South Africa could be fuelling rather than satiating demand for big cat bones in traditional medicines.

Clearly, aspects of the illegal wildlife trade exist in tandem with elements of legalised trade in wildlife parks. Again, the case of Cecil the lion was in a wildlife park. The Environmental Investigation Agency found that legal loopholes allowing the hunting of rhinos for live export and for trophies were being used to facilitate poaching. There is an argument in some circles for the promotion of farming certain animals to combat the illegal trade in their body parts, but some evidence shows that far from combatting the trade, it fuels demand. Again, there is that question of supply and demand.

On page 62 of the strategy, there is an eye-catching box with a border, which features discussion of the UK's efforts to tackle the international wildlife trade.

It includes references to the international meeting in October, which we are all looking forward to, sharing expertise with Vietnamese customs authorities, co-operation between Chinese and African forces and supporting follow-ups in Botswana. The message is that progress is being made, but it does not offer any concrete examples of policies or initiatives.

Nigel Mills: I congratulate the hon. Lady on securing this important debate. Does she at least recognise that the strategy, perhaps as a surprise to many, made such a prominent link between corruption and illegal wildlife sales, which reinforces the need to build capacity in countries around the world so that people cannot pay a bribe to find out where an animal is, get the body out of the country or move money around, which is an important part of tackling the problem?

Dr Huq: The hon. Gentleman, my trusty co-chair, is absolutely right. There needs to be expertise to enforce all those things—having policies is not enough. We hear about bent policemen. I do not know whether other Members were there, but just now the International Fund for Animal Welfare was in the building with a photo opportunity about ivory. The policy adviser, David, told me about a recent case in which eight policemen were heavily implicated. The hon. Gentleman is right that we need the crime-fighting mechanics as well as policies.

The charity was demonstrating a fingerprinting kit, because ivory is one of the few things that fingerprints do not leave any trace on. That cutting-edge technology can now be used 28 days after the prints were left. This is a cross-border trade where an animal is killed in one place, and the parts are exported and moved between places, but the technology will allow a month for prints to be taken. I am very encouraged by the IFAW's work, but we need to encourage more counties to take up that fingerprinting technology and introduce it in other police forces—it was developed by University College London and the standard is used by our police.

The first question on my list for the Minister is easy and I have already said it: will she meet with Duncan McNair, the CEO of STAE, to discuss its work and how it can have an input into Government policy? He has some very good ideas. I have also mentioned last autumn's ivory ban. We have not seen the results yet, and there are suspicions that they could be held back for a wonderful photo opportunity in October at the international conference here in London. I hope that she will tell me that is not case and we will see the consultation results sooner. Could she tell us when the consultation results will be released?

The strategy mentions
“tangible outcomes for implementation and delivery”

by October, but delivery of what? In fact, will the ivory ban be in place by then? That would be a great opportunity for that announcement, although it would be even better if the ban has long been in place.

Of the exemptions announced by the Government to a total ivory ban, I completely accept, as does the Musicians' Union, the exemption for musical instruments—violins and cellos. I am not going to burst into Stevie Wonder and Paul McCartney's “Ebony and Ivory” at this point.

Stephen Kerr (Stirling) (Con): May I help the hon. Lady with that list? Some very valuable bagpipes have ivory mountings on them. In fact, as a piper, I possess such an instrument. It is beautiful, but regrettably ivory is involved.

Dr Huq: The hon. Gentleman's skills never fail to impress me—they are increasing by the minute. Perhaps he can play the bagpipes for us at a function at some point—he could do it at the unveiling of the total ivory ban and the delivery of these promises well before 25 years' time. Yes, bagpipes use ivory. Other songs have occurred to me: "Karma Chameleon", which is from a similar era—I think that there is about a year or two between the two songs—and "I Am the Walrus", which is a perennial favourite of many. I accept the musical exemption.

I accept the exemption for anything that is under 5% ivory or 200 grams because those are such tiny amounts, and the exemption for museums. Slightly more troubling is the ill-defined, woolly term "culturally artistic and historic" pieces. That could open up a legal loophole for carved, solid, luxury ivory items such as Japanese fans or cigar boxes. We need to ensure that they are not covered. What is the exact test of "culturally artistic and historic"? The Lewis chess set of 1100 AD is often mentioned, although it is actually walrus ivory, not elephant ivory. It is often said that is the kind of thing the term will cover, but what about injecting certainty with the proviso that, if it can be sold to a museum, it is allowable? It may not necessarily be in a museum, but if it is a museum-able piece, we can allow it. If it is a cigar box, it will not be covered—no thanks.

Another area where we could go further regarding the illegal wildlife trade is the lack of funding for mapping trade routes used by criminal gangs to transport animal products and carcasses across continents. A glance at the UK aid development tracker shows that various Departments and agencies are involved in combating the trade: the Foreign and Commonwealth Office, the Department for International Development and the Department for Environment, Food and Rural Affairs. On top of that we have the new Joint Anti-Corruption Unit that will operate out of the Home Office. Surely they should take a joined-up look at mapping trade routes.

I have a couple more questions, and then I will end. Will the Minister confirm what "stringent tests" have been met by the lion countries? That was in a 2015 written answer from the then Minister responsible, the hon. Member for Penrith and The Border (Rory Stewart). There is a worry that things might fall through the cracks if they are not well defined. Could the UK Government send a strong message by enacting the total ban on the import of lion trophies? The numbers are not large, so hopefully this is not on an industrial scale, but the Government could seize the initiative and show leadership.

I have a couple more questions. Given that the academic literature identifies mapping transnational crimes, why does the Illegal Wildlife Trade Challenge Fund fund only one proposal that maps transnational networks? That relates to my earlier question. I have already raised another obvious question: when will the Government ensure that public registers of beneficial interests are in place for the overseas territories, so that they can better fight this type of crime?

The recent international aid scandal in the charities sector has shown that some more extreme Conservative Members will argue against any international aid. I hope the Minister will restate that the 0.7% aid target is Government policy, and that it will not be watered down.

When we leave the EU, we will no longer be bound by its scientific review group, with its high standards on the exports of live animals and high-value body parts. There is a worry that, if we crash out, we will be beholden only to the convention on international trade in endangered species. It is a global standard, but is not as stringent as the EU one. Does the Minister know what our status will be in relation to the EU scientific review group? She is a scientist herself. If it is unclear and subject to negotiation, can we add it to the list of things, such as Euratom and Erasmus+, that we are fighting to keep beyond the transition period? Otherwise, there might be a WTO-type situation where we crash to the lowest-common denominator, or the situation that we heard about over the summer where, if we do not have sufficient protections in place, chlorinated chickens could be on the menu. Can we aspire to remain in, have a close relationship with or mirror that body?

The same applies to shared intelligence and joint operations to catch perpetrators, which would be a worry if we leave Europol. The fingerprinting kit that IFAW pioneered works for 28 days after the prints are planted on the ivory. We need to catch the cross-border shifting of ill-gotten gains over time.

As a sociologist, I am all too aware that globalisation has made the world smaller. It helps us to keep in touch across the globe through social networks and environmental trade but, sadly, that can spill over into organised crime and illegal trade in exotic species. Criminal and terrorist syndicates that buy with impunity and bribe corrupt officials on their way are the stuff of "McMafia", but they are widening their revenue streams and decimating animal populations.

Corruption is at the heart of the illegal wildlife trade, which Prince William, no less, condemned at the 2016 Hanoi conference on illegal wildlife trade. Whenever I ask parliamentary questions on this, the response is "in due course". That is unsatisfactory and not good enough anymore. The Government have gone some way with their strategy, but they must act now.

3.2 pm

Stephen Kerr (Stirling) (Con): It is a pleasure to speak in the Chamber with you in the Chair, Mrs Moon. I congratulate the hon. Member for Ealing Central and Acton (Dr Huq) not only on securing the debate but on giving a comprehensive speech that sets a wonderful tone for our exchanges and lays before the Minister a range of questions, which we are all interested to hear the responses to.

I was glad to be able to add to her list of musical instruments and to disclose my hidden talent for playing the bagpipes. They are the most glorious instrument in my long-held opinion, as hon. Members can imagine. During the interventions on the hon. Lady's speech, I was also grateful to hear references to the importance of the United Kingdom's global aspirations post-Brexit. We should aspire to be the anti-corruption leader for the whole world and to do better than our current eighth position in the anti-corruption league table for clean societies.

Dr Huq: Is the ivory in the bagpipes a small percentage, and are they historical? It has just occurred to me that if they can be manufactured without ivory now, and they are a 99%-ivory product, I do not agree. I did not make that clear.

Stephen Kerr: I will gratefully clarify that ivory is not now used in bagpipes. These are very old sets of bagpipes. I have a set that my father bought for me when I was 12. He paid an incredibly small amount of money for them, and they are now worth a lot more.

Zac Goldsmith: They won't be for long.

Stephen Kerr: Point taken.

The hon. Lady made the interesting point, with which I agree, that the Government have not exactly sat on their hands but that, ultimately, we must do more—and more than virtue signalling. As the new Member of Parliament for Stirling, one of the first places I was invited to visit was one of the top tourist attractions in my constituency, the Blair Drummond safari park. Jamie Muir and his team gave me a behind-the-scenes experience that, frankly, I would never have had if I had not been elected. I had up-close encounters with elephants, rhinos, hippos and giraffes, and it was glorious to come into such close contact with those beautiful animals. Appreciating the glory of nature makes us appreciate our own humanity. It is appropriate to talk about nature on a day when Scotland received its first ever red weather alert. We stand in awe of the power of nature, as well as its beauty.

I promise that I will make only a short contribution, but I should explain that I am speaking in this debate because of my constituents. Like me, they feel very strongly about the need for us to proactively preserve the wonders of the world we live in and to not stand idly by and, frankly, see them ruthlessly destroyed for ill-gotten gains—that does not even begin to describe the depth of cruelty that goes into this trade.

The Government have a strong record on improving animal welfare, and it is important that we not only protect animals in the United Kingdom, but work to promote animal welfare and good environmental stewardship worldwide. That involves tackling the illegal wildlife trade and the corruption that it propagates and relies on.

It is shocking that the illegal wildlife trade stands alongside human trafficking and the trafficking in drugs and arms as one of the major cross-border crimes of our time, and that it draws in as much as £17 billion per year. That only underlines the need for global action and global co-operation.

It is a trade that brutalises animals. Those criminals routinely mistreat them, transport them from country to country in absolute squalor and kill them in massive numbers—that is great cruelty. The amount of ivory being caught in large shipments alone indicates that perhaps thousands of elephants are being killed each year for their ivory. African elephants are, of course, endangered, and the trade helps to drive them towards extinction by hindering global conservation efforts. Those criminals have no regard for the environment and will destroy entire ecosystems for short-term gains.

In addition to the cost to animals and to the environment, the illegal wildlife trade has a human cost. The trade thrives on and exacerbates corruption and undermines the rule of law. It is an entire industry—and a lucrative one, as we heard from the figures quoted by the hon. Member for Ealing Central and Acton—that operates outwith the authority of any Government or the law. Ultimately, it is an insidious, destabilising force that holds back the growth of developing countries and helps to keep millions of people in poverty worldwide.

Zac Goldsmith: My hon. Friend is making a powerful and moving speech. It is known that Janjaweed, al-Shabab, Boko Haram, Joseph Kony's Lord's Resistance army and other organisations all derive much of their income from the illegal wildlife trade, which makes it a dangerous and ugly business. Does he agree that one of things we do well, and have done well, as a country is provide real training for people in countries that want to tackle the trade to ensure that their anti-poaching and anti-illegal wildlife trade units are up to the task? We need to see much more of that as part of our "global Britain" plans in years to come.

Stephen Kerr: I am grateful to my hon. Friend for his intervention and completely agree with him. That is one aspect of our leadership in this area that we should definitely advance. It is highly effective.

For humans, animals and the wider environment, it is imperative that we stamp out this illegal trade. The Government have rightly noted that it will require concerted international action and co-operation with nations across the world to bring the trade crashing down. It is in every country's interest to end the illegal wildlife trade. Cracking down on it will promote sustainable growth and stability and help to preserve the future of the environment. I am grateful that the Government have set to work on addressing the issue and, as they have frequently expressed it in recent times, are devoid of any complacency in this area.

In 2014, the UK hosted an international meeting, as has been mentioned, where 40 countries agreed urgent co-ordinated action to eliminate the trade. Since then the Government have worked with authorities in China, Vietnam and across Africa, to name but a few, to help to curb the trade. International organisations play an important role too, and our support for the International Consortium for Combating Wildlife Crime, which brings together a range of institutions, makes a valuable contribution to the global fight against the trade. I welcome the publication of the new cross-Government anti-corruption strategy in December, which lays out the blueprint for further action, including against the illegal wildlife trade.

The strategy recognises the many ways in which we can work to curb the trade, including by promoting more robust law enforcement and stronger legal frameworks, encouraging alternative livelihoods and economic opportunities for people who might otherwise be tempted by the lucrative nature of the trade, and simply raising awareness. Likewise, it recognises the importance of international organisations to our future efforts. The UN, our Commonwealth friends and allies and the G20 will all be valuable partners in working to take down this trade and the corruption with which it is so intertwined.

At this point the strategy fills me with confidence that the Government will continue to strive to be a world leader in the fight against the illegal wildlife trade, but it has to be more than virtue signalling. There has to be real action. We already have a strong record—we certainly have a strong catalogue of speeches—in this area, and the strategy needs to develop. I believe we are ready to build on it as all parties in the House of Commons have an appetite for it.

I mentioned earlier that we are eighth out of 180 countries in the world for anti-corruption. I think we can do better in that area as well. Just as we should promote animal welfare around the world, we should also promote our culture of anti-corruption. As one of the least corrupt nations on earth—thankfully—it is our responsibility to help to build a world free of criminal enterprises, such as the illegal wildlife trade, where corruption touches as few lives as possible. With this strategy, I have confidence that the Government will proceed.

Several hon. Members *rose*—

Mrs Madeleine Moon (in the Chair): Before I call Vernon Coaker, I must advise that I will call the Front Benchers at 3.35 pm, so please share the time between you if I call you to speak.

3.13 pm

Vernon Coaker (Gedling) (Lab): It is a pleasure to serve under your chairmanship, Mrs Moon. I congratulate my hon. Friend the Member for Ealing Central and Acton (Dr Huq) on securing this important debate. I do not want to speak for long, but I felt it was important to make a short contribution to the debate. To be frank, I felt somewhat guilty that I have not spoken much on this issue in my time in Parliament. Like many people, over the past year or two I have been moved by some of the things that I have seen on television and by things that I have read. I have been moved by the devastating figures that have started to emerge, thanks to the work of people such as my hon. Friend and others in the Chamber, and by organisations outside this House, some of whom are with us today.

The world—and ourselves, as a developed nation and a Parliament—is at a crossroads. It is not that the Government are not doing anything and do not care; that would clearly be ridiculous and not true. We do care, and so do a significant number of people across the world. The criminal gangs represent a very small minority, but unless we tackle them and work with other countries with a greater sense of urgency—so that the issue becomes a greater priority for our country, for the various international organisations, for the EU, for the various policing bodies, for the United Nations and for the Organisation of Africa Unity, and so on—our grandchildren will not see a wild elephant, except in a photo or perhaps in a zoo, where we really do not want to see them. They will not see a wild tiger, a wild rhinoceros or many other species of plant or tree, or whatever. Unless we wake up to this, people's grandchildren and great-grandchildren will look back at 2018 and say, "What were you doing? You were decision makers."

We in Parliament make the laws. We set the priorities for our Government, and our Government, through the international organisations to which we belong, can demand that priorities are set and action taken. So the

question is: what did you do? Where were you? What did you say? When I found out about this debate, it made me think I had better start speaking up. It is a challenge for me, let alone the Government. We must demand that the Government make the issue a priority. It is not a case of blame; it is a case of saying, "For Christ's sake, let's wake up. For goodness' sake, let's look and see what is going on."

The figures say billions were made here, or billions were made there. We can argue about the figures, but countless billions of pounds are made by small numbers of gangs who are ruining our planet and our future. We must tackle them. We sometimes know who they are. We sometimes fail to implement existing laws and fail to take the proceeds of crime from people who have benefited from it, but why does that happen? The Minister does not want that to happen. The Prime Minister does not want that to happen. The Prime Minister of our dreams would not want that to happen. It does not matter which party is in power; it happens, and it carries on happening. The same can be said about the international bodies we belong to.

Billions of pounds are made. The figures produced by various people are shocking. When we see the pictures it brings tears to our eyes, but crying about it does not save a single elephant, rhinoceros or tiger. That is simply the starting point—the thing that wakes each of us up, to say, "We will not stand for this any longer." Although we cannot wave a magic wand, we want to be able to say to our grandchildren that we did everything we possibly could. At the moment, I do not think I could say that. I will let others judge whether they could, but I could not. That is why I wanted to speak in this debate.

I do not want the Government to get defensive about this, but they could do more simply by saying, "We are going to put a new shirt on, dust ourselves down, see what the laws are, bang the desk and demand that we get better action"—from ourselves, but also from the police and the international organisations that we belong to. If that happened, it would not stop these things overnight, but I bet it would start moving things along.

Can we not accelerate things a bit? Do we really want to come back here in a year, or two or three, and say, "There are still elephants being poached for their ivory"? That was the plea of my hon. Friend the Member for Ealing Central and Acton and the hon. Member for Stirling (Stephen Kerr). Whatever the difficulties, the consultation has finished. I accept that it will not be easy, given the exemptions that will have to be made; but for goodness' sake, we have been talking about an ivory ban for years. Can we not just get on with it somehow?

Other people know far more than I do about the laws and the difficulties—some will have had to go and witness them. I came here to say this to the Government. I know they want to do as much as they can, and they are doing so. That is true of us all. But let us not be the Parliament, or the Members, or the legislators who had to tell their grandchildren, "We're sorry that those great wild animals no longer exist. We wanted to do more, but it was difficult to get people to work together, and the exemptions were difficult." Whatever the challenges and difficulties, we owe it to our children and grandchildren, ourselves and the planet, to do better. That is the task before us.

3.21 pm

Jim Shannon (Strangford) (DUP): It thank the hon. Member for Ealing Central and Acton (Dr Huq) for introducing the debate.

The hon. Member for Gedling (Vernon Coaker) issued a challenge to the House to hold wildlife in trust for those who come after us. We all have that challenge in our hearts. We must try to do it. I recently saw a video making the rounds on social media of a baby rhino in South Africa lying by the side of its dead mother, seemingly crying—it looked like that on the video. Such things are an unfortunate reality in the world we live in, but what caused that death should not be. The mother's horns had been ripped from her body. Stats sometimes bring things home to us, because they show the enormous scale of what is happening. Rhino poaching has increased between 2007 and 2013 by 7,700% from 13 per year to 1,004 per year. That is incredible. The significance and magnitude of the figures cannot be stressed enough.

I was interested to hear about the hidden talents of the hon. Member for Stirling (Stephen Kerr) on the bagpipes. I would not have known. I am fond of the bagpipes, by the way. I love them, and they are very much part of life and tradition in Northern Ireland. Perhaps one day we will have the hon. Gentleman over to entertain us—12 July would be the day to come, but that is by the way.

The illegal wildlife trade is worth more than £15 billion a year. It is the fourth most lucrative illicit trade in the world after drugs, weapons and human trafficking. The very thought makes me ill. I have had a surprising number of emails from constituents about the debate. The more I have looked into the facts and figures, the more I have seen that, while we clearly have taken steps, we are not doing enough. We should be stepping out on the world stage, playing a greater role on behalf of those we could help, and bringing about the end of a vile trade.

I firmly concur with the aims and goals of the Worldwide Fund for Nature with respect to the end of illegal trade in animals: we must be clear, first, about adopting

“zero tolerance policy on corruption associated with the illegal wildlife trade, recognising with great concern that corruption is an important factor facilitating the criminal activities associated with the illegal wildlife trade.”

Secondly, we must urge countries where poaching, trafficking and buying take place to commit to supporting strategies that deepen understanding of corruption risks, and mitigation strategies to address the corruption that makes the illegal wildlife trade possible. We must review progress on existing high-level commitments such as those made in the London declaration of 2014 and the Kasane statement of 2015. We have made lots of statements and verbal commitments, but we need something that stops what is happening. We need to address the problem of corruption facilitating wildlife trafficking and related offences by reviewing or amending legislation as necessary, and criminalising the corruption that facilitates the trade. We should strengthen the legal framework and facilitate law enforcement to combat the illegal wildlife trade and assist with prosecution and the imposition of penalties that are an effective deterrent.

The illegal wildlife trade is made possible by corruption, and it fuels further corruption. Only if we tackle corruption can we eliminate the trade. The hon. Member for Richmond

Park (Zac Goldsmith) in an intervention mentioned steps taken by China, which I hope make a difference. China sometimes says it will do something, but ivory trading seems to continue. Let us see how that works. Corruption can take place at every stage of the chain—poaching, trafficking, trading and laundering of the illegal proceeds of crime. It can be at the highest level, sanctioned for individual gain.

I had the pleasure of going on a half-day on safari in Kenya, with the armed forces parliamentary scheme. It was an opportunity for me to watch some of the creatures that God created. They must have been looking at me, as I had a white shirt on—of all the things to wear on safari. The sheer power of the lions, the beauty of the giraffes and the intelligence of the elephants is something that remains with me to this day. I thank my creator, God, who made wonders for our enjoyment—certainly not for our abuse or for the illegal animal trade. That is an abuse of God's creation. Lions are being hunted for the thrill of the ride and as a trophy, and elephants for their ivory, with more than 100,000 killed by poachers between 2010 and 2012. Twenty thousand elephants are killed every year for the illegal ivory trade. The numbers suggest that, in the two months since the closure of the consultation at the end of December, approximately 8,300 elephants have been slaughtered, not for meat or to feed starving families, but to decorate people's houses with ivory. That is not acceptable.

As hon. Members have said, we need to stifle the demand and end corruption and illegal killing. What help can the Minister give to countries that are trying to stop illegal poaching? The training and equipping of rangers is perhaps the sort of help needed on the ground.

Zac Goldsmith: A staggering quantity of illegal wildlife trade happens online, so one way to deal with demand would be to tackle that trade online. Will the hon. Gentleman join me in paying tribute and offering huge thanks to organisations such as the International Fund for Animal Welfare that have done so much to persuade big online retailers to weed illegal wildlife trade out of the way they do business? Taobao, Alibaba and eBay have massively changed their policies as a consequence of campaigning by groups such as IFAW. We all owe them a debt of gratitude.

Mrs Madeleine Moon (in the Chair): Order. The hon. Gentleman has made a number of long interventions and there is one more speech to go.

Jim Shannon: It is my belief that we need to introduce legislation quickly to play our part in reducing the number of animals killed by poachers, and ensuring that narwhal, walrus and hippopotamus ivory will not be used as replacements so that those animals become next in the firing line. We must end the trade. We can up our game and do a better job of playing our part. That can begin today, with this debate. Let us set the scene. I ask the Minister and her Department to take heed and urgently implement the steps to legislation.

3.28 pm

Angela Smith (Penistone and Stocksbridge) (Lab): It is a pleasure to serve under your chairwomanship, Mrs Moon. I congratulate my hon. Friend the Member

for Ealing Central and Acton (Dr Huq) on securing the debate. There have been some fine speeches, but that of my hon. Friend the Member for Gedling (Vernon Coaker) was particularly moving. I have been involved in the debate for a long time and have sponsored events at Parliament to draw attention to the issue. The very fact that an ex-Home Office Minister, who is a senior and respected Member of Parliament, has taken the time to show how engaged he now feels in the debate is an indication of how much movement is being made. We are now at the point at which this controversy and scandal must be addressed seriously, both nationally and internationally.

I will not go through the numbers and facts behind the size of the trade—we have heard them many times today—but suffice it to say that we still do not fully understand the full relationship between this form of organised crime and other forms, including drugs, and the way it helps to underpin international terrorism. Our attention to animal welfare and protecting the elephant and rhino, and all those other species, is often justified because of organised crime, and we have now reached a point where that is fully understood. Nevertheless, my hon. Friend the Member for Gedling brought us back to the important point: this is also about protecting some very precious and important species.

Let me provide a little detail on the issues involved. We know that there is still a great deal of work to do in the countries where poaching takes place, and there is an absence or inadequacy of measures to track performance on stopping poaching in the first place. Officials and employees are badly paid, and in some cases rangers provide information on patrols or the location of animals. On occasion they turn a blind eye to poaching. We also know that we get false documentation in the trading environment, and that a blind eye is turned to checks and inspections at borders. That is all underpinned by corruption, which illustrates the scale of the challenge.

I pay tribute to those NGOs that have worked so hard on this for many years, in particular the WWF and IFAW. They are clear about what is needed at the conference in London later this year: we want, and need, a zero-tolerance policy on corruption. The UK has a lot of soft power on this issue, and we must go out and urge those countries where poaching, trafficking and buying takes place to continue to support strategies that deepen an understanding of the risk of corruption. Mitigation strategies may also be required to address the corruption that enables that illegal trade. As an important international power—even now—we are in a position to help and support those countries.

We must strengthen the legal framework and facilitate law enforcement for illegal wildlife trade. At the event I sponsored about three years ago, Interpol was in the room. Will the Minister say to what extent we are still engaged in such international co-operation? Can she guarantee—I am sorry to bring this into the debate; I do not want to, but I have to—that post Brexit we will still have that international co-operation, particularly with Interpol and European crime agencies, to ensure that we continue to tackle the issue successfully?

Finally, I want to mention the ban. The consultation finished at the end of the year, and I have attended meetings on this issue. What I really want to hear from the Minister is when we will get detail about the outcome of the consultation. The point raised by my hon. Friend

the Member for Gedling was absolutely right: now is the time to take action, so the sooner we hear from the Minister, the better. I understand the need for exemptions, and the point raised by the hon. Member for Stirling (Stephen Kerr) about musical instruments was well made. I also accept the need to get those exemptions absolutely right for the antiques trade. That will not be easy, but if we do get it right, we will gain the co-operation of that market. That will make it a lot easier for us, as a major international power, to demonstrate not only that we are legislating to do our bit to stop the illegal trade—perhaps by banning the domestic trade in antique ivory, with exemptions—but that we also have the full co-operation of those involved in that market. I will finish on that important point.

3.35 pm

David Linden (Glasgow East) (SNP): It is a pleasure to serve under your chairmanship, Mrs Moon, and I congratulate the hon. Member for Ealing Central and Acton (Dr Huq) on securing this debate.

I am grateful for the opportunity to sum up on behalf of the Scottish National party. It has been fairly consensual—I have taken part in debates in Westminster Hall since I was elected in June, and this has been one of the best. We heard an excellent speech from the hon. Member for Stirling (Stephen Kerr), who told us of his talent in playing the bagpipes. He spoke of his trip to Blair Drummond and about being up close to those rare animals. As a nationalist Member of Parliament from Glasgow, being here with Conservative MPs feels much the same, but in all seriousness he made an excellent speech.

The hon. Member for Gedling (Vernon Coaker) made one of the most moving speeches that I have heard in my time in this House [HON. MEMBERS: “Hear, hear.”] It was very sincere, and as the father of a young child it struck a chord with me to think that my son, who is two years old, will one day grow up. There is an expectation and onus on us as legislators and politicians to make sure that we show leadership. I am grateful to have had the opportunity to listen to the hon. Gentleman.

The hon. Member for Strangford (Jim Shannon) was typically gracious in reducing his speaking time to allow other hon. Members to speak, and he hammered home the statistics. That 7,700% increase in rhino poaching, which I think was in the Library briefing from an exchange I had with the Foreign Secretary, reminds us that this is very serious. The hon. Member for Penistone and Stocksbridge (Angela Smith) has been a Member of the House a lot longer than I have, and has put a lot of effort into this work. She was right to pay tribute to IFAW and the WWF, and made a point about our use of soft power, for which I was grateful.

The SNP welcomes recent UK and global commitments to tackle the international ivory trade, and we hope for continued progress from the UK Government in contributing to the end of that trade. I was encouraged by the Prime Minister’s press statement after her visit to China earlier this month, and I hope the Government will respond accordingly to the DEFRA consultation. The huge public response—something like 77,000 people took part—shows that people in the UK want action, which has been demonstrated by the cross-party consensus in the Chamber.

[David Linden]

One of the first batches of lobby emails that I received as a new MP was about attending an IFAW ivory event in Parliament. I am grateful to Justyna Gogolin, Anthony Bain, and Maria Gavienas in my constituency, who encouraged me to go along and learn more—it was probably not on my radar when I first got elected. Ms Gavienas was my teacher at Bannerman High School, so I dared not miss the event. I was grateful for her encouragement to go along, and the more that I attend such events, the more strongly I feel.

I want to speak briefly about what is happening in Scotland, but not in a parochial way because it is actually impressive. Scotland hosts the UK's only dedicated wildlife DNA forensics lab. It is leading the way in the use of forensic science to shape wildlife law enforcement. Forensics can provide evidence that an offence has been committed, and it plays an important role in investigating trade routes and poaching.

Last year Scotland hosted a symposium at the Society for Wildlife Forensic Science to focus on how scientists can best support wildlife crime investigations at both national and international level. Scotland very much has a role to play in that. There was also a commitment to the Wildlife Forensics Development Programme, which builds on Edinburgh's strong reputation for biosciences and takes a progressive approach that will strengthen links between enforcement, policy and forensics. Science and Advice for Scottish Agriculture—SASA—is setting up a DNA database to provide a unique identifier for individual rhinoceros horn in UK museums, and for zoo animals. That is in response to a recent increase in theft of rhino horn from museums, and an initiative by UK enforcement agencies to crack down on such illegal activity that is perpetrated by criminal gangs and thugs. Unique DNA profiles will be generated from small samples of horn, which will help to trace the origin of any stolen rhino horn intercepted by the police or customs.

This is all good and reassuring news, but the message from hon. Members today is that we want to see top-level action from the Minister and the Secretary of State. I thank the hon. Member for Ealing Central and Acton again for securing the debate and giving us the opportunity to continue to press the Government on this hugely important issue. I echo the hon. Member for Gedling: we want to be able to look back in years to come and say, "We were the Parliament, and this was the Government, that took action." The Scottish National party is more than happy to support that action.

3.40 pm

Dr David Drew (Stroud) (Lab/Co-op): I am delighted to serve under your firm but fair chairship, Ms Moon. I congratulate my hon. Friend the Member for Ealing Central and Acton (Dr Huq) on her speech, which was a tour de force. I will not need to go over all the issues again, because she has covered them all.

This has been an important and thoughtful debate. I thank all hon. Members who spoke in it—particularly my hon. Friend the Member for Ealing Central and Acton, but also my hon. Friends the Members for Gedling (Vernon Coaker) and for Penistone and Stocksbridge (Angela Smith), and the hon. Members for Strangford (Jim Shannon) and for Stirling (Stephen Kerr), who all

made valuable contributions. The debate's importance was demonstrated by the rapid and regular interventions from the right hon. Member for Arundel and South Downs (Nick Herbert), the hon. Members for Richmond Park (Zac Goldsmith) and for Amber Valley (Nigel Mills), and my hon. Friend the Member for East Lothian (Martin Whitfield).

I will concentrate on the London conference, because it is something that we can contribute positively to today, but first let me make two quick observations. First, given how terrorist groups use the illegal wildlife trade to finance their activities, we need to make it clear that it is no less of a priority for us than the drugs trade or human trafficking. It is a multi-billion-pound exercise, from which many such organisations derive most of their income; we need to understand that when we consider Interpol and other matters. I will say in passing that if I manage to get into South Sudan later this year, I will have a word with the SPLA-SPLM about what they are doing to ensure that they legitimise their activities rather than drawing any money from this nefarious activity. Secondly, I do not understand how we can allow anyone in this country who goes trophy-hunting to come back with anything other than a potential prison sentence hanging over them. We need to be much firmer on that.

I have some questions about the London conference in October that the Minister may wish to take away—I do not expect her to answer them all now. I hope that at the conference we will establish a very strong legal framework against corruption and wildlife trafficking. That will be the bottom line. There are already several international laws, but we need to make them much more overt and much stronger. We need to recognise the importance of capacity-building and ensure that customs officials have discretionary powers to interdict and draw attention to what is happening in their countries. I hope we will support the World Customs Organisation's important project GAPIN—Great Apes and Integrity—to enhance integrity in 15 African nations, because the role of Africa must not be underestimated.

We should also strengthen our international development support for enforcement, for shutting down chains, for helping frontline and subsequent investigations and for the operation of customs. We need a holistic approach; I hope that that will come out of the conference. It is no good pretending that we can address what is happening throughout the world unless we ensure we are doing all we can—whether through an ivory ban or through other measures—to stop the worst aspects of the trade affecting what happens in this country.

My penultimate point is that we need to look at import and export licences to ensure that what people bring into the country is what they say it is. We need to take a stronger approach, and we should encourage other countries to do so too.

Finally, I ask the Minister what particular action we are taking to help NGOs to ensure that they tackle the corruption and illegality associated with this terrible trade, because so much of the activity of the Department for International Development happens through the NGO community. We need to protect whistleblowers. So much of what we find out comes from people who have bravely put their head on the line and taken the risk of saying what is going on, so we must protect those people in their countries. I hope the Government will bring that up at the conference.

The conference will be very important, and it needs to be given much more attention. As my hon. Friend the Member for Gedling says, this is the end—if we do not get this right now, not many of these species will be left and we will not have done the anti-poverty work that is needed. We have to give people alternatives, because we cannot pretend that we can shut the trade down without giving people a quality of life that allows them to stop what they are doing. That is why the conference is so essential. I wish the Minister well. I do not know whether she will speak at the conference, but as we are hosting it, I hope she will send a high-level deputation to ensure that the British Government do their bit and that we get something concrete out of it.

Mrs Madeleine Moon (in the Chair): If the Minister needs time to answer the questions that have been raised, I am mindful—given the length of the initial speech—to leave all the remaining time to her.

3.46 pm

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Dr Thérèse Coffey): Thank you, Mrs Moon; it is a pleasure to serve under your chairmanship. I congratulate the hon. Member for Ealing Central and Acton (Dr Huq) on securing this important debate on the anti-corruption strategy and the illegal wildlife trade. I welcome the debate, which is timely because we are preparing for the illegal wildlife trade conference in London in October, as the hon. Member for Stroud (Dr Drew) pointed out.

The UK Government's anti-corruption strategy was published in December. It provides an ambitious framework for tackling corruption to 2022 and includes significant international and domestic commitments. The strategy describes the illegal wildlife trade as the fourth most lucrative trans-boundary crime, with an estimated value of up to £17 billion a year. We recognise that it damages economic growth and undermines state institutions and the rule of law. It relies on and exacerbates corruption, cultivating discontent and undermining security. Seizures of illegally traded species have been recorded in 120 countries and include approximately 7,000 species.

I am very conscious that the illegal wildlife trade threatens some of the world's most iconic species, such as elephants and rhinos, with extinction, but it is not just those majestic animals that are threatened; birds, flora and invertebrates are also among the thousands of species at risk from illegal trade. For example, tropical hardwoods are illegally felled and shipped around the world, with impacts on forest fauna, water quality, medicines and building materials for local people.

CITES—the convention on international trade in endangered species of wild fauna and flora—protects more than 35,000 species. The UK is fully committed to its obligations under CITES to act against unsustainable trade that threatens the survival of species in the wild. We are pressing ahead with activities inspired by the aims of CITES to ensure the sustainability of legal trade in wild flora and fauna and to protect species ranging from lions and goshawks to cacti, coral and rare orchids.

The UK chairs the CITES working group on proposals to combat illegal killing and trafficking of rhinos. We take an active role in the implementation and development of CITES controls and are actively involved in working groups on species ranging from great apes to sharks.

Our aim is to ensure that the international trade in specimens of wild animals and plants does not threaten their survival.

International trade in hunting trophies is controlled under CITES. Although there are examples of negative effects from big game hunting caused by poor or inappropriate management, scientific evidence shows that in certain limited and rigorously controlled cases, trophy and big game hunting can be an effective conservation tool, supporting local livelihoods and attracting revenue for other conservation activities. That was confirmed in the report that was prepared for the Government by Oxford University. That said, we will continue to look very carefully at big game imports, to ensure that they do not impact on the sustainability of endangered species in the country of origin.

The UK anti-corruption strategy recognises that countering the illegal wildlife trade requires concerted multilateral action to raise awareness, eradicate markets, strengthen legal frameworks, strengthen law enforcement and—critically—promote alternative livelihoods. While I in no way excuse such activity, if somebody can earn in one night what it would otherwise take them five years to earn, one might understand why people commit these crimes. However, there is no excuse for doing so. We are working with global partners, including the G20 and UN, to achieve the aims that I have outlined.

Progress is being made. UN resolutions, co-sponsored by the UK, recognise the links between IWT and corruption. In 2015, the UN General Assembly called upon member states for the first time

“to prohibit, prevent and counter any form of corruption that facilitates illicit trafficking in wildlife and wildlife products.”

Last year the UK worked successfully with Germany's G20 presidency to agree high-level principles on combating corruption related to the illegal trade in wildlife and wildlife products.

The UK has shown global leadership in tackling IWT, and I thank right hon. Members and hon. Members for their generous comments about that. We hosted the first, groundbreaking London conference in 2014, which secured ambitious agreements from more than 40 Governments to take urgent, co-ordinated action and was hailed as a turning point in global efforts to tackle these damaging activities. We also played a leading role in the subsequent conferences in Botswana and Vietnam.

Previous conferences have achieved an international consensus against IWT, but we recognise that there is more to do. The levels of poaching of many species remain unsustainably high and, as has already been pointed out, organised criminal networks continue to benefit from the proceeds of IWT. That is why urgent, united action by the international community remains vital.

Our work on IWT fits within the four strategic pillars that were agreed at the first conference in London in 2014: eradicating the market for illegal wildlife products; ensuring effective legal frameworks and deterrents; strengthening law enforcement; and providing sustainable livelihoods and economic development. These four pillars are well established and are used globally to focus on IWT.

To help to reaffirm political commitment, we are bringing global leaders back to London this October for another conference. I understand that the invitations

[*Dr Thérèse Coffey*]

have gone out and we want to welcome people from around the world, so that we can come together to focus on tangible outcomes for delivery. In particular, we intend to focus on law enforcement and tackling the corruption that facilitates IWT. The conference will recognise IWT as a serious organised crime that affects people as well as animals, and it will harness the power of the private sector, non-government organisations, academia and technology to strengthen global action.

To support our global leadership on tackling IWT, the UK Government are investing £26 million in practical action around the world to reduce demand, strengthen enforcement, ensure effective legal frameworks and develop sustainable livelihoods for affected communities. We are providing funding to Interpol to expand its work on tracking and intercepting illegal shipments of ivory, rhino horn and other illegal wildlife products.

Also, the four-year Waylay II project starts this year. It will improve awareness and understanding of advanced investigative techniques in Kenya, Uganda, Singapore, Vietnam and China. We have funded the British military to provide tracker training for park rangers in African states. We have also worked with China to deliver joint training to African border forces, and we have committed up to £4 million to the International Consortium on Combating Wildlife Crime—Interpol is one of the five organisations involved in the ICCWC—to help to strengthen criminal justice systems and co-ordinate support at regional, national and international levels to combat wildlife and forest crime. We have already paid £1.6 million of that money this month.

Jim Shannon: The Minister has touched on this, but I asked in my contribution what help was being given towards training and equipping the rangers. Can she confirm that she has been able to help with that?

Dr Coffey: I have already pointed out that we have funded the British military to provide tracker training. I attended a project in South Africa, where we have worked with an organisation involving the Tusk Trust to increase anti-poacher training and the techniques to do that. More than one Member has asked about this, but we are investigating, as the 25-year environment plan said, the feasibility of a more established poaching taskforce. Just last week, I was in France speaking to my opposite number and we will explore options together. This work does not need to solely involve the UK Government or the British military; there should be a collective effort to extend it.

The Crown Prosecution Service has worked with officials in key states such as Kenya and Tanzania to share its expertise and to help to strengthen the enforcement activities in those countries. Part of the UK Government's funding is the Department for Environment, Food and Rural Affairs' IWT Challenge Fund. It funds 47 projects around the world and has a value of just over £14 million.

Those projects include training of rangers, border force agents and prosecutors; campaigns to reduce the demand for products in key markets; supporting legislative reform; and helping communities to manage their wildlife and benefit from it, for example through tourism. It also funds projects aimed at tackling corruption, by engaging with Governments, enforcement agencies and

the private sector. There is also mapping of one area, as the hon. Member for Ealing Central and Acton referred to. The next round of the IWT Challenge Fund is expected to open for applications later this year. I am sure that we will welcome any new projects, and I hope to announce the successful applicants to round four of the fund later this spring.

We are also strengthening action against IWT at home. We have consulted on proposals to introduce a total ban on UK sales of ivory, with narrowly defined and carefully targeted exemptions. It was welcome that we received more than 70,000 responses, with overwhelming support for a ban. A response to the consultation will be published shortly.

I know that hon. Members often ask, "What is 'shortly'?" When will it happen?" We want to ensure that any ban we propose will be effective and will not be open to legal challenge. That is why we need to go through, very carefully, every representation that has been made to us. If we did not do that, we would be subject to legal challenge, which could derail the legislation that is already being drafted on some of the big items, where there is no dispute about what we want to take forward. I can assure the Chamber that officials and lawyers are already actively working on this issue.

In the short time I have left, I will again mention the London conference. It will have three main themes—

Angela Smith: Will the Minister give way?

Dr Coffey: Forgive me, but I want to try to get through as many of the points that Members raised as possible.

IWT is a serious organised crime, so one area that we will focus on is illicit financial flows and corruption, which is key, as well as strengthening networks of law enforcement agents and helping frontline countries to co-ordinate across the trade routes. As I referred to earlier, we will build coalitions, including with the NGOs, and we will continue to work on encouraging countries to close markets in this trade.

Quite a lot was said about bagpipes, which I am sure are a key reason why my right hon. Friend the Secretary of State for Environment, Food and Rural Affairs recognised the need for musical instruments to have an element of exemption.

In addition, I recognise today the absolute passion shown by the hon. Members for Gedling (Vernon Coaker), for Strangford (Jim Shannon), and for Penistone and Stocksbridge (Angela Smith). The hon. Member for Penistone and Stocksbridge asked about the situation post Brexit. I can assure her that our commitment to working with Interpol, and indeed with our friends in the EU, will continue unabated. As for the scientific committee, it is fair to say that our experts from Kew and the Joint Nature Conservation Committee are well regarded. We will need to work on how we take that co-operation forward in future.

The hon. Member for Glasgow East (David Linden) was right to praise and to be proud of the specialist crime unit in Scotland. The hon. Member for Stroud asked a specific question about official development assistance. The Department for International Development already provides funding for the National Crime Agency to tackle corruption specifically; I think there is work in 29 countries around the world. That work will continue.

One thing that it is worth pointing out is that of course we want to tackle poaching but hon. Members will recognise that we also need to do a lot of work to preserve habitat, because the destruction of habitat is also a major challenge.

With regard to the beneficial ownership of overseas territories, in reality progress is happening. The UK concluded an exchange of notes with overseas territories with financial centres and with the Crown dependencies on the exchange of beneficial ownership. That work is moving on. I recognise that the hon. Member for Ealing Central and Acton may want quicker progress in that area, but I can assure her that beneficial ownership information should be available on request within 24 hours, or within one hour in urgent cases.

We are preparing for post-Brexit—the IT systems that we need to upscale and the issuing of permits to support the movement of such elements. I have already said no to meeting Duncan McNair, but I know that officials have agreed to meet him, so that is at least something. As for the historic, artistic and cultural objects test, I am afraid that the hon. Member for Ealing Central and Acton will need to wait for the response to the consultation. Overall, we are taking action.

Question put and agreed to.

Resolved,

That this House has considered the anti-corruption strategy and the illegal wildlife trade.

Equality of Voting Ages

[GERAINT DAVIES *in the Chair*]

4 pm

Danielle Rowley (Midlothian) (Lab): I beg to move,

That this House has considered the equality of voting ages in the UK.

It is a pleasure to serve under your chairmanship, Mr Davies. I want to begin by talking about why voting equality is an important issue for me. When I first entered this place following the election in June, it was not my first time in the Chamber. In fact, I first sat on the green Benches in October 2009. I came here as part of a Youth Parliament delegation, debating the issues of the day and calling on Members to lower the voting age to 16. I have not stopped campaigning on the issue since.

Voting equality is an extremely important issue to me and to many people—especially young people, although it is not just young people—across the UK, and it is not going away. I am here to give a voice to each and every 16 and 17-year-old in my constituency of Midlothian and across the UK until they can have their voice heard in this place through the ballot box. I spend a lot of time talking to and engaging with young people in my constituency, including young people who run a local youth radio network; who volunteer for a range of fantastic local charities; who help to collect food for their local food bank; who create fantastic items and sell them as part of a local art group in Dalkeith; who champion Scotland, Midlothian and the UK through their sporting achievements; and who represent my young constituents in the Scottish Youth Parliament. There are some remarkable young people in Midlothian and across the UK. They have informed and ambitious ideas about how their community and society as a whole should work. They meet me and tell me their thoughts on policy. They give me their honest opinion on how I am doing as their MP, yet they could not vote for me at the election, and that frustrates them deeply.

The feeling I had back then, when I sat in the Chamber, was that I was a token young person being asked to give my thoughts and opinions without being allowed to vote. I felt that was echoed a few weeks ago when Jordhi, a fantastic young woman from the Youth Parliament, was here speaking at an event with Theresa May on the centenary of some women gaining the vote. She said:

“But it’s important to remember that the Representation of the People Act, given royal assent one hundred years ago today, only allowed some women over 30 and all men over 21 to vote. Despite the journey of strife taken by passionate, principled and determined women, it was only the first step in an even longer journey to equality. It took another 10 years for women to win the same voting rights as men, and still today we face inequality at every turn. The journey is not yet complete, the vision not yet realised.”

I could not agree with Jordhi more. She spoke very eloquently. This is a journey about voting equality. We have come a long way, and we absolutely have to celebrate that. We have to celebrate our achievements on women gaining equal voting rights, but we must not allow ourselves to rest. We have overcome a great hurdle, but there are more hurdles to come.

[Danielle Rowley]

Why must the voting age be lowered to 16 to ensure voting equality? That is the age when people can pay taxes, and I firmly believe in no taxation without representation. I find it patronising that members of the Youth Parliament, including me back then, are welcomed here for key events, but those same intelligent and vibrant young people are then not trusted to vote. The Minister for the Cabinet Office said at the Dispatch Box during Prime Minister's questions a few weeks ago that youth organisations such as the Youth Parliament and the British Youth Council were great "training grounds" for young people. I found that an odd term and slightly patronising. He made a good point—these are great institutions—but they are not simply there to train up young people or tell them what to believe or how they must vote. They empower young people to decide what policies matter to them and then lead and run their own campaigns. It is further testament to the political awareness and ability of our young people.

Tulip Siddiq (Hampstead and Kilburn) (Lab): My hon. Friend is making a wonderful speech that I fully support. This week in my borough of Camden, 16 young people between the ages of 13 and 19 have launched their campaigns to become Camden's next youth MP. The previous youth MP worked with the NHS and the police to make it a safer place to live. They reflected their views to the MP and to councillors. The irony is that the next youth MP may not be able to cast his or her vote at the forthcoming local elections. Does my hon. Friend agree that we should be following Scotland's success by not denying our young people their civic rights?

Danielle Rowley: I absolutely agree, and I thank my hon. Friend for making that point. I will come on to the differences in voting ages across the UK in just a moment.

Let us look at what has already happened in this place on votes at 16. I am glad and grateful to have secured this debate. I also spoke during the debate on the Representation of the People (Young People's Enfranchisement and Education) Bill secured by my hon. Friend the Member for Oldham West and Royton (Jim McMahon). There were many passionate contributions during the debate—I made a short contribution—but the Bill did not quite make it to the next stage. It was talked out by the Conservatives for fear of losing a vote in Parliament on whether to proceed. I use the word "fear" deliberately. Some say that the Government do not want young people to vote because they are scared that they do not agree with their policies. That move during the debate showed me that the Government seem scared of their own MPs, some of whom I am sure would vote to support votes at 16.

John Lamont (Berwickshire, Roxburgh and Selkirk) (Con): The hon. Lady is making a very good case as to why young people should be able to vote. My party, the Scottish Conservative and Unionist party, opposed the extension of the voting age before the 2014 referendum in Scotland, but having seen how young people in Scotland were so enthusiastically involved in our referendum and the debate about our country and Scotland's future within the United Kingdom, on reflection we decided

to change our position. We now support the extension of the voting age to include 16 and 17-year-olds. I look forward to working with her and others in a personal capacity to persuade other Members of this place that extending the voting age is something that we should try to achieve.

Danielle Rowley: I thank the hon. Gentleman for that contribution. I absolutely agree that all parties can get behind the issue and work together on it. I would very much welcome that from all parties from all parts of the House. That brings me perfectly on to my next point. Former Chancellor George Osborne has said that

"not only is extending the vote the right thing to do but...the cause is also unstoppable."

I know that the Scottish Conservatives are supporters, with their leader, Ruth Davidson saying that she is a fully paid-up member of the votes at 16 club. We can speak and we can work together, but when can we vote on the issue in the House? Or are the Government going to block us from voting as well?

Jim McMahon (Oldham West and Royton) (Lab/Co-op): I thank my hon. Friend for securing this important debate and congratulate her on her speech, in which she has made the case very well. If the Government are nervous about this issue, surely the best answer is to test it in elections. We have seen the impact the change had in Scotland. Young people in Wales will have the right to vote very soon. Surely by extending that to England and Northern Ireland, we can test turnout and appetite and we can provide that education in schools and then look to expand beyond that.

Danielle Rowley: I thank my hon. Friend for his contribution. As a Scottish MP, I am uncomfortable that some young people in the UK can vote in certain elections, and others cannot. I hope that we can fix that inequality in the franchise.

In Scotland, 16 and 17-year-olds can vote in local elections, Scottish elections and referendums. Our young people have shown that they have the knowledge, passion and ideas to drive forward a dynamic democracy. They showed that especially when they voted in and engaged with the Scottish independence referendum. They made politicians think differently, act differently and campaign differently. We saw some very vibrant campaigns, which were different from what we have had in the past and really reached out to all corners of society. Far from being apathetic and disengaged, more than 89% of 16 and 17-year-olds registered to vote in the Scottish independence referendum, and about 75% turned out to vote, which is much higher than the average for 18 to 24-year-olds in general elections. Even the most recent general election saw a turnout of only about 59% for 20 to 24-year-olds.

Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op): I thank my hon. Friend for securing the debate; it is fantastic to see the pressure being kept up. Young people in Plymouth want the right to vote as well. We do not have a devolved Assembly or Parliament to lower the voting age for local elections; we are relying on this place to do it. Whether a 16 or 17-year-old lives in Perth, Penarth or Plymouth, they should have the

right to vote. The message from young people in the city that I represent is that those voting rights should be equal across the UK.

Danielle Rowley: I thank my hon. Friend for his contribution and fantastic alliteration. The Scottish experience shows that lowering the voting age could be a key way to improve voter registration rates and engage younger people in politics. The political habits that we form at a young age are likely to be carried into later life, so lowering the voting age could support greater voter registration and achieve greater political engagement in our society. The voting age is not just about voting, but about supporting and broadening citizens' political engagement and empowerment.

Martin Whitfield (East Lothian) (Lab): I am grateful to my hon. Friend for securing the debate, and for allowing me to make an intervention. Does she agree that by extending the franchise politicians of today will be remembered in a far better light? It works successfully in Scotland. Extending the franchise to that very important part of our communities would be a relatively simple step to achieve some good news headlines.

Danielle Rowley: My hon. Friend makes a fantastic point. I would like to quote the member of the Scottish Youth Parliament for part of my constituency, Laura Adams, as she makes the point so eloquently I could not have put it better in my own words:

"In general, we face the issue of trying to get people out to the polls to vote—so why should we actively prevent engaged, informed and politically motivated young people from voting? It can only help represent a wider section of society; and it is a section of society who are working, in school and university, and living through the issues that are debated and scrutinized daily in the houses of parliament."

She makes a fantastic point about engagement, and why it is important for 16 and 17-year-olds across the UK to have a say in Parliament.

Alison Thewliss (Glasgow Central) (SNP): The hon. Lady is making an excellent point; I agree with all the points that she has made in her speech. Does she agree that now is a particularly good time for the UK Parliament to look at this issue? Surely the period between elections provides a good opportunity to extend the franchise. Opportunities to do so when considering Bills on devolution and the EU referendum were rejected, on the grounds that it was not the right time. Now seems the perfect time to look at the issue again.

Danielle Rowley: I absolutely agree. Looking back on the Scottish independence referendum, research showed that 16 and 17-year-olds accessed more information from a wider variety of sources than other age groups. That makes them more informed citizens and voters, disproving the notion that young people are less engaged with and informed about politics. Following the Welsh Government's recent decision to extend the franchise in local government elections to 16 and 17-year-olds, this Parliament will be the only Parliament in Great Britain that is dragging its heels on that clear step forward in Scotland and Wales.

If we do not extend the franchise we run the risk of increasing the distance felt by young people in Scotland and Wales between them and their Members of Parliament,

since they know that their voices will not be heard during elections. That is very concerning for me as a Member of Parliament.

David Linden (Glasgow East) (SNP): I commend the hon. Lady on her excellent speech. I am in the bizarre position where I can visit one of the local high schools in my constituency with the constituency MSP, and the kids in the fifth and sixth years can vote for the MSP but not for me. Does she agree that that is absolutely perverse, and the Government must take action?

Danielle Rowley: I absolutely agree. It can be odd to turn up at an event with an MSP and a councillor whom the young people are able to vote for, and therefore know better. Young people have a greater interest in them, because they feel that they have an investment in those politicians. I recently visited Lasswade High School in my constituency, and I asked, by a show of hands, whether the pupils supported votes at 16. It was an almost unanimous yes. I asked what reasons pupils had for supporting it. They told me passionately that the future is theirs. They said, "We know that sounds cheesy, but the future is ours, and we are going to grow into a world that we cannot shape." That is such an important part of this issue.

The current Government, if they last another year, will make decisions that will affect those pupils' lives. Those decisions will affect their job prospects, their safety net if something should go wrong, how their money is spent, and how their society works. However, those young people in Lasswade High School will not be able to elect the Government who make such crucial decisions about their lives. In Parliament, we have debated the Budget, Brexit, housing, education and jobs, and have voted on issues that directly affect every taxpayer in the country. We will decide how much is taken from people's wages and how that money will be spent. Sadly, 16 and 17-year-olds, even if they are married, have children, are working full time, or indeed have signed up to serve in our armed forces, do not have a say on how the Government spend their taxes.

Mr Tanmanjeet Singh Dhesi (Slough) (Lab): Does my hon. Friend agree with members of the Slough youth parliament, and students of Upton Court Grammar School in Slough, whom I discovered during a recent visit were virtually all in favour of votes at 16, that votes at 16 should be introduced in England as well?

Danielle Rowley: I absolutely agree. My hon. Friend's constituents sound very engaged indeed. As I said, the inequality of voting ages across the UK makes me uneasy.

Those who oppose extending the franchise often cite the fact that the legal age for smoking and drinking alcohol is 18, but I find that a very odd and unfair comparison. The legal age restrictions in those circumstances are based on the related health risks, which are borne out in facts and evidence. Those arguments do not hold for the act of voting, which is clearly not bad for someone's health—in fact, I would argue that it is very good for it. That argument also confuses public and private rights. The right to vote is a public right,

[Danielle Rowley]

but drinking alcohol, for example, is a private right. It is not contradictory for 16-years-olds to hold one right but not the other.

Things that a person can do at the age of 16 include giving full consent to medical treatment; leaving school and entering work or training; paying income tax and national insurance; obtaining tax credits and welfare benefits; consenting to a sexual relationship; getting married or entering a civil partnership; becoming a director of a company; and joining the armed forces. I am sure that everyone would agree that all those things are affected by how we vote in Parliament, so it is not right that young people can do them and their lives can be greatly affected by someone for whom they cannot vote.

There are also benefits in young people voting. Compared perhaps with older generations, younger people access more education and information digitally. They are often very aware of current issues through citizenship education. Some 85% of secondary schools have school councils, and across the UK many more than 20,000 young people are active in local youth councils and youth parliaments, which work in close collaboration with local councils. Often young people have a really acute idea of what their local services are doing, and how that is affected by Government policy.

So what are the Government scared of? If they are worried that 16 and 17-year-olds will not vote for the Conservative party, I would say that they certainly will not, once they do get to vote, if they feel that they have been disenfranchised by the Conservative party. If they do vote, 16 and 17-year-olds only make up 2.9% of the population over 16, so are unlikely to cause any huge change at an election. Nevertheless, it is critical that they have their say.

I will end with some questions for the Minister. Has the Minister met her local Youth Parliament reps and spoken about votes at 16? What are their opinions? What are the reasons for the Government refusing to extend the franchise to 16 and 17-year-olds? Are those reasons exclusive to that age group, and do they incur any health risks? Does the Minister consider that we have an equal and fair system of voting across the UK? Does she think there are any issues with young people in different regions being able to vote, and others not? Will she agree to a debate and a vote in the House of Commons on this issue? Now that 16 and 17-year-olds in Scotland and Wales can vote in some elections, it would be unacceptable if their peers elsewhere in the UK could not. I urge the Government to take action on this important issue and let us vote on it.

Geraint Davies (in the Chair): I call the Minister, Chloe Smith. You have nine minutes.

4.21 pm

The Parliamentary Secretary, Cabinet Office (Chloe Smith): Thank you, Mr Davies. I wonder whether Members will bear with me and refrain from intervening to allow me to deal with the questions in the nine minutes available. I will do my very best.

First, I thank the hon. Member for Midlothian (Danielle Rowley) for raising the issue and securing today's debate. I believe we have a few things in common, namely,

being elected here in our late 20s and having started out in politics by means of youth fora—in my case, in rural Norfolk. I am delighted to be speaking with her in this debate. Her experience and passion are inspiring, and the way in which she has brought her constituents' voices here is very important.

The franchise is important and benefits from the close consideration that we are giving it. In the time available, I will try to go through the reasons why the Government do not agree that the age of majority ought to be lowered. The hon. Lady asked whether I think it is okay to have inequality in the voting franchises. I will answer that upfront, at the outset. We ought to be clear that what is happening is a consequence of the devolution settlements. I do not in any way speak against the devolution settlements, which rightly allow the devolved Administrations to take decisions in their competences. That is why we have an inequality in the voting ages. That is how it has come about. I will not enter into what a devolution settlement ought to contain, but that is what it is and that is why the inequality exists.

The principle reason why the UK Government believe that the age ought to remain at 18 is that the latest poll on the issue, in April 2017, indicated that only a third of the public is in favour of lowering the voting age for all UK elections. It is for that reason that the Government believe the voting age should stay at 18, and why our manifesto for the recent election included the commitment to maintain it. That is also the answer to the hon. Lady's question about whether there will be a debate and vote in Government time. No, there will not be, because our manifesto said we would retain the voting age at 18. That is the shortest and simplest answer I can give to that question.

Seema Malhotra (Feltham and Heston) (Lab/Co-op): Will the Minister give way?

Chloe Smith: I am terribly sorry. The hon. Lady has only just arrived and I have very few minutes to answer the important points put by hon. Members who were here earlier.

On the rights of young people, 18 is widely recognised as the age one becomes an adult. For example, that is why we start jury service at 18. Some things that people can do at 16, such as join the Army, get married or enter into a civil partnership, can only be done with parental consent.

The UK has seen a general shift to a higher minimum age requirement on a number of things in recent years, with cross-party support. For example, in 1997 the minimum age for buying fireworks was raised from 16 to 18. In 2005, gambling at a casino was restricted to 18-year-olds and upwards. In 2007, the legal minimum age for buying tobacco in England, Scotland and Wales was raised from 16 to 18. You get the picture, Mr Davies. There are a number of things where we have moved the age from 16 to 18.

Danielle Rowley: Will the Minister give way?

Chloe Smith: I will, but the hon. Lady will get fewer answers to her questions.

Danielle Rowley: Does the Minister agree that the examples she gives incur a health risk or a danger, and voting does not? Perhaps she thinks it does.

Chloe Smith: The overriding point is that we do not have a single age of maturity in this country. That is what underpins what the hon. Lady sees as age inequality. We do not have a settled age at which one is thought to become an adult.

I have another important example. In England, those under the age of 18 must remain either in full or part-time education or start an apprenticeship. In other parts of the UK, individuals may start full-time work at 16. Supporters of the lower voting age thus cite the principle of no taxation without representation. Indeed, I heard the hon. Member for Ipswich (Sandy Martin) argue last week that there should be no representation without taxation. Neither expression is particularly accurate on how our country works. Many people pay various amounts of income tax, including none if they earn below the threshold, at various points throughout life.

Let us move on to research into the voting age. The Electoral Commission undertook the most comprehensive review to date. In 2004, a large consultation exercise showed mixed results. There was support for lowering the voting age, but there was also strong support for keeping it at the current minimum of 18 from the general opinion polling conducted alongside it. Crucially, young people themselves were divided on whether they felt they were ready to be given voting rights at 16. The Electoral Commission therefore concluded that the minimum age should not be changed.

In 2008, the last Labour Government established the youth citizenship commission, which similarly got mixed results. In 2013 and 2017, YouGov polls found mixed results. Only 30% were in favour of lowering the age to 16, and nearly half were against.

On international comparisons, it is important to recognise that there is variation around the world, but most democracies consider 18 to be the right age to enfranchise young people. The UK Government believe that 18 is the right age.

I have long made the argument, including when meeting youth parliamentarians—the hon. Lady asked me about that, and I am delighted to say I maintain very good relationships with the young people in my constituency—

that engaging young people is a far wider question than the technical one of the age at which somebody can vote. We need to engage young people more broadly. The Government are doing that in a number of ways, including through existing measures, from supporting the Youth Parliament through to gaining the views of young people on specific legislation, such as changes in mental health provision. There is a consultation about that at this very moment. Of course, citizenship is on the curriculum in schools and there are online Government resources.

The hon. Lady began her remarks by celebrating the suffrage centenary. The Government are doing a lot more this year, including reaching out to younger voters. We have a full set of education projects. A package of resources is coming out, including in secondary schools, as well as a democracy ambassador scheme and a pack for parliamentarians to use to engage young people in their constituencies. I hope all hon. Members in the Chamber will work with me across parties on that important work.

I thank the hon. Member for Midlothian again for introducing this important debate. She has spoken well, but I do not think the public is convinced by the hon. Lady's arguments. It is for that reason—I have cited the evidence—that the Government continue to believe that the voting age should remain at 18 and not be lowered. Given that our manifesto commitment was in line with that, we will not provide Government time for a debate. However, that does not detract from the central point that young people are part of democracy and society and that their voice matters. The Government and I will continue to work to ensure that young people take up their rightful place in politics in order to grow our vibrant democracy. That is what we ought to all be working together on, on a cross-party basis.

The hon. Lady and others have a job more broadly in the country to persuade the public at large of her arguments. The Government's manifesto position won the day—we formed the Government after the 2017 election—and in that we said that the voting age would remain at 18.

Question put and agreed to.

Pensions Auto-enrolment

4.31 pm

Michelle Donelan (Chippenham) (Con): I beg to move, That this House has considered pensions auto-enrolment.

It is a great pleasure to have secured this debate under your chairmanship, Mr Davies. Introducing auto-enrolment in the UK was a huge landmark, as is this debate—it is the first since the measure was introduced in legislation and since the Government review. Auto-enrolment was introduced as part of a package of policies designed to foster a saving culture and a new generation of savers whose long-term financial needs are prioritised as much as their short-term ones. It is an example of fiscally responsible policy, and paves the way to a better tomorrow by giving people greater financial security and independence in their retirement.

It is apt that we are having this debate. Just over a week ago we hit the milestone figure of 1 million employers engaged with the policy. The effect can be seen across the country including in my constituency, where 1,030 employers have introduced auto-enrolment schemes, which means that 9,000 people in Chippenham are benefiting.

To appreciate that success, it is important to consider the context. Saving for retirement has traditionally been seen as something we put off, and it was put off. In addition, it has always had connotations of being difficult, complicated and expensive to organise, especially given that a large proportion of employers did not offer a scheme. Traditionally, there have been low levels of engagement with pensions. People have relied on the state pension and, if need be, pension benefits. Given our ageing and expanding population, that is no longer tenable. Auto-enrolment helps to make the system more sustainable by, in effect, supplementing welfare payments with private provision.

Many have traditionally seen the state pension as a universal scheme that will be enough but, as I have seen in my constituency, the introduction of auto-enrolment has started to shift that mindset dramatically. The Association of British Insurers summed it up well:

“Engaging people to save adequately for their retirement is one of the biggest public challenges we face.”

The ABI believes that auto-enrolment is the best means to ensure people save adequately for their retirement. It is estimated that, by 2019-20, an extra £20 billion a year will be saved into workplace pensions as a direct result of auto-enrolment.

There are many reasons why the roll-out is proving successful. Perhaps most importantly, it is simple and is basically done for the employee. In addition, the employer contributions are a strong incentive. The rate of employer and employee contributions is going up in increments, which helps businesses to prepare and ensures that employees get into the mindset of saving for pensions. It will go up to 8% in 2019, but it is crucial that we do not leave it there. We need to ensure that pensions provide enough money for retirement and that they are fit for purpose.

The Pensions Policy Institute conducted an international comparison of auto-enrolment schemes and found that our employment contributions lag far behind those of our European partners. As higher statutory minimum

contributions are phased in over 2018-19, employees will find themselves bearing more of the burden than their employers, which could drive opt-outs. The art is getting the balance right between employee and employer contributions and getting the rates right to ensure that saving does not damage business.

Being an opt-out scheme has helped auto-enrolment to be successful, and the opt-out rates have been lower than expected. The Department for Work and Pensions modelling assumed a 25% opt-out rate, but in 2017 it was just 9%. Some 23% more of the working population now participate in a pension than in 2012.

Traditionally, it has been hard to engage young people with pensions, as they tend to prioritise their disposable income over a pension in 50-plus years' time. That means that they either never opt in or opt in later, which does not give them the time to accrue a decent pension. I am pleased to say that, since the introduction of automatic enrolment, the group that has had the largest increase in participation is young people—44% of those aged 22 to 29 now participate. We have also traditionally struggled to engage women, but since the introduction of automatic enrolment, participation rates have been catching up. Only 40% of eligible women participated in 2012, but by 2016 the number was 73%.

One concern about automatic enrolment was how the small business community would respond. However, it has not only coped with the policy, but embraced it. It is important that we thank it for its contribution. The Confederation of British Industry stated:

“Automatic enrolment is a successful policy built on sound principles—employer support is key to this”.

The main concern was about the perceived bureaucracy and the time it takes to administer the system, but 2017 Government-commissioned qualitative research found that most small and micro employers thought that the cost and time burden involved was lower than they anticipated.

On outcomes versus expectations, one of the key points in the Government's review, published last December, was that the proposal would increase median earners' private pension provision by more than 40% and lower earners' provision by more than 80%. The review stated that reducing the auto-enrolment to 18 is essential to ensure that we foster a generation of savers, and will bring a further 900,00 people into pension saving. Scrapping the £5,876 lower earnings limit so that every pound of earnings is pensionable means that someone with a career-average salary of £27,000 will build up an extra £50,000 over 40 years of pension saving. The review also seeks to increase engagement to reach all, partly by building a sense of personal ownerships of pensions through initiatives such as the pension dashboard.

The review considered what to do about the self-employed pension problem. The self-employed are currently not eligible for auto-enrolment, yet the number of self-employed people in the UK is rising—in fact, it rose by 730,000 between 2008 and 2015 alone. That increase is combined with a decline in the number of self-employed people opting into pension schemes to only 19%. It is predicted that, within 20 years, a third of the employment market could be self-employed, meaning that nearly a third of the employment market could be without a pension, which is the opposite of the vision for auto-enrolment. I have developed a reputation for banging on about this

over the years I have been in the House, and I have pitched an auto-enrolment scheme for the self-employed to the current and previous Chancellors. I was delighted that the 2017 manifesto contained a commitment to make auto-enrolment available to the self-employed, but I noted the valid concerns raised in the Government review, and will shortly set out my own ideas about how it can be implemented effectively.

The Government review outlined a number of pilot projects to address the problem, but today I want to focus on creating a new system. I am not alone in calling for that. In fact, the Pensions and Lifetime Savings Association has called for it to be considered, and the Taylor review stated that the Government should treat the self-employed like any other section of the labour market. That is hard to achieve without rolling out a self-employed scheme for auto-enrolment.

Creating auto-enrolment for the self-employed is not simple. The obvious problem is that there is no employer to pay the contributions, but there are no international examples and the self-employed market is diverse. However, the policy could be administered along the lines of auto-enrolment qualifications. A recent report by the Pension Policy Institute estimates that 38% of the self-employed would be eligible for auto-enrolment if they were employed. In addition, the income of the self-employed is often much more volatile, which discourages people from committing to standard pension provisions.

I want briefly to share my analysis of the four options reviewed by Aviva and Royal London. The first option was published in Royal London's paper, "Britain's 'Forgotten Army'". The option is to increase the rate of class 4 national insurance contributions by 3% for pension contributions, plus a matching pension contribution from profits. This would put all the outlay on the self-employed, offers little incentive and could appear to be a tax rise.

Under the second proposal, the Government acts as the employer by equally matching self-employed payments at 4%. Although that offers the incentive, it would be very costly and there would be no room to increase payment contributions from the self-employed unless the Government follows, which limits the long-term scope of the policy.

The third proposal is an opt-in tick box on tax returns for pension provisions, perhaps with a 1% Government contribution. It is an easy option and offers a 1% incentive, but relies on an opt-in. Many self-employed would just match the 1%, making it unfit for purpose. There was a proposal to extend lifetime individual savings accounts, but I do not believe that they could address the problem in full. The report prefers some form of default pension option as part of the annual tax return.

The Government review suggested the possibility of introducing a behavioural prompt in the accounting process. The concept has merits, which my plan builds on. I believe that linking a system to self-assessment is the best approach and would be simple—simplicity was one of the key reasons for the success of auto-enrolment. Auto-enrolment has shown us the power of the opt-out. There needs to be an incentive for the self-employed. All the research shows that their pension-saving mentality is very different, because incomes are more volatile. That was highlighted by the disparity before auto-enrolment was introduced. The self-employed need a compelling reason to commit to and prioritise pension contributions.

It is undeniable that the auto-enrolment opt-out rates are so low because the employer contribution acts as an incentive. However, I take on board the 1% drive to the bottom. We should offer a Government contribution of 1% for the self-employed who invest 3%, and 2% to those investing 5%. The rates at which the Government contributions kick in could be increased as we develop a pension saving psyche, but the Government and employee contributions would not be intrinsically linked. It would be cheaper than the 4% concept and would offer an incentive for higher savers.

A common argument used against the Government acting as the employer is that it would represent a substantial transfer of tax from the employed to the self-employed, which could be seen as unfair. To address this concern, first, I have benched this lower than the employee system will be in 2019. Secondly, our entire system is based on redistribution and acts as a giant insurance scheme, so that transfer exists in thousands of other ways. Thirdly, in the long run it will cost the state less, because otherwise a massive cohort of the population will be reliant on the state pension provision. Fourthly, we are currently in danger of the opposite. Martin Palmer of Zurich stated:

"We are creating a rapidly growing new divide between those who are employed, with access to auto-enrolment, and the self-employed. We need to ensure nobody is excluded from the chance to build up a nest egg simply because they don't work...nine to five."

I do not believe that a default nudge is the same thing as an auto-enrolment system, nor will it be as successful. I urge the Minister not to discount auto-enrolment for the self-employed, and to commission a detailed review into options that include the Government as the employer. In reference to the employer-employee relationship, the Taylor review stated:

"The Government could look to establish a similar principle for the self-employed",

yet the 2017 Government review dismissed that option without even costing it.

In conclusion, automatic enrolment has reversed the decline in workplace pension saving. Total annual contributions are at their highest for a decade. Around 10 million people will be newly saving or saving more by 2018. The policy is proving successful, but the review has highlighted that there is room for improvement. I am pleased that the Government are making progress. To create a truly sustainable, long-term solution for pensions, we must ensure that we have a system that works for the self-employed, given that one in seven self-employed people in the UK are saving into a pension, versus three-quarters of employees, and the number of self-employed is rising at such a considerable rate.

Several hon. Members *rose—*

Geraint Davies (in the Chair): Order. As four Members wish to speak, you each have about five minutes. I call Nigel Mills.

4.45 pm

Nigel Mills (Amber Valley) (Con): It is a pleasure to serve under your chairmanship, Mr Davies. I congratulate my hon. Friend the Member for Chippenham (Michelle Donelan) on securing this important debate. I will not waste my precious five minutes by recounting the

[Nigel Mills]

triumphant statistics on how successful auto-enrolment has been, but about 1,250 businesses in Amber Valley have been enrolled and about 13,000 of my constituents now have access to a workplace pension for the first time, which is a very important achievement.

It is important to look at where we can go in future. I have been through the important work of the auto-enrolment review. There are so many great ideas in there. My only slight frustration is that it will take so long to bring them all into force. I accept that we have not even finished the roll-out, we have not done the escalation and there is not much time in Parliament, but some of the ideas are important. Perhaps the mid-2020s is a little later than we could achieve them by.

We need to find a fix for people who have multiple jobs but are earning under £10,000 in each of them, so are not enrolled by any of their employments. There probably are not that many people with two jobs that sit perfectly under that, but bearing in mind that we have a tax coding system—we tell employers every year, via Her Majesty's Revenue and Customs, how much personal allowance they can give each employee and how much tax to take off—it does not strike me as beyond the wit of man to put on that coding notice how much pension contribution they ought to pay. Not much data would be given away. We could just say that a person has sufficient income elsewhere, so the employer should enrol them and pay a full contribution. I hope that can be looked at.

I agree with my hon. Friend that we need to find a system for the self-employed, although I am not sure that we can force it into auto-enrolment, because the whole idea of inertia will not work. I am a little more cautious than her, because I am not sure how we could square having a much lower national insurance rate for the self-employed with giving them a pension contribution in excess of what we give people who are employed and earning the same income. That may be a step too far.

I tend towards a default from the tax system. If the Government move forward with making tax digital and requiring quarterly returns, that may take out some of the big annual bills to pay if there is just a default on the annual returns. Perhaps the way forward is having a default quarterly system where the self-employed could be encouraged to take a pension contribution of the right percentage. I am not sure how we fix choosing them a pension scheme. I suspect that, if we did that, we would have to choose NEST as the default option. The Government should be a bit cautious about defaulting people into an individual scheme. If that scheme goes wrong, they will get the blame for returns not being right.

Even if we get to the 8% that we are due to get to in a couple of years without seeing opt-out rates go far higher, that will still not be enough pension saving for most of those people to have the savings that they need for their retirement. We will have to do more to encourage people to put more into those pension schemes. The trick to that has to be greater engagement. I hope the Government will take forward the dashboard as a key part of that, so that people can understand what they have in pension saving across myriad pots.

We need clear and consistently applied savings targets so that people know how much they should have saved by the time they reach 35, 40 or 45, and understand how much they have saved for their pension, what that

means and how much more they ought to save. That is the missing link. I get my annual pension statement and I have no idea whether it is good. It sounds great that I have a few thousand pounds—that sounds like a great asset—but what does it really mean in pension terms? How much more do I need? How much do my peers have? A system with clear guidance about how much people should save and what that really means would boost pensions engagement.

4.50 pm

Stephen Crabb (Preseli Pembrokeshire) (Con): It is a pleasure to serve under your chairmanship, Mr Davies. I congratulate my hon. Friend the Member for Chippenham (Michelle Donelan) on securing this debate and commend her for the brilliant way she outlined some of the issues we need to think about. I commend in particular her dissection of the challenges of self-employment and the options we have for creatively addressing the lack of provision by the self-employed for their retirement incomes.

It is not often in this place that we get to debate policies we can genuinely describe as having been well executed and successful, and it is even rarer that we do so about a policy that both the Labour party and the Conservative party can claim credit for, having initiated and overseen it—the policy has been around since at least 2008, when it was first implemented. I would go further and describe auto-enrolment as transformational. It has profoundly positive effects for our society, and it was achieved with remarkably little opposition from employers or employees. We have seen a collaborative approach involving Government agencies, business, the Pensions Regulator and others. The strong sense that auto-enrolment is the responsible and right thing to do in the face of the overarching challenge of declining employer-provided pensions is one of the great strengths underpinning its success.

Auto-enrolment's success has received remarkably little attention in the mainstream press compared with the coverage of the various strikes and protests in recent years in response to the changes we have tried to introduce to make public sector pensions more sustainable. The successes of auto-enrolment have, by and large, passed under the radars of those not immediately affected by it, but as I said, it ultimately benefits the whole of society. I will highlight a couple of points that I would like the Minister to touch on. My hon. Friend the Member for Chippenham covered the self-employed far better than I would, so I will not cover it.

Behind the success of auto-enrolment is a great recognition of people's central behavioural trait of spending far too little time thinking about their retirement income and even less time taking positive decisions to make provision for it. By coming up with a system that automatically enrolls people and puts the onus on the employee actively to opt out, we successfully increased the number of people benefiting from pensions. The system relies on inertia—passive decision making by millions of people. However, we have introduced other pension changes that will require those very same people, when they reach retirement age, to take a close interest in a complex menu of retirement options, and the last thing that we need them to be at that point in their lives is passive decision makers. That is a concern. We do not want people to take decisions that ruin the retirement income they spent decades building up.

The Parliamentary Under-Secretary of State for Work and Pensions (Guy Opperman): My right hon. Friend makes a crystal clear point about the tipping point that we will all reach at a certain stage of our lives. Does he agree that a pensions dashboard that provides greater transparency and access, and a mid-life MOT whenever we judge our mid-life is—between our 45th birthday and our 50th birthday is the optimum time for that reassessment to take place—will address the point he rightly makes?

Stephen Crabb: I agree with everything my hon. Friend says. Pension freedoms are great, but we want people to be well informed and educated about the consequences of the choices that will be available to them, particularly when it comes to drawing down large cash lump sums from their retirement pots.

Low opt-out rates are part of the success story of auto-enrolment, but let us not be complacent about them. So far, contribution rates have been very low. Those rates will go up this April and again in April 2019. Despite all the positive effects of increasing the minimum wage and raising the personal allowance threshold for income tax, there will be people on lower incomes who feel a financial pinch in their take-home pay, and opt-out rates may increase as a result. I encourage the Minister to monitor what goes on in response to the increase in contribution rates and to be ready to reinforce the strong positive messaging about the importance of employers and employees sticking with their pension arrangements so that they do not see that increase as a reason to get energised and look at actively opting out of the system.

My hon. Friend the Member for Chippenham mentioned young people. I strongly welcome the Government's indication that they will look to lower the minimum age threshold to 18, but why 18? If 16 and 17-year-olds are working and earning £10,000 or more, why should they not also be captured by auto-enrolment and benefit from it? No 16, 17 or 18-year-old should leave school without basic education in what auto-enrolment is all about and without being equipped to make good decisions.

Mike Amesbury (Weaver Vale) (Lab): As an ex-careers adviser, I certainly share those concerns. Education is vital. The right hon. Gentleman talks about a tipping point. If education were given at an earlier stage, people would make more effective and informed decisions at that tipping point, which is a key transition. Too many people see a pension as an unaffordable luxury. Education would help.

Stephen Crabb: The hon. Gentleman makes an extremely important point very well.

Let me make one further point before I conclude and allow other hon. Members to speak. My hon. Friend the Member for Chippenham appeared to indicate that she supports rates increasing above those that have been set out for April 2019. I absolutely agree: both employees and employers will need to make even greater contributions. It is easy to talk about that in this place, but it is much more difficult to get it across to the businesses and individuals affected, so I would be interested to hear what the Minister has to say about that. He is a brilliant Pensions Minister. I heard him speak in another part

of the Palace earlier, and he has an incredibly strong grasp of the detail, which is exactly what we need from Ministers as we get to grips with the challenges of auto-enrolment.

4.57 pm

Jeremy Quin (Horsham) (Con): I am grateful for the opportunity to speak, Mr Davies. I am most grateful to my hon. Friend the Member for Chippenham (Michelle Donelan) for calling this debate. Too often, we come to the Chamber to have a good moan about things, but I sincerely hope that we have cross-party agreement today. Auto-enrolment should be warmly praised on both sides of the House, because it has been a great success. Some 19 million people are now enrolled in qualifying workplace pensions, 9 million of whom came through auto-enrolment. That means that we have increased by a quarter the percentage of the population who are in qualifying schemes. That is a success on any terms.

In addition to the policy being a success, its execution has been a success. My right hon. Friend the Member for Preseli Pembrokeshire (Stephen Crabb) was too modest to refer to his role in that, but a succession of Secretaries of State, both Conservative and Labour, oversaw the successful introduction of a good policy. For 1 million employers to be part of the scheme—including, I am proud to say, 1,860 in my constituency—and for opt-out rates to be as low as they are is a success.

I will dwell on that success for just a second longer while I talk about the long-term implications of what we have done. It is estimated that by 2019-20 an extra £20 billion a year will be being saved in pensions, which will ensure that people have a more comfortable retirement than would otherwise have been the case. There is more success in the small print: the biggest increase in participation has been among those on lower incomes and those working for smaller employers.

Unfortunately, as we are all aware, that is not the end of the story. We have had such positive buy-in from employers that, like other Members, I am nervous about the increase in the contribution rate to 3% in April 2019, but that is clearly a risk we have to take. If we cannot take that risk and push that envelope at a time when we have record rates of employment, there will never be a time for it. Even from there, as has been alluded to by my hon. Friend the Member for Chippenham and by my right hon. Friend the Member for Preseli Pembrokeshire, a savings rate of 8% will still leave 12 million individuals undersaving for their retirement.

We all know the huge power of inertia. There is a real risk that if people are told that is what they have got to save, they believe that is what they need to save, but we in this House know that that is not the case. The evidence from Australia and elsewhere is that higher rates will be required. I welcome the scheduled review of contribution rates. It may be difficult and painful, but it is necessary. I also welcome some of the other proposed reforms over the next few years that have been alluded to, such as lowering the relevant age from 22 to 18, bringing an extra 900,000 workers into the scheme, and removing the lower earnings limit, which will add nearly £3 billion a year to benefit in particular lower earnings workers, those with a part-time job and those with a number of part-time jobs.

[Jeremy Quin]

My hon. Friend the Member for Chippenham eloquently described the issues faced by the self-employed. I agree that a participation rate in that growing sector of 19% is far too low. That is rightly a matter of concern. She produced some interesting ideas, and I look forward to the ministerial response. She and I would agree that there needs to be a structure in place for the self-employed. Again, it comes back to default and inertia: as long as there is no structure in place, they will not feel a need to go in, participate and make the provision for retirements that they require.

Many good things are coming out of the review. Of course, I have extra questions to ask my hon. Friend the Minister. Has the Department made an estimate of the number of individuals with earnings below the trigger rate of £10,000 per annum who are opting into the scheme? That would be good to know, to work through whether the scheme can be usefully extended below that rate. Opt-out rates are particularly low, but less so for small and micro-employers. Is that a matter of concern for the Department? What is it doing to address that?

My hon. Friend the Member for Amber Valley (Nigel Mills) referred to the need to understand the position and what can be done about it. I would love to hear more from the Minister about the pensions dashboard, which he referred to in his intervention, which I want to see extended to cover not just pensions but more assets. I also want to hear more about the mid-life review. My hon. Friend the Minister is a mere spring chicken, so he may not be under any personal time pressure to implement a mid-life review, but an MOT, as recommended by John Cridland, would be an excellent way to help people, as the Minister said, understand where they stand.

Geraint Davies (in the Chair): I call Paul Masterton—I think you have got time for your pension.

5.2 pm

Paul Masterton (East Renfrewshire) (Con): Thank you, Mr Davies. I am pleased to speak in the debate, and I congratulate my hon. Friend the Member for Chippenham (Michelle Donelan) on securing it. We are here to debate one of the most successful savings policies in pensions history. As a result of auto-enrolment, more than 9 million additional people are saving for their retirement, including 5,000 in East Renfrewshire and more than 63,000 in Scotland as a whole. Four in five of today's eligible workers are saving, and those benefiting the most are the lowest earners, those aged 20 to 29, and women. Opt-out rates still sit at under 10%.

There is wide consensus in both politics and the industry that the policy is working, and that holds true even for some groups who people feared would struggle with implementation, such as small businesses. Those businesses make up a large proportion of the 990 businesses in East Renfrewshire now complying with their auto-enrolment duties.

As others have said, the utilisation of inertia to build a savings culture with a new generation of savers is the key element of the policy. As the People's Pension—a master trust serving just under 3 million savers in auto-enrolment—said when I met it a few months ago, “the policy was developed following a variety of failed pension saving initiatives which lacked the necessary incentives to encourage low and moderate earners to save for retirement in practice.”

I am incredibly proud of the Government and this policy, which—I do not think this is overstating it—is a savings revolution that has become the envy of Governments across the globe.

DWP analysis shows that reforms could increase median weekly private pension income by up to £261 a week by 2070—hopefully even I will be retired then. If sustained, the reforms could significantly reduce the risk of pensioner poverty over the longer term, which in turn will reduce levels of dependency on the state.

So far, auto-enrolment has been rightly heralded as a great policy success. However, it is a fragile policy. The test of its robustness will come when savers' and employers' contributions begin to be raised to a meaningful level. The rates of required contributions are too low and even at the final rate of escalation they will still be too low. Such contributions are also often combined with investments in a default fund that is not regularly and properly scrutinised, leading to poor investment returns.

While Pension Wise is sensible Government policy, it is predicated on individuals becoming engaged investors as they get to their 50s, so it will not mitigate the risks for most people, who do not think about pensions until six months out from retirement age. Pension providers should be tasked to establish high-quality default products, with appropriate and aligned governance. The Financial Guidance and Claims Bill, working its way through the Commons, is a good piece of legislation that can help address that.

Like others, I was delighted by the Government's announcement before Christmas of reforms to auto-enrolment to ensure that saving was from the first pound. The system with the lower earnings limit was basically just an administrative hassle, and in many cases it was ignored by employers. It will particularly help those with multiple jobs, and expand auto-enrolment to cover those over 18 and under 22. I agree that there seems to be no good reason not to look at 16 and 17-year-olds, particularly those who have left school and are working full-time, earning more than £10,000.

Bringing a new generation into an immediate culture of pensions saving is incredibly significant and will have long-term benefits for society as a whole. That is why the Government must not slow down the escalation timetable for contributions. Yes, workers and employers need time to adjust, and we need to strike a careful balance so we do not get a sudden increase in the opt-out rate, but the current timetable is suitable, sustainable and should be stuck to.

Key to the success of auto-enrolment is a new culture of pension saving through better and more creative financial education and engagement. Again, the Financial Guidance and Claims Bill does a good deal of work on that. Although I will save default guidance for another day, the Minister has my full support for the work he is doing on that, and particularly on the pensions dashboard—an exciting development that will be hugely useful for people however much they are earning and wherever they are working.

Moving forward, the Government need to link pension provision and the next auto-enrolment review with further consideration of the Taylor report. The definition of “worker” in auto-enrolment regulations is becoming increasingly ambiguous, with employment status uncertainty growing. That needs to be addressed to determine precisely who falls within the scope of auto-enrolment so that

business and individuals have certainty. Since auto-enrolment was brought in, I spent a heck of a lot of time giving legal advice on that, and it was always an absolute nightmare. We need to do some work to tighten up who falls within and outside the scope of the auto-enrolment regime.

I will not touch on self-employment, because my hon. Friend the Member for Chippenham did a good job on that. I am interested to see what she has up her sleeve, and if she ever wants any assistance in “banging on about it”, as she said, I am more than happy to help.

In 1948, a 65-year-old could expect to spend 13.5 years in the retirement phase of life. They now can expect it to be 33.6% of their life. The UK must remain one of the best places in the world to grow old, and ensuring that people have a decent income in retirement must be at the heart of that. I commend the Government, and this Pensions Minister—who is well liked in the industry and who I hope remains in place for a long time—for their work to make that a reality for everyone.

5.7 pm

Patricia Gibson (North Ayrshire and Arran) (SNP): We can all agree that auto-enrolment has been a positive development in helping to encourage people to save and prepare for their retirement. I have been sitting here and enjoying the unusual consensus. I thank the hon. Member for Chippenham (Michelle Donelan) for securing the debate; I agree with almost every point she made.

A good, clear pension plan is an important tool in tackling existing inequalities that need to be eradicated, with fairness at the heart of our system. If I may threaten the consensus for just a second, in all the talk about pensions and preparing for retirement, I am briefly reminded of the hardships that our WASPI women are going through. They thought they had a little security in retirement, but they found that was not the case. I know that is not the focus of the debate, but it is a reminder of the importance of pensions in people's lives.

Auto-enrolment is to be welcomed, and everyone supports it, but a number of concerns, which hon. Members have touched on, need to be addressed. As the hon. Lady and others pointed out, progress in ensuring that self-employed people are included in auto-enrolment has been disappointing. The announcement of feasibility testing is positive, but it still risks leaving too many millions of workers behind. That matters because, as we have heard, 4.8 million people in our workforce—about 15%—are self-employed, so the numbers are not insignificant.

As far back as 2004, the Pensions Commission identified the self-employed as a group for which pension provision had always been deficient. The need to include self-employed people in attempts to improve pension provision for that group is hardly breaking news, but it simply has not been addressed. I know the Government have argued that that is a complicated issue—the hon. Member for Chippenham also set that out—but the fact that it is complicated does not mean that it should have been kicked into the long grass for as long as it has. There are too many people losing out on opportunities to build on their financial plans for retirement. The fact that something is difficult is not a reason not to do it.

It cannot be beyond the wit of Government. We have heard others, including the right hon. Member for Preseli Pembrokeshire (Stephen Crabb), tell us that we have a great Pensions Minister. I am sure that it is not

beyond the wit of the Minister to try to address the issue of helping self-employed people to navigate their way through that difficulty, as set out by the hon. Member for Chippenham. I agree with her, and others, that it is imperative that those on low pay are covered and included in auto-enrolment, for exactly the same reason. As long as they are not, they are denied the chance to prepare financially for their lives after work.

The 2017 review indicated that bringing the low-paid into auto-enrolment would be of great benefit to those workers, but that will not be implemented until the mid-2020s. Given that we know that the earlier in life someone starts paying into their pension, the better their pension is, we need to make progress on that much more quickly. Those on low pay during their working life must not be denied the opportunity to build up a pension pot for their retirement.

The hon. Lady is absolutely correct that persuading young people to save for their pensions is important. The fact that the inclusion of 18-year-olds in auto-enrolment is not expected to be implemented until the 2020s is also extremely disappointing. With a pension crisis looming for younger generations, those who are now 18 years old will have lost out on precious years of potential pension savings if the issue is kicked further down the road. I agree with the right hon. Member for Preseli Pembrokeshire and the hon. Members for Chippenham, for Horsham (Jeremy Quin) and for East Renfrewshire (Paul Masterton) that that really needs to change.

I would say to the Minister that good progress has been made with pension auto-enrolment and it is right that that should be recognised, as the right hon. Member for Preseli Pembrokeshire and the hon. Member for Horsham pointed out. We have to recognise success when we find it, but there are still whole swathes of the working population who as yet are not eligible for auto-enrolment, and they are at risk of being left without enough years of pension savings if that is not urgently addressed. I know that when the Minister gets to his feet, he will tell us how he intends to do that.

I will end by saying—the Minister will have heard me say this before, if he was listening—that we need a full and independent pension commission, looking holistically at every aspect of pensions, so that we have a system that is as fair as possible for all. We all need to have a system that we can have confidence in and rely on when our working lives are over. We need a pension system that is sustainable and takes into account shifting variables such as life expectancy, which is drastically different depending where in the UK someone lives.

With 1 million pension pots accessed early since reforms enabled that to happen, with the self-employed and young people not included in auto-enrolment until the mid-2020s and with rising life expectancy, the issue of pension provision and pensioner poverty is becoming all the more urgent. That is why I am keen to hear what the Minister has to say on how he will move forward with this.

5.13 pm

Jack Dromey (Birmingham, Erdington) (Lab): It is a pleasure to serve under your chairmanship, Mr Davies. I congratulate the hon. Member for Chippenham (Michelle Donelan) on initiating this debate and on a thoughtful and challenging contribution, with some ideas in it that I shall come to later.

[Jack Dromey]

Forgive me if I say that the right hon. Member for Preseli Pembrokeshire (Stephen Crabb) was right: auto-enrolment is a testament to what the last Labour Government did in initiating the Turner review and putting the wheels in motion for auto-enrolment to be implemented. As I have often said to the Minister, it is deeply welcome that there has been continuity of policy. He said only yesterday in his address to the TUC that, on issues such as pensions, continuity wherever possible is absolutely critical.

I was personally involved in some of the discussions with successive Secretaries of State and with Adair Turner, and the basis that was laid and the point we have reached now are both very welcome indeed. It has led to a better workplace pension landscape than before, with an additional 10 million workers estimated to be newly saving or saving more as a result of auto-enrolment. It has led to an additional £17 billion of pension savings being put away, mostly by low-income workers. We welcome the move by the Government to reduce the age of eligibility for auto-enrolment to 18, as that should lead to more people becoming aware of the importance of pensions at a younger age. The sooner that is introduced, the better.

However, for all the welcome progress that has been made, it is not a perfect system and there are issues that need to be addressed at the next stages to make the pension landscape better. First, the threshold over which workers are automatically enrolled is too high. According to the latest statistics from the Department for Work and Pensions, 37% of female workers, 33% of workers with a disability and 28% of black and minority ethnic workers are not eligible for master trust saving through auto-enrolment.

Secondly, auto-enrolment does not cover the self-employed or workers in the gig economy. The impact is felt in particular by female workers, workers with disabilities and black and minority ethnic workers, who are over-represented among low earners, the self-employed, those with multiple jobs and carers. That is why it is absolutely necessary, as the Taylor report recommended, to redefine workers in the gig economy as employees, meaning that they would be eligible for auto-enrolment. As Matthew Taylor said, if it looks like employment and smells like employment, it should be employment.

Having said that, the statistics outlined in various contributions today are stark. Self-employment, and in particular bogus self-employment, are becoming increasingly prominent in the modern economy. Figures released last year suggest that the number of self-employed workers in the UK rose by 23% between 2007 and 2017, from 3.8 million to 4.7 million. That represents a dramatic shift in the nature of the world of work and the way in which the British economy works.

Self-employed people now represent around 15% of the workforce, and 91% of businesses say that they hire contractors. The latest figures from the Office for National Statistics show that only 19% of the self-employed are saving into a personal pension. That is a worrying trend, and more needs to be done, not least because those concerned face decreased security in their current working practices and in their retirement. That is why the hon. Member for Chippenham was absolutely right—dare I say it?—to bang on about this and to call for a

detailed review at the next stages. I would strongly support that. That issue needs to be tackled because of the changing nature of the workplace.

Thirdly, as stated earlier, the advent of auto-enrolment has increased the number of workers saving for retirement, with more active savers now in defined contribution pension schemes rather than defined benefit schemes. While the overall trend toward a greater number of savers is positive, we do not want to see a growing threat posed to DB schemes. It was never intended that auto-enrolment should become a bolthole for employers seeking to move away from historic DB schemes. Indeed, I thought what the Minister said yesterday to the TUC conference was absolutely right—he said that DB is working well notwithstanding a whole number of problems, and that where employers can, they should continue with their responsibilities. I strongly agree with him.

Fourthly, the rise in the number of pension savers is a step in the right direction, but DC plans must continue to evolve in order to provide savers with an adequate pension. A report by the Pensions Policy Institute in 2016 found that the median saving of DC scheme members could yield only £3,000 per year as an annuity, which is not a lot of money. That therefore demands action at the next stages and on a whole number of fronts: more work, for example, needs to be done to improve the adequacy of returns on DC savings, including looking in greater depth at costs and charges. On the 8% target, it is clear that, for the current proposed automatic contributions—I stress again that they are a welcome step in the right direction—8% should not be the summit of our ambition as we look ahead over the years to come. I take the point from the hon. Member for Chippenham that we should get the balance right so that we do not impose unreasonable burdens as we progressively move forward. However, I stress again that 8% should not be the summit of our ambitions.

On how one might have the best possible DC arrangements, there is an interesting debate going on around collective defined contribution pension schemes and what is being proposed by both Royal Mail and the Communication Workers Union. We have been engaged in constructive discussions with the Government on opening the door for such arrangements to be introduced at the next stages. However welcome it is, I stress again that 8% is not enough, and we therefore need to look at several things, including transparency, costs and all those things that would make a difference.

More workers having access to a pension pot is welcome, but I refer to what my hon. Friend the Member for Weaver Vale (Mike Amesbury) said earlier: it is vital that there is greater knowledge about pensions. To that end, the Government have the opportunity, through the Financial Guidance and Claims Bill, which is welcome, to increase the provision for financial education.

Geraint Davies (in the Chair): I was hoping to allow the Minister about 10 minutes in which to speak.

Jack Dromey: In which case I will finish in about 90 seconds. Financial education is at the heart of that Bill, which is welcome. The role of the new single financial guidance body will also be important.

Auto-enrolment has been positive for the workplace pensions landscape in this country. It needs extending and improving—of that there is no doubt—to give

workers greater security in retirement, but it is a strong and welcome step in the right direction, and it is deeply welcome that there is cross-party consensus.

5.21 pm

The Parliamentary Under-Secretary of State for Work and Pensions (Guy Opperman): I am delighted to respond to the important and timely debate introduced by my hon. Friend the Member for Chippenham (Michelle Donelan). She is right that this is the first time that this important issue has been debated in this Parliament since its introduction many years ago. This is an opportunity for us to air a variety of suggestions and ideas, which I will take on board. If I cannot address all the points she raised, I will definitely reply to her in writing.

It was kind of my right hon. Friend the Member for Preseli Pembrokeshire (Stephen Crabb) to describe me in the way he did. It is a rare day that a Conservative Minister gets a good report from the Trades Union Congress, where I spoke yesterday. My only thought as I was listening to his speech was that things can only go down from here. It is also the case that, while I take all the compliments on the work we do as a Department—it is a team game, as any Minister will say—it is patently clear that the Chief Whip, should he wish to replace me at any stage, has available a number of capable personalities who have auditioned impressively today in their speeches.

We are considering auto-enrolment following the Government review in December 2017. I pay appropriate thanks to all the many people who contributed to it. It is certainly the case that we should start with unequivocal support for the hundreds of employers that have all made an amazing contribution. There are 1,250 in Amber Valley, 990 in East Renfrewshire, 1,860 in Horsham, 1,330 in Preseli Pembrokeshire and 1,590 in Chippenham. They have effectively been part of the change of the contract that exists between employee and employer. In my respectful view, that is utterly key going forward.

That new contract, much as we see in relation to the living wage, sees a change in the employee-employer relationship, and we need to make the case that the employer pays in when an individual pays in. More particularly, I believe it has led to greater staff loyalty, greater retention and greater commitment to those businesses. We should support and applaud that on an ongoing basis.

It is an amazingly exciting time for me to have been given this job. It is one that I asked for, and the Prime Minister kindly added financial inclusion to my ministerial title. It is clear that the Government are committed to all aspects of financial inclusion and addressing debt advice and pensions guidance, whether that is through making pensions simpler, more accessible and increasingly transparent through the pensions dashboard; or providing improved debt advice, pensions guidance and breathing space, and cracking down on cold calling, which we are doing through the single financial guidance body, which is being created by the Financial Guidance and Claims Bill, which will return for debate in the House in approximately 10 days; or pioneering the mid-life MOT and the developments in auto enrolments.

The hon. Member for North Ayrshire and Arran (Patricia Gibson) made several points. I briefly say that the independent review of the pensions system she requested was done by the Government in March 2017—John Cridland very kindly did it. It included looking at life expectancy. Pensioner poverty has also reduced

significantly under successive Governments, to give credit where it is due. The hon. Member for Birmingham, Erdington (Jack Dromey) made the fair point that the Labour party would like a consistency of approach. This is an example of that and, with respect, the raising of the state pension age from 1993 onwards is an example of consistent pensions policy across all parties.

More than 1 million employers are now successfully providing workplace pensions. It is a good time to take stock, because we are seeing the end of the first phase of our reforms as we go forward into the second phase and bringing on board newly created businesses into our growing economy. There will be approximately 180,000 to 210,000 new employers each year that will need to comply with automatic enrolment duties. They will very much receive assistance from the Government and the independent Pensions Regulator in taking forward that process.

I make it very clear—I say this in every speech that I give—that we need to change the way in which this country views savings, pensions and investments. We need a situation in which we are unequivocally supportive of enhanced savings, pensions and investments. Auto-enrolment will clearly make a massive difference, and the rises that we will see will clearly make a massive difference to savings.

In the limited time I have, I will try to address some of the crucial points that have been raised. Much was said about why we are delaying the implementation of reforms, whether it is the lowering of the lower earnings limit or the £10,000 limit, until the mid-2020s. I take the strong view that it is my job, helping the Secretary of State and No.10, to ensure that the April 2018 and the April 2019 increases land without a hitch. They are the most important things that the auto-enrolment review identified and, more particularly, that we need to get right.

Provided we get those two increases right, we can then assess where we are. We can then allow for the lessons to be learned and push on to further phases. On phasing, it is entirely right, as everybody has said on a cross-party basis, that 8% is not sufficient to retire. We all accept and realise that. The Government are crystal clear that it is not the end of the matter. We wish to continue with the April '18 and April '19 increases, and once we have done those, we will assess where we go thereafter. Hon. Members should be under no doubt that there is an acceptance in all parts of Government that 8% is not sufficient for a long-term retirement. There are various examples from around the world. Australia is several years ahead of us, and has pushed into double figures. That is clearly the direction of travel in which we will go at some stage.

My hon. Friend the Member for Chippenham raised several questions, and I will try briefly to answer some of them. I have a couple of quick points on the self-employed. NEST has a public service obligation to ensure that employers always have a scheme available for automatic enrolment. That now applies to the self-employed, who can join NEST itself. The review that identified the significant number of self-employed people—4.8 million—very much made the case that we need to come up with ideas to address that. The pilot projects we are putting forward aim to do exactly that. As my hon. Friend will be aware, NEST is pioneering the sidecar product.

I meet a number of private sector providers. I will shortly meet Plum, and there are others—to use a BBC expression,

[Guy Opperman]

alternative providers are available. Clearly, Moneybox, Plum and Chip, and all these very interesting private sector providers that give alternative savings options, can be utilised. We are looking at such companies with great interest.

More importantly than that, we are trying to be immensely proactive. There will be the self-employed hackathon. If the invite to that has not landed in colleagues' inboxes

as yet, they should come on 26 March when, working with the Association of British Insurers at its offices, we will explore ways forward and the assistance we can give to the self-employed. There is absolutely no doubt that we want to do that.

5.30 pm

Motion lapsed, and sitting adjourned without Question put (Standing Order No. 10(14)).

Written Statements

Wednesday 28 February 2018

EDUCATION

Office for Students: Guidance

The Minister for Universities, Science, Research and Innovation (Mr Sam Gyimah): The creation of the Office for Students (OfS) marks a new era for students as well as higher education regulation. On 20 February, I issued the first annual statement of Government priorities for the OfS under this new regime. This is being published today alongside the publication of the new regulatory framework—a key milestone in the delivery of the programme of reforms set out in the Higher Education and Research Act 2017 (HERA).

In my letter to the OfS, I set out the following key priorities for the OfS in its first year:

Creating a new regulatory system and ensuring a smooth transition—I have asked the OfS to be bold in operating the new regulatory framework, explicitly supporting diverse, innovative approaches and championing students. A key task in 2018-19 is to register current and new providers ready for full operation of the framework from August 2019, while continuing to operate the existing regulatory arrangements effectively during the transition.

Delivering value for money for the student and taxpayers—In order to ensure that all students receive value for money, I have asked the OfS to work with the sector to protect quality and standards, hold governing bodies to account, improve transparency, and ensure good governance, effective and efficient use of resources—including around senior staff remuneration, engaging closely with the sector on its own self-regulation in this area.

Student experience, quality and choice—Students' interests should be central to the OfS' mission. I have asked the OfS to work with the sector to promote a positive higher education experience for all students regardless of background.

Freedom of speech—I have asked the OfS to champion and promote freedom of speech, including calling out and challenging attempts to shut down debate such as 'no platforming'. Free speech is essential in ensuring that higher education exposes students to new and uncomfortable ideas, and encourages robust, civil debate and challenge.

Prevent—I would like the OfS to continue the work HEFCE has previously done to monitor and assess how HE institutions are managing their responsibilities under the statutory prevent duty, to safeguard students from the risk of radicalisation.

Access and participation—My expectation is that the OfS will promote access and participation in higher education and that this will be integral to all that the OfS does. I have asked the OfS to work with providers to seek continuous improvement in this area to encourage greater progress.

Industrial strategy and skills—I have asked the OfS to consider how the higher education sector can further support the Government's broader economic policy as defined by the industrial strategy. Key to this will be promoting and enhancing collaboration between the higher education sector and employers, working with Government on reviewing how funding can be used to stimulate this and on reviewing the impact of apprenticeships.

Collaboration with UK Research and Innovation (UKRI)—I have asked the OfS to prioritise collaboration with UKRI to ensure a co-ordinated and strategic approach to the funding and regulation of the higher education system in England. This will include OfS leading on the teaching and student elements of the Higher Education Innovation Fund.

Strategic priorities for funding—The OfS' funding priorities remain broadly consistent with those set for HEFCE in relation to teaching grant in previous years. I have also asked the OfS to

support DfE on funding policy issues, including contributing to the review of Post-18 Education and Funding and helping take forward the review's recommendations.

Developing the OfS—I have also asked the OfS to prioritise developing as an organisation which operates effectively and efficiently, with confidence and independence in regulating the sector, involving students, following the principles of best regulatory practice, and complying with the regulators' code voluntarily (until this becomes a statutory requirement).

This statement of priorities also covers areas where the Government committed to provide guidance during the passage of HERA, such as on managing risks relating to overseas providers.

Supplementary guidance to the OfS

Alongside this overall statement of Government priorities, I also issued the following supplementary guidance on the 20 February—also being published today.

Priorities for access and participation including access and participation plan guidance—This sets out how the Government expect the OfS to take forward its responsibilities for access and participation and informs the access and participation plan guidance, which the OfS has issued to the higher education sector today.

Degree Awarding Powers (DAPs) and University Title (UT) guidance—This sets out the new high level criteria and processes for DAPs and UT, covering: the different types of DAPs authorisations: eligibility criteria for both DAPs and UT; and revocation and variation actions. The OfS must have regard to this guidance when exercising its functions.

Facilitating electoral registration—This guidance, produced by the Department for Education in collaboration with the Cabinet Office, asks the OfS to encourage providers to promote electoral registration, and help them understand potential challenges and risks that arise as a consequence of registering students.

Alongside the announcement of the review of Post-18 Education and Funding, this guidance and the work of the OfS reflects the Government's commitment to ensuring that the higher education sector continues to be world leading, improving the opportunities for and outcomes achieved by all students from all backgrounds.

The guidance documents are being published on www.officeforstudents.org.uk/.

[HCWS495]

HOUSE OF COMMONS COMMISSION

Palace of Westminster: Repairs and Maintenance

Tom Brake (Carshalton and Wallington): Both Houses have decided that the next steps of the restoration and renewal programme should be overseen by a sponsor board and delivery authority. It is expected that the Commission of each House will therefore immediately focus on establishing those bodies in shadow form. Until the shadow sponsor board has been appointed, the programme will continue to be delivered under the governance of the bicameral programme board, which consists of officials from both Houses plus two external members, and acts with authority delegated from the board and accounting officer of each House. Establishing both bodies in substantive form will require primary legislation.

The programme team, supported by its client advisory services consultants, CH2M and BDP, will continue work in the following areas:

Further investigation and documentation of the current physical condition of the Palace of Westminster and its building services.

Further studies on the feasibility of the Queen Elizabeth II conference centre as temporary accommodation for the House of Lords.

Design of Richmond House as temporary accommodation for the House of Commons, which is being taken forward as part of the Commons' northern estate programme.

Development of a client brief for the design of the works to the Palace of Westminster.

The development of the required outline business cases (OBCs), compliant with HM Treasury's Green Book.

A further round of medium-term mechanical and electrical, public health and conservation work to mitigate the operational risks to Parliament presented by the condition of the building, between now and the commencement of the construction phase of the R and R programme.

The design phase will require extensive consultation with Members of both Houses, as well as a wide range of other stakeholders including staff, third-party occupants of the parliamentary estate, visitors and other members of society throughout the United Kingdom. It is anticipated that this engagement work will be developed and taken forward by the shadow sponsor board once it is established later this year.

In the meantime, members of the programme team would be happy to receive suggestions and ideas from Members of both Houses. They can be contacted via restorationandrenewal@parliament.uk.

[HCWS496]

JUSTICE

Justice and Home Affairs: Annual Report

The Secretary of State for Justice and Lord Chancellor (Mr David Gauke): The Home Office and Ministry of Justice have prepared the eighth annual report to Parliament

on the application of protocols 19 and 21 to the treaty on European Union (TEU) and the treaty on the functioning of the European Union (TFEU) ("the treaties") in relation to EU justice and home affairs (JHA) matters. The report, which is today being laid before the House, is submitted on behalf of both my own Department and that of the Home Secretary.

On 9 June 2008, the then Leader of the House of Lords committed to table a report in Parliament each year setting out the decisions taken by the Government in accordance with protocol 21 ("the justice and home affairs opt-in protocol") and to make that report available for debate. These commitments were designed to ensure that the views of the scrutiny Committees should inform the Government's decision-making process.

This report covers decisions taken over the period 1 December 2016 to 30 November 2017. In that period, decisions on UK participation in a total of 19 EU JHA legislative proposals have been taken. The UK has decided to opt in under the JHA opt-in protocol in 12 cases and has decided not to opt in in five cases. The Government have asserted the Schengen opt-out to two proposals during that period—in both cases the Government decided not to opt out (i.e. the UK should participate in the measures).

These opt-in decisions are without prejudice to discussions on the UK's future relationship with the EU. The UK's relationship with the EU will change as a result of leaving the EU. However, the UK retains the rights and obligations of membership of the EU while we remain a member.

[HCWS497]

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**not later than
Wednesday 7 March 2018**

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