

**Friday
16 March 2018**

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**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES**

(HANSARD)

Friday 16 March 2018

House of Commons

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The House met at half-past Nine o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

9.34 am

Patrick Grady (Glasgow North) (SNP): I beg to move, That the House sit in private.

Question put forthwith (Standing Order No. 163).

The House proceeded to a Division.

Mr Speaker: Will the Serjeant at Arms please investigate the delay in the Aye Lobby, which I have reason to believe is not heavily populated?

The House divided: Ayes 1, Noes 114.

Division No. 132]

[9.34 am

AYES

Fitzpatrick, Jim

Tellers for the Ayes:
Will Quince and
Michael Tomlinson

NOES

Argar, Edward
Bardell, Hannah
Bebb, Guto
Black, Mhairi
Blackford, rh Ian
Blackman, Kirsty
Blomfield, Paul
Bottomley, Sir Peter
Bowie, Andrew
Brock, Deidre
Buck, Ms Karen
Burden, Richard
Cadbury, Ruth

Carmichael, rh Mr Alistair
Charalambous, Bambos
Cherry, Joanna
Cooper, rh Yvette
Coyle, Neil
Crouch, Tracey
Cruddas, Jon
Cryer, John
Cunningham, Mr Jim
Davey, rh Sir Edward
David, Wayne
Davies, Mims
Day, Martyn

De Cordova, Marsha
Debbonaire, Thangam
Dinenage, Caroline
Docherty-Hughes, Martin
Dodds, Anneliese
Donelan, Michelle
Dowden, Oliver
Duffield, Rosie
Edwards, Jonathan
Ellman, Mrs Louise
Farron, Tim
Field, rh Mark
Fletcher, Colleen
Foster, Kevin
Foxcroft, Vicky
Freer, Mike
Furniss, Gill
Gaffney, Hugh
Gardiner, Barry
Gethins, Stephen
Gibb, rh Nick
Gibson, Patricia
Grady, Patrick
Grant, Peter
Green, Chris
Gwynne, Andrew
Haigh, Louise
Harris, Carolyn
Harris, Rebecca
Hayman, Sue
Heaton-Harris, Chris
Hendry, Drew
Hollobone, Mr Philip
Hosie, Stewart
Huddleston, Nigel
Jayawardena, Mr Ranil
Kerr, Stephen
Khan, Afzal
Law, Chris
Lopresti, Jack
MacNeil, Angus
Madders, Justin
Malthouse, Kit
Martin, Sandy
Maynard, Paul
McDonald, Stewart
Malcolm

McDonald, Stuart C.
Merriman, Huw
Milling, Amanda
Monaghan, Carol
Morris, David
Morton, Wendy
Nandy, Lisa
Neill, Robert
Newlands, Gavin
Nokes, rh Caroline
O'Hara, Brendan
Owen, Albert
Pennycook, Matthew
Philp, Chris
Pincher, Christopher
Pollard, Luke
Pound, Stephen
Pow, Rebecca
Pursglove, Tom
Quin, Jeremy
Reeves, Ellie
Robinson, Mary
Saville Roberts, Liz
Shelbrooke, Alec
Sheppard, Tommy
Smith, Cat
Sobel, Alex
Soubry, rh Anna
Stephens, Chris
Stephenson, Andrew
Stevens, Jo
Sunak, Rishi
Tami, Mark
Thewliss, Alison
Thomas-Symonds, Nick
Timms, rh Stephen
Warburton, David
West, Catherine
Whitfield, Martin
Whitford, Dr Philippa
Williams, Dr Paul
Yasin, Mohammad

Tellers for the Noes:
David Linden and
Neil Gray

Question accordingly negatived.

Refugees (Family Reunion) (No.2) Bill

Second Reading

9.50 am

Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): I beg to move, That the Bill be now read a Second time.

I found out the other day from the House of Commons Library that there is a shortage of welders in the United Kingdom. I can see the puzzlement on your face already, Mr Speaker, as to where I am going with welders in relation to family reunion, but please bear with me—as I am sure you will. I mention this because I met an apprentice welder the other day, a 19-year-old who lives in Canterbury in Kent, a place described as the garden of England. Canterbury is a beautiful, historical town; I once visited it, and I can attest to that.

Our welding apprentice is doing very well in college; he is working at level 2 and spends a day a week in Dover with a welding company. He is a focused young man; he is motivated and is looking forward to the future. He is an asset to the community and a help to his neighbours, a burden on no one; he is polite, he is funny. This welding apprentice is also multilingual; he speaks four languages, and efficiently. I am not sure if that is the norm for welders, but I know cousins of mine who are welders who can speak at least two languages, and bilingual welders seems to the norm in my constituency. This individual is certainly doing better than that, however. He has a great future ahead of him, especially as the average age of welders in the UK is 55 and EngineeringUK says the UK has a chronic shortage of skills in engineering, particularly welding.

This young man has a fascinating backstory. Yohannes' journey to Canterbury was a long one, as before he moved to Canterbury and became a welder he was a refugee. He escaped Eritrea at the age of 16 to avoid conscription to the brutal military, which could have no time limits, and after going to Sudan where he spent a while with his uncle, he moved through the Sahara—a fortnight in a lorry and a fortnight in a pick-up—to Tripoli in Libya. He told me that the pick-up was so tightly packed that if anybody fell out, the danger was they would be left behind by the people-smugglers—and the prognosis for those left behind in the Sahara desert would not be great. On that journey in the desert the authority were the people-traffickers with the guns, and he said some bad things happened to girls; I will leave that there.

From Tripoli he boarded a boat—a jalba as he called it in one of his languages. One of the four languages he speaks is obviously English, and he is also fluent in Arabic, Aramaic and his native Tigrinya, and jalba is the Eritrean word for boat. They sailed for two days from Libya before being picked up by a bigger boat—a mercab, the Tigrinya word for a larger ship, in this case an Italian naval ship, which, happily, took them to Italy. One of the benefits of speaking to Yohannes is that at least I have picked up two words of another language. Everybody was very happy when they arrived in Italy after crossing the Sahara and the Mediterranean. They were taken to a reception centre and given plenty of food. That was the first part of his journey.

From the reception centre he travelled to Rome and spent two weeks living at a railway station before moving through France to the famous Calais jungle, where he lived with other Eritreans for a while. He told me that in the jungle there could be tensions between different communities: Eritreans in one place, Syrians in another, and whoever else in another group. Obviously, people were quite stressed in such a situation.

Lisa Nandy (Wigan) (Lab): I thank the hon. Gentleman very much for the story he is telling about this remarkable young man. It reminds me very much of a young woman I worked with at the Children's Society nearly a decade ago, who was separated from her mother on a journey here, and whose mother, sadly, died before she could see her again. Does the hon. Gentleman agree that these incredible young people deserve so much better than these avoidable rules that cause so much human misery, and will he urge other Members when they think about how they are going to vote today to think of those young people and do the right thing?

Angus Brendan MacNeil: I thank the hon. Lady for her intervention, which succinctly sums up what I have to say in a rather long speech. I suspect a number of Members will want to make interventions, and that is welcome, because testaments and points like those the hon. Lady has made are very welcome.

Eventually, Yohannes made it across the English channel in the back of a refrigerated lorry. Things were fine until somebody switched off the refrigeration system; being a tight, insulated space with 24 people in it, it became very hot. One of them had a mobile phone and eventually contacted the emergency services. They did not know where they were, but the phone's GPS system located them.

At that time—in December 2016—they made the news. Luckily, none of them were in any way badly medically affected by the experience. They were taken to a reception centre in Kent, before Yohannes found his way to Canterbury, where he lived in communal accommodation with other refugees. Over time in Canterbury some people who had volunteered to help at a refugee charity got to know Yohannes, and he lives with one of them at the moment.

It seems that Canterbury is quite the place. It is not the stereotype we are given to believe by many in the newspapers, of people struggling and complaining about migrants and refugees. In Canterbury, people seem to be very welcome. There is a big Eritrean community in Canterbury, which of course Yohannes gravitated towards. Canterbury can be proud of the way it has treated and looked after refugees.

Stephen Gethins (North East Fife) (SNP): My hon. Friend is making an exceptionally powerful and compelling speech. Does he agree that his friend Yohannes is one in a long line of refugees from places including Germany, Hungary and Iraq who have made a significant economic and other contribution to society across the UK?

Angus Brendan MacNeil: That is absolutely correct, and I am making this speech because, unfortunately, some people look at this issue in terms of pounds, shillings and pence. We should look first at the humanity, but certainly in terms of pounds, shillings and pence, we

should note that Yohannes, at 19, with his drive and ambition, is certainly going to achieve an awful lot more than he already has.

Dr Philippa Whitford (Central Ayrshire) (SNP): Does my hon. Friend agree that we should focus on our common humanity? In January, I presented a petition from two of my primary schools, St Patrick's and Symington. Their pupils had done a project putting themselves in the position of child refugees. They had drawn little suitcases with what they would take—what was most precious to them. What struck me was that in every suitcase was a photograph of their family. We should be doing the same as that, and if we are a bit too old to imagine ourselves as children, we should imagine the help and support we would wish someone to give our children if they were in this circumstance.

Angus Brendan MacNeil: My hon. Friend makes a compelling point. We could think about our children and grandchildren, and we can look back at our own history. My background is highlands Scottish and Irish, and in the last century highlands Scots and Irish were certainly in need of help from many people as they were pushed and moved across areas of the world.

I was talking about Canterbury and saying it can be proud: the people of Canterbury can hold their heads up high.

Rosie Duffield (Canterbury) (Lab): I just want to thank the hon. Gentleman for mentioning my fantastic constituency and all the wonderful refugee charities that are there.

Angus Brendan MacNeil: The hon. Lady is very welcome, and she is welcome, too, to intervene again if I make any further mention of Canterbury.

I was also given a blog from one corner of the United Kingdom that highlights the experience of refugees in the UK, including Northern Ireland, and other places. When we get beyond the headlines and down into people's experience, as my hon. Friend for North Ayrshire—

Dr Whitford: Central Ayrshire.

Angus Brendan MacNeil: I am sorry that I cannot pronounce Central Ayrshire, but in my own constituency of Na h-Eileanan an Iar—

Anna Soubry (Broxtowe) (Con): Will the hon. Gentleman give way?

Angus Brendan MacNeil: Certainly.

Anna Soubry: I congratulate the hon. Gentleman on both his Bill and his powerful speech. Does he agree that the key word here is “refugee”? Everybody forgets what and who a refugee is; this is somebody who is fleeing a place they love—their home. They do not want to leave it, but circumstances, that we cannot even begin to imagine, mean they literally grasp the first things that come to hand and flee their home looking for a place of refuge.

Angus Brendan MacNeil: The right hon. Lady is absolutely correct. Later I will quote from a speech that my hon. Friend the Member for Dundee West (Chris Law) made on 22 February, in which he made exactly that point. We must remember why people become

refugees and travel here. I thank the right hon. Lady for her support, along with the hon. Member for Bromley and Chislehurst (Robert Neill), who I think is a distant cousin—I do not want to land him in any more trouble.

Sir Edward Davey (Kingston and Surbiton) (LD): I am delighted that the hon. Gentleman has brought forward this Bill, which follows the Bill introduced in the other place by my noble Friend Baroness Hamwee. If the Government tell us today that the Bill would provide a pull factor, we should vote against them for that reason alone, because the reality, as the right hon. Member for Broxtowe (Anna Soubry) said, is that people become refugees because of the push factor. We have to support these people, who are fleeing appalling conditions.

Angus Brendan MacNeil: The right hon. Gentleman is absolutely right. I have seen a blog post from the Government, under the headline “Bill to reunite refugees with families will make their lives harder”, which is Orwellian doublespeak of the worst kind. Hopefully the Government will think again about the words they have chosen. My hon. Friend the Member for Central Ayrshire (Dr Whitford) made that point well when she talked about the photograph.

Mrs Louise Ellman (Liverpool, Riverside) (Lab/Co-op): I congratulate the hon. Gentleman on bringing forward this important Bill. Governments are often constrained because they think that the public are hostile to family reunions and to having more immigrants, but the reality is that once they know the details of the circumstances those individuals are fleeing, their attitude towards them becomes very positive. There are many examples of the public in Liverpool rallying around refugees when there are threats to remove them.

Angus Brendan MacNeil: I thank the hon. Lady for making that stellar point. She is absolutely correct. We know that from our own experience here, because often we change our minds when we start to understand a little more. The public do the same as their representatives.

Albert Owen (Ynys Môn) (Lab): I congratulate the hon. Gentleman—my fellow bilingual island MP—on bringing forward the Bill. He used the powerful word “motivation” in his opening remarks. When we see refugees without their families, either in camps or processing centres, we can see the loneliness etched on their faces. When we see them together as a family unit, we see why they are motivated and why they contribute so positively to our communities.

Angus Brendan MacNeil: The hon. Gentleman is absolutely right. While I was listening to Yohannes' story on Wednesday, I was certain that I would not have had the motivation at age 19, or probably at any age, to cross the Sahara over four weeks, on two different forms of transport, and then to cross the Mediterranean in uncertain circumstances. That was his first time on a boat. I can recall my first time on a boat, and it was certainly not a pleasant experience.

Robert Neill (Bromley and Chislehurst) (Con): Will my honourable cousin give way?

Angus Brendan MacNeil: Nepotism looms large in this place.

Robert Neill: There is compelling evidence that diasporas enrich all parts of countries, and indeed Chambers. Probably every Member of this House has had the good fortune to go to a higher education institution, including some very distinguished ones, and every one of those, in every part of the UK, has at some point or other been enriched by academics who arrived in this country as refugees, whether fleeing the Nazis, communism or other regimes. We should remember the contribution that they have made, from which all of us have benefited, directly or indirectly.

Angus Brendan MacNeil: My honourable cousin makes a fantastic point. We have to see this in multi-dimensions, because seeing somebody as just a refugee in the here and now, so not as an academic or a welder, will lead us down a narrow and sterile path.

Martin Docherty-Hughes (West Dunbartonshire) (SNP): I congratulate my hon. Friend on bringing forward the Bill. He mentioned the connection between his constituency and Ireland, and our families share a similar history. He talked about the lessons to be learnt from the experience of the community in Canterbury, which is shared by that of West Dunbartonshire, where over the past two and a half years we have accepted 40 refugee families, who are adding to the diversity, the economy and the long-term sustainability of the entire UK. This is a positive thing and Government Members should vote for it.

Angus Brendan MacNeil: I absolutely agree. Also, I can assure the hon. Member for Canterbury (Rosie Duffield) that mention of Canterbury by Scottish National party Members is in no way politically aggressive.

Brendan O'Hara (Argyll and Bute) (SNP): The Bill has widespread support in our communities across the United Kingdom. Will my hon. Friend join me in congratulating the inspirational young people of the rights respecting group at Hermitage Academy in Helensburgh, who have been campaigning on this issue for months? Their petition has now been signed by 1,100 people in the town. When they deliver the petition to Parliament, which they will do soon, will he join me in welcoming them?

Angus Brendan MacNeil: It would be a privilege to meet the young people of Hermitage Academy, because what they have done will help inform our thinking here.

Yohannes is getting on with life in Canterbury. He has a good group of friends and he supports Manchester United—I will leave that there, given that he does not support the mighty Glasgow Celtic. In Na h-Eileanan an Iar—moving from Canterbury to somewhere that is easier to pronounce—we are fortunate enough to have a young man called Anas, who is 17 and from Syria. He has written a blog that has come to my attention. I think it is worth giving voice to what he has written:

“From the time when I have been told I have to travel to Stornoway, the first thing that came to my mind was “where is that?” Then they told me it is in Scotland. Well, all I know about Scotland is that it is a part of the UK and it is so cold there”—

He comes from Syria, so he probably does find it cold. He continues:

“I didn't even think that Stornoway is on an island in the middle of the Atlantic!

Lots of things started coming to me, bad ideas, about how the people will be there, what the houses look like and even how the people look. For me it was an unknown place. I wasn't worried about the language—I already have some English and it will improve by practising with the people.”

Given what he has written, I think his English is very good. He goes on:

“The most important thing I was thinking about is how people will deal with me with my family, especially the women in my family, because they wear the Hijab and it is something strange for the people where I am going to...”

What I thought about people here is that everyone will just be looking after himself, and nobody cares about the rest. I was completely wrong. Now I have to say sorry to them about how I was thinking about them before.

The thing that surprised me most is the charity shops and events, and even the small shops have at least one box for charity. People here deal with volunteering as part of their duties. For a while I thought they got paid for that, but all I know is that it is a priority for them! I asked myself how they do this, and the only answer I got is that they feel for each other, and they love to do things for others just for ‘thank you.’

In general, I like it here. It is an island in the middle of the sea, but at least you can feel the life here. You can be like anyone here. What do you need more when an old man asking you, ‘Where are you from?’ And after you answer he starts telling you, ‘You are very welcome in my city. We are so sorry about what's happening there. What can I do for you? Please ask for help when you need it.’ Unfortunately, I didn't realise that before.

The rule they follow is, ‘humanity first.’”

We see that in Canterbury, Liverpool, Argyll, Central Ayrshire and a number of other places.

Neil Gray (Airdrie and Shotts) (SNP): I commend my hon. Friend for bringing forward the Bill, and for the way he is introducing it. I am incredibly proud that in my constituency we have been able to welcome a number of refugee families from Syria. Can he provide some reassurance to those who have had to flee violence from close family members that the Bill will not have an impact on their safety?

Angus Brendan MacNeil: Absolutely. The Bill would enable refugees here to sponsor their family members. They would be the actors and they would choose who would come.

Mr Alistair Carmichael (Orkney and Shetland) (LD): I think that the way the hon. Gentleman has brought the element of humanity into this debate is very important. I listened to the words of his constituent about how he felt in anticipation of his first visit to Stornoway. I have to say that the first time I visited Stornoway I felt much the same, and for the most part my misgivings were ill-founded. The stories that we are hearing from different parts of the country—I have had similar experiences in my constituency—should surely give some succour to those Members who are thinking about supporting the Bill but are perhaps concerned about how that will be seen. There is a positive political advantage for those who are prepared to support the Bill, so nobody should be afraid of it.

Angus Brendan MacNeil: The right hon. Gentleman is absolutely correct about that, and I hope we see him in Stornoway sooner rather than later.

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): I congratulate the hon. Gentleman on his work on this Bill, but I would not want him to leave Carmarthenshire out of his list. Will he join me in congratulating the Plaid Cymru-run Carmarthenshire County Council—the council in Wales that has rehoused the largest number of refugees by a country mile in our country?

Angus Brendan MacNeil: I am pleased to join the hon. Gentleman in congratulating Carmarthenshire's council, which brings me neatly on to Aberdeenshire Council, as I was going to mention that, too. Apparently, a lot of Syrians are watching this debate in Aberdeenshire today, so let me say hello to them. I am told they are watching this on Facebook, with their hearts in their mouths. Aberdeenshire Council needs to be congratulated, because, on a cross-party basis, its councillors have unanimously and publicly given their support to this Bill. So I thank the Tory, Labour, Liberal, Green, Independent and SNP councillors of Aberdeenshire Council, who have all united today to support the legislation.

The thing about this Bill is that it could have been introduced by any Member in this House. It was conceived by a partnership of good samaritan organisations: the British Red Cross, Oxfam, the Refugee Council, the United Nations High Commissioner for Refugees and Amnesty International, to name but some. The Bill has the support of MPs from seven political parties: the Conservatives, Labour, the SNP, the Democratic Unionist party, the Liberal Democrats, Plaid Cymru and the Green party. I thank hon. Members from across the House who have co-sponsored the Bill.

This Bill should not be about party politics or about red, blue, yellow and so on; it is about compassion and, as the right hon. Member for Orkney and Shetland (Mr Carmichael) said a few moments ago, humanity.

Sir Peter Bottomley (Worthing West) (Con): First, let me say that I enjoy a sail to Stornoway. May I also say that this debate comes 46 years after my wife and I took a refugee family into our house? This past week our family and theirs had a lovely get together. What I have not yet heard from the hon. Gentleman, or from the good samaritan organisations, is the number of people who would be eligible under the Bill who are not already eligible.

Angus Brendan MacNeil: The hon. Gentleman asks a good question. From the information I have directly, I can tell him that a number of years ago we would have been talking about 400, but with the increase in refugees the number who would be helped is probably between 800 and 1,000 at the moment. It is not a huge number. I commend him for what he has done to help refugees in the past. He sees the benefits of that today in his personal life, and there are a number of similar examples of that from across the world.

This Bill merely takes the UK into line with the rest of Europe. If I have any criticism of what I am trying to achieve, it is that my Bill is so small and unspectacular—so much so that we should have no problem in passing it.

Someone would have to have a very hard heart or an empathy bypass not to want to ensure that the limited measures I ask for today become law. May I say how grateful I am for the support of people who have done well in life yet have made it their concern and business to use their position to help the least well-off in the world? Some are celebrities—actors and actresses, and pop stars—who have used their position to highlight this Bill and given their time very freely.

Hannah Bardell (Livingston) (SNP): I congratulate my hon. Friend on the support he has gathered for his Bill and on the powerful speech he is making. He talks about those supporting others who are vulnerable in our community. A refugee family in my constituency have come to Livingston, made it their home and set up a business, which reclaims leather sofas and turns them into shoes and bags, and is now supporting and employing disabled people in the West Lothian and Livingston area. These are exactly the kind of people we want to welcome to our communities—those who come and make the fabric of our society richer.

Angus Brendan MacNeil: Absolutely. This is also a loss for the host countries from which these people have had to flee, often in the most desperate of circumstances.

As well as pop stars and celebrities, it is mostly decent members of the public who have been writing to us, as the hon. Member for Liverpool, Riverside (Mrs Ellman) pointed out. They can conceive of the enormity of what refugees, or people fleeing to safety, have had to go through, and in their droves they have been very supportive.

Often as Members of Parliament, we have to consider issues that require us to put ourselves in the shoes of those whose experiences are dissimilar to our own, which puts our ability to empathise to great test. At first glance, the subject of the Bill may seem as though it is going to ask us to go to similar lengths. How can we, sitting here in this old royal palace in the heart of London, begin to know what it is like to be a refugee who has fled the guns of Assad, crossed dangerous seas with their life in the hands of unscrupulous smugglers and then faced a gruelling, adversarial asylum system? How can we know what it is like to be a 17-year-old from Eritrea who has escaped his homeland because he did not want to end up like his older brother—murdered because he did not want to be forcibly conscripted, indefinitely, into the army? I do not know, but I know that I do not want to know and I certainly do not want many other people to know in future.

Jo Stevens (Cardiff Central) (Lab): I am here to support the hon. Gentleman's Bill wholeheartedly, on behalf of many of my constituents—of all political persuasions—in Cardiff Central, a city of sanctuary, who have written to me about it. I do not have any concerns about the Bill, but if any Members do, I hope they will leave them until Committee and support the Bill today.

Angus Brendan MacNeil: The hon. Lady makes a fantastic point. It is to Committee that people should take their concerns, because the concerns will be minor. If concerns are in any way major, they will be able to be addressed properly in Committee.

Nigel Huddleston (Mid Worcestershire) (Con): The hon. Gentleman is making many valid points. Like everybody in this House, I have been lobbied on this Bill by constituents—both for and against. It is important that we keep the right tone here; accusing people of an “empathy bypass” because they have a different understanding or different belief about the best way of helping people is probably something we can avoid in this debate. If we do that, we will have a great degree of support for the end goals.

Angus Brendan MacNeil: Let us hope we see that support coming to fruition, and I look forward to seeing the hon. Gentleman with us in the Lobby at some stage today—we would be grateful for that. There can indeed be many ways of approaching things and perhaps all of us need to learn a bit more about the subject, in all manner of ways. But it is very difficult to be arguing against enabling people to leave a refugee camp to join family and relatives.

Marsha De Cordova (Battersea) (Lab): First, I congratulate the hon. Gentleman on introducing this Bill. Does he agree that as one of the wealthiest countries, we have the capacity to support these people, who are in desperate need, and that what we lack is the political will? That will was demonstrated so well by my predecessor Lord Alf Dubs, who secured the amendment that forced the Government to allow 3,000 unaccompanied child refugees in.

Angus Brendan MacNeil: The hon. Lady is absolutely correct about that. Sometimes our thinking is limited and we think, “Whoah—3,000 people seems like a lot! If they were all in my front room, what would that all mean?” In a country of 65 million people, this is a drop in the ocean. Given the skills shortages we have and some of the people we could be taking in, it is in our interests to do exactly this. That is especially true at a time when there are more refugees in the world than at any point since the end of the second world war. How can we comprehend their lives, stories and tragedies, and make sense collectively of all those statistics? This is hard to fathom when we start to think of numbers like 3,000.

But today’s Bill is not principally about refugees. It is certainly not about immigration, and in a way it is not even about the war in Syria or human rights abuses in Eritrea. First and foremost, it is about family—something that each and every one of us will recognise. As my hon. Friend the Member for Central Ayrshire said, this is about the photograph in the suitcase that the children thought they would want to bring with them if they were refugees. No matter how families argue, fight and disagree with one another, they belong together. They should certainly not be forced to part. This is not an immigration issue; it is a protection issue, as my hon. Friend the Member for Dundee West said in a debate in Westminster Hall on 22 February.

Ruth Cadbury (Brentford and Isleworth) (Lab): I, too, congratulate the hon. Gentleman on introducing this Bill. I absolutely support it, as I represent a community that has many, many refugees. Many of us have listened over the years to the holocaust memorial events and heard the stories of the elderly people, as they are now, who came over on the Kindertransport and so on.

We have heard the stories of those who survived without their families and how traumatic that was. I am sure the hon. Gentleman has heard, as I have, the stories of those who were able to be connected with their families or some family members after the war and how much of a difference that made. How can one not link those two sets of stories?

Angus Brendan MacNeil: The hon. Lady is absolutely correct. When we look at history with the benefit of hindsight, we think, “Why didn’t we do more at the time?” There is a little nervousness at the moment of doing, but when it is done people are eternally grateful—and it is not just about those who have been saved: those who have done the saving can look at themselves in the mirror with a lot more pride than they otherwise could.

The Bill is about families who have been torn apart by war and persecution and who long to be reunited but cannot be because of the current rules. It is about families who face the invidious decision of whether to stay separated or to undertake potentially dangerous journeys across land, desert and sea to be together again. Nobody would want female members of their family to be tempted to cross the Sahara with people traffickers.

Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op): UNICEF reports that a majority of unaccompanied child migrants have been subjected to sexual abuse on their journey to the UK. We have an obligation as a country to support young people who are going through the most appalling times.

Angus Brendan MacNeil: The hon. Gentleman is absolutely correct. There is a judgment call about how much we talk about that: it happens, but for many people watching the debate it might be a bit too close to home. As legislators, we have to bear that in mind when we make decisions about refugees.

Currently, adults who have been recognised as refugees in the UK are able to sponsor their spouse or partner, as well as children under the age of 18, to join them in the UK. We have to thank successive Governments for that, because it is a good thing. We are not here just to say what the Government are not doing, because they are doing a lot—but that is only one side of the coin. By the very nature of their being close relatives of refugees, those family members often live in extremely dangerous circumstances. We are looking to address the other side of the coin so that under-18s can sponsor and bring in family members as over-18s can. We want to get families together in both directions.

In recent weeks, the British Red Cross has helped to reunite two Syrian couples. The wives had been living in Afrin. Imagine the moment of elation when the loved ones were finally reunited in the UK; just hours before, they had been separated by thousands of miles and hundreds of bombs. Refugee family reunion is truly life-changing, which is why so many refugees and people who have moved to this country—welders or whatever—are watching this debate, because the Bill would change their lives.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): Does the hon. Gentleman share my concern that legal aid is not available for refugee family reunion cases? When the

changes were made to legal aid, it was anticipated that there would be around £450 million of savings. In 2016, there were actually £950 million of savings. Could some of that half a billion be used for these cases?

Angus Brendan MacNeil: The hon. Lady makes a good argument about the pounds, shillings and pence that will inevitably come up. She has dealt with that very well.

I am aware that quite a lot of Members wish to speak and that I have not made an awful lot of progress in the past 25 minutes because I have taken a number of interventions. If Members wish to intervene, I appeal to them to think about it and to do so sparingly, as there will be other speakers on whom to intervene. We want to make progress on this Bill and get on to the Bills of other Members.

Rebecca Pow (Taunton Deane) (Con): I might be a long-lost relative from Somerset, connected somehow, Mr Speaker.

Is it not right that the Lord Chancellor is undertaking a review of legal aid reforms that will include legal aid for immigration cases? The Government are already taking that on board and these matters could well be included in that review.

Angus Brendan MacNeil: Legal aid is already available in Scotland. I am glad to hear what the hon. Lady says, but the approaches are not mutually exclusive. If she welcomes that review, she should certainly welcome the Bill. I will personally escort her through the Lobby later, if need be.

The Bill would allow loved ones to be together, and clause 1 does just that. It asks that a statement of changes to the immigration rules be laid before both Houses, setting out the rules for refugee family reunion. In responses to debates on family reunion in both this Chamber and the Lords, Ministers have expressed their belief that the immigration rules are the best place for these provisions, rather than primary legislation. The Bill acknowledges that, which is why it operates in this way. The Minister may say that I am still attempting to use primary legislation to amend the rules, but as she is aware, there is no other way for a non-Minister to effect a change to those rules. If, however, the Minister would like to intervene to say that the Bill is unnecessary and that those sitting on the Treasury Bench plan to bring forward a statement of changes to reflect its provisions, I will gladly give way.

Clause 1 sets out the relationships that would be covered by refugee family reunion. It includes those who already have a right and expands that in several important ways. There is a very long list of relationships that I could have put in the Bill. Right hon. and hon. Members could probably spend the entire debate thinking of distant relatives who, had we been forced to leave our homes and communities because of a vicious, deadly conflict, we would like to think we could bring with us to safety, but I have focused on some of the most egregious examples that are not covered by the existing rules.

As I explained earlier, under the existing rules, a parent who has been recognised as a refugee in the UK can sponsor their children under the age of 18 to join them, but if their child has turned 18, they are not automatically eligible. Muhammed is a former lawyer

from Syria. He arrived in the UK and was recognised as a refugee after applying for asylum. He immediately began the process of applying for family reunion so that his wife Amal and their children could live with him in safety in the United Kingdom. Devastatingly, the family were forced to leave behind their two eldest children, a son and a daughter, because they were over 18. Muhammed told the British Red Cross:

“We are a very close family; our bonds are very special...My little kids ask me every day: ‘Baba, what happened with Kusai and Athar? When will they join us? When will we see them and talk to them?’ I truly have no idea and don’t know what to tell them.”

The Minister may argue that the Government have recognised that children in such circumstances should be eligible, and point to the family reunion guidance that was updated in summer 2016. That guidance provided clearer direction to Home Office caseworkers on the types of cases in which family reunion may be granted in exceptional circumstances. At the top of the list are cases in which children over the age of 18 are still dependent on their parents. Despite those changes, though, we learned last year that in the first nine months of 2017, only 49 people were granted family reunion in exceptional circumstances. My Bill would move that group of children into the main body of the rules. If the Government accept the principle that such children should be eligible to be reunited, as they do in the guidance, I hope that they will support at least that element of the Bill.

Layla Moran (Oxford West and Abingdon) (LD): I congratulate the hon. Gentleman on his Bill, which I support wholeheartedly. He reminds me of a story that Oxfam told me about a gentleman called Tarek, whose son Kawa was left behind in Turkey while the entire family was resettled here in the UK. Kawa was the main breadwinner of that family. Does the hon. Gentleman agree that it will be helpful to the integration of the families into UK society if we bring their children home?

Angus Brendan MacNeil: Absolutely. Everybody will be a winner if the unnecessary bureaucracy that has been created around this issue is removed, or at least redesigned to help people rather than hinder them. The hon. Lady makes a good point.

I hope that the Government can at least support the provisions on dependent children, because bringing such young people firmly within the rules would have a number of benefits. First, it would give those families that apply to be reunited more certainty that they are eligible. There is no separate family reunion application to be reunited outside of the rules, only the main refugee family application form. The family then has to rely on caseworkers seeing that there are exceptional circumstances and applying their discretion.

For those families who are able to reunite under the discretionary element of the rules, there are further problems when the family member arrives in the UK. Under the main family reunion rules, family members who come to the UK get the same type of leave as the relative they are joining. That means that they are granted five years’ leave to stay in the UK and are then able to access support to help the family to rebuild their lives together, including to ensure that they have suitable housing and enough financial assistance to help them to integrate into their new homes.

[Angus Brendan MacNeil]

Family members reunited outside the rules do not get the same type of leave. They will usually be granted 33 months' leave to stay and may be subject to restrictions to which someone with refugee status is not, including their not having recourse to public funds.

They face a longer path to resettlement than the family members they are joining. Without support, they can find themselves living in overcrowded accommodation or experiencing homelessness. Therefore, after having quite a traumatic back story, they can find that their current story can be quite difficult as well.

The Bill would allow refugee children to sponsor their closest family members to join them. The UK is one of only two countries in the EU that does not allow children who have been recognised as refugees to have any family reunion rights. That is the crux of the matter, and it is something that we have to change. That is a small piece of what the Bill does. As I said earlier, no, we are not doing enough, but at least we are doing that.

While most countries in the EU are signed up to the family reunion directive, which expressly grants separated children family reunion rights, the UK, along with Denmark and Ireland, did not opt into that directive. However, Ireland amended domestic legislation to allow children to be reunited with their parents and siblings; the UK did not. As a result, the children whom the UK Government recognise as being in need of international protection, accepting that it is unsafe for them to return home, are kept apart from their parents. Young boys and girls, many of whom will have faced untold horrors after fleeing their homes, are left without those who are best placed to support them.

Sir Edward Davey: The hon. Gentleman makes a really important point about how other European countries regard this problem. I think that he is saying that every other European country bar Denmark believes that a child refugee should have the right to have their family come and join them in that country. Any argument that the Government make today is an argument that is not accepted in Germany, in France, in Spain, in Italy and in every other European country. Why should the argument be different for the UK?

Angus Brendan MacNeil: The right hon. Gentleman raises an important point. Some people feel—it is an excuse, actually—that the Bill, if passed, would encourage people to send their children first. I will deal with that point later, but if that was true, it would be happening in all those other countries. Therefore, it is not true at all. Some also throw up the legal aid argument. Legal aid is available in Scotland, so if legal aid was the point, all the refugees of England and Wales would be going to Scotland. People settle in a place for a whole variety of personal or community reasons. Therefore, these things are not primary pushers, but would help refugees in places where they settle, and help all those around them as well.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): I congratulate the hon. Gentleman on his important speech. Is he aware that this issue is cited in some areas as the reason why Italy and Greece are not placing children and child refugees in the UK as part of the

Dubs amendment? Those countries are concerned that while the children would be able to be reunited with their family in any other country in Europe, that would not be possible in the United Kingdom. Some 240 places offered by local authorities are empty as a result, and we are not filling those Dubs places because there is such a gap between the UK's position and that of the rest of Europe.

Angus Brendan MacNeil: I thank the right hon. Lady for her intervention; I was not aware of that point. It is absolutely fascinating to hear that other countries choose not to send these children to the UK. If they are doing so out of common decency and in the best interests of those children, because they know that they cannot be reunited with their families, that makes it even more imperative that the UK plays its international role so that people in Greece and Italy can look to the UK as being as good as any other country. Surely, as the legislators of the principal UK Parliament, we should be changing the law to make sure that that happens.

One of the children affected by the rules is Tesfa, who grew up in Eritrea. As he got older, he feared being forced into Eritrea's brutal and endless military service. In 2010, his brother was taken by soldiers, and the family never heard from him again. Then, when Tesfa was 16, soldiers came to his school; Tesfa never returned home. Without telling his family, he fled Eritrea. He did not know where he planned to go—this is the point about legal aid or whatever—but he had to keep moving. He passed through Sudan and Libya, went over the Mediterranean, and found himself, eventually, in the United Kingdom. After applying for asylum, he was recognised as a refugee, and eventually—after well over a year—he was able to speak to his mother. Imagine that at the age of 16. However, he was unable to be reunited with his family in Britain. The UK has offered him a new home, but what home can a young man have without his family? Amnesty, which is compiling a report on this, told me that one refugee said, "A refugee without a family is like a body without a soul." That quote will be in the Amnesty report—a plug for Amnesty there.

The Government have previously asserted that allowing children to sponsor their family members to join them would result in families sending their children to the UK so that they could then act as sponsors. During a debate on family reunion in the House of Lords before Christmas, numerous peers rose to take on this argument—I congratulate them on doing so. They cited what Mr Justice McCloskey stated in the upper tribunal:

"there is no evidence underlying it",

with

"it' being the pull factor".—[*Official Report, House of Lords*, 15 December 2017; Vol. 787, c. 1777-78.]

Lord Kerr of Kinlochard, who is better known for drafting article 50, was one of those peers who forcefully took on the Government's argument. He described as a "strange, sick, Swiftian joke" the Government's implication that families in countries such as Syria, Libya, Eritrea or the Sudan would sit down together and make the cold calculation that they would send a child on a journey across land and sea that might take several years, putting their lives at risk, to secure a right to bring the rest of the family to join them. It is very difficult to disagree with the noble Lord about that.

The Government have recognised these children as refugees. They must be congratulated on that, but they must take it further. There is no special definition of refugee that a child has to meet that is different from that for an adult. Children have to pass the same test. If they are recognised as refugees, it is because they have a need for international protection. It is therefore surely only right that these children are able to be with their family members, as adult refugees would be, which would correct a situation that the Home Affairs Committee has described as “perverse”.

On the other side of the coin, the Bill would allow refugee children to sponsor their parents and unmarried siblings under the age of 25 to join them. I can already guess what the reply to that point in the Minister’s brief will be, but I urge her not to read it. I urge her not to assert that parents would callously send their children on life-threatening journeys just so that they could later join them. If that were true, they would be going to other countries anyway, but that is not happening. I urge her instead to recognise that children are better off with their parents and those who will support them, and to bring the UK into line with the vast majority of the rest of Europe so that people resettling refugees in Greece and Italy can have trust and faith in the United Kingdom.

I do not want to pre-empt the Minister too much, but she might well argue that provisions elsewhere in the immigration rules allow a wider group of family members to be reunited. She might say that they are to be found in part 8 and appendix FM of the immigration rules, meaning that the Bill is not needed. However, as she is aware, those routes do not cover all the family relationships that I have described and nor are they accessible for refugees. The application alone costs several hundred pounds, and family members in the UK must show that they can financially support their relative. For refugees, who often have very few resources after escaping with what they have on their backs, those barriers will be impossible to overcome.

Clause 1 also gives the Home Secretary a discretionary power to grant family reunion applications in circumstances over and above those that I have just described. It may be that such an action is in the best interests of a child, because a family member is living in precarious circumstances, be that as a result of an emotional, psychological, physical or financial dependency, or as she may otherwise see fit.

I take this opportunity to thank the refugee team at the Tavistock and Portman NHS Foundation Trust, which emailed me the other afternoon to say:

“Our NHS Trust supports the mental health of young refugees through our child and adolescent mental health service. The refugee team here, with the support of Chief Executive Paul Jenkins, wished to convey their support for your private Member’s Bill.”

I thank all those working at the sharp end with refugees who have taken the time in their busy lives to be aware of what is going on in Parliament and to write an email of support.

Family reunion is primarily about bringing families back together, but it should also be seen as a safe and legal route for refugees to escape dangerous circumstances. Last month, the Home Secretary celebrated the fact that the UK had reached the halfway point in resettling

20,000 refugees from the Syrian conflict. That is to be commended. Family reunion should act as a complement to that and the UK’s other resettlement programmes.

Although for the purposes of family reunion it is only the relative in the UK who needs to have been officially recognised as a refugee, the Home Office’s immigration statistics show that the beneficiaries of family reunion are often the most vulnerable. In 2017, most family reunion visas were issued to people from Eritrea, Iran, Sudan and Syria. Some 95% of those who came to the UK were under the age of 18 and/or female. Despite the global refugee crisis—the worst since world war two—very few refugees ever find themselves in the UK. Indeed, in recent years, the number of people applying for asylum in the UK has fallen. Some 86% of refugees live in the world’s poorest countries, not the richest ones. Expanding the refugee family rules would mean that more refugees are able to find safety in the UK to our benefit, as well as theirs.

While it is all well and good for families to have a right to family reunion, it is worthless if they are unable to access that right. This is what clause 2 of my Bill is about. It would amend the Legal Aid, Sentencing and Punishment of Offenders Act 2012 to make civil legal aid available for family reunion applications. Prior to the passing of that Act, legal assistance had been available. With its removal, even those families who are eligible to be reunited face significant hurdles in being able to navigate the process.

The British Red Cross set out in its report “Not So Straightforward” the many bureaucratic and practical barriers that families face. At a recent event in Parliament hosted by the hon. Member for Bromley and Chislehurst, MPs heard at first hand about the impact that not having legal aid can have. I am sure that the hon. Gentleman will remember Sarah Foster, a caseworker at the British Red Cross, who said that a good solicitor for a family reunion application would cost at least £500. Meeting such costs can prove near impossible for refugees who have been unable to work while awaiting a decision on their asylum application. Sarah told us that families resort to borrowing from friends, taking out loans from unscrupulous lenders or living on virtually nothing to afford the support that they need to make their family reunion application viable.

As I am sure the hon. Gentleman will also remember, Sarah told us of one applicant she met in a supermarket. He had been recognised as a refugee, but had seven children living destitute abroad. In his shopping basket were packets of 10p noodles, which he planned to live on for the next few weeks so that he could save up for the legal costs of applying to bring his children to safety. This is the situation that we are dealing with and that too many people are facing.

I will wind up my speech by thanking the British Red Cross, the UN Refugee Agency, the Refugee Council, Amnesty International and Oxfam for their support in helping the Bill to reach this point, and particularly the extremely brilliant help of Jon Featonby. I also thank the many other charities, organisations and supporters who have been in touch; those who work every day to help refugees; Baroness Hamwee, who is working on these issues in the House of Lords; the NHS refugee team; and Reverend Steve Tinning at Leigh Road Baptist

[Angus Brendan MacNeil]

Church, who is a landlord to a Syrian refugee family in Kent, and was one of the first people to get in touch with me to ask how he could help.

There has been tremendous help and support for this Bill from across the United Kingdom. People want to do the right thing. It is incumbent on the House of Commons to ensure that the right thing happens. I hope that hon. Members will today ensure that, at the very least, this Bill progresses to the next stage.

10.43 am

David Warburton (Somerton and Frome) (Con): It is a privilege and a pleasure to follow the hon. Member for Na h-Eileanan an Iar (Angus Brendan MacNeil)—[*Interruption.*] I nailed the pronunciation. I congratulate him on bringing this Bill to the House, and commend him for his moving, persuasive and fascinating speech. I also commend him for building so much support for the Bill. This really is an important debate about an important Bill. The subject is very close to my heart and something about which many of us feel strongly.

Many Members will remember the Dubs amendment to the Immigration Act 2016 that came before the House in April that year. The Dublin regulation said that refugee families had a right to stay together and allowed refugees to join family members who were legally in another country, so that families could be reunited. On the back of that, the Dubs amendment sought to extend that provision to unaccompanied children fleeing war in Syria who were living in the Calais camp at the time and did not have any family here.

I was one of only five Conservative Members to feel sufficiently strongly to support the Dubs amendment and vote against the Government. Just three of us now remain on these Benches, including my hon. Friend the Member for Colchester (Will Quince), who is just leaving the Chamber. The pressure that was exerted at the time was enough to persuade the Government subsequently to accept the provisions. I mention all that because I want to emphasise that I have thought about this policy area carefully. We all need to scrutinise it, particularly as the landscape shifts.

I am pleased that this Bill has come before the House for debate, because it is only by exploring these issues that we will, I hope, come to the right conclusions. As we do so, we need to look carefully at the background of the situation today. When we look at the UK's reaction to the appalling humanitarian crisis in Syria, we can be rather proud of what is unquestionably an impressive record. Almost £2.5 billion in aid has been committed since 2012. That not only represents our largest ever response to a humanitarian crisis, but means that we are second only to the United States in providing support and far ahead of our European neighbours.

That support has been focused on educating refugees who have found themselves in countries such as Jordan and Lebanon, as well as helping them to find jobs. These are big numbers. Over 500,000 children in Syria have been in education thanks to UK aid, and many tens of thousands are enrolled in schools in surrounding countries. When we think about refugees coming to the UK, let us remember that in 2016—at the height of the crisis in the Calais camps—the UK resettled more refugees

from outside Europe than any other EU state. Eurostat figures show that over a third of people resettled in the EU actually came to the UK.

In that process, the most vulnerable refugees have been supported through resettlement programmes, which offer safe and legal routes to protection, and are specifically designed to keep families together. Some 20,000 refugees from Syria will have been settled by 2020, and around half of them have already arrived here. I do not want to list endless figures, but over the past five years, nearly 25,000 family reunion visas have been issued, and some 50,000 people have been given protection status in the UK since 2010.

Jeremy Quin (Horsham) (Con): My hon. Friend is making a powerful speech. Will he reiterate the point about the refugees whom we are seeking to support? This country has a powerful record of supporting refugees in situ in the region, where they are most vulnerable. It is also the most vulnerable of those whom we are bringing to safety on these shores. Will he address that point?

David Warburton: Absolutely. My hon. Friend reads my mind; he has obviously been looking ahead at what I am about to say.

Under current rules, partners who are coming here must rightly show that their relationship predates their exile, that it is ongoing, and that both parties have an intent to continue their relationship here. Children must show that they are related, under 18 years old, unmarried and not living an independent life. Family reunion visas are exempt from some of the usual criteria. There is no need to demonstrate adequate finance to support dependants. Dependants do not have to demonstrate any proficiency in English, and there is no processing charge or immigration health surcharge.

When it comes to other family members—again, quite rightly—exceptions and additional compassionate circumstances can be taken into account. These kinds of exceptions could apply, for example, to help a dependent child over 18 or an unaccompanied child with a relative in the UK.

As the House will know, family reunion can also be enacted through other refugee resettlement schemes. The Mandate and the Gateway schemes offer routes for refugees living overseas to be settled in the UK where this is in their best interests. Both those schemes recognise family ties as part of this calculation. Family links are also one of the grounds for eligibility under the Syrian vulnerable persons resettlement scheme. The children at risk scheme is also helping to resettle up to 3,000 children and their families from the middle east and the north African region over the course of this Parliament.

The key part of looking closely at this area must be to focus on how best we target our responses and our support, as my hon. Friend the Member for Horsham (Jeremy Quin) pointed out. If we change policy here in the UK—if we signal and signpost ourselves as a more open door—how will that influence behaviour and therefore lives? Of course, as we have heard, those facing civil war or persecution have little choice about fleeing their homeland—that is pretty clear—but what follows that? How best can we step in to support them?

Dr Whitford: If these children have been accepted as refugees, does the hon. Gentleman not see that the cost to the Government, local government and everyone else

in their future years will be less if they are part of a family and have a successful life and a successful settlement, and are not left here as orphans?

David Warburton: That is a very good point. I appreciate the hon. Lady's intervention. Cost is not really a material matter in this. It is really about what factors will influence behaviour, and so what the result of a policy change will be.

Robert Neill: My hon. Friend is making a very powerful speech, a great deal of which I agree with. I recognise that the Government have done a great deal in many areas. One of the policy changes in the Bill is really quite modest: it is to make it easier for those who have fled in fear, as he said, to get around the very difficult and onerous requirements to provide documentation in order to access legal aid or exceptional case provisions. As I am sure he will know from his interest in the field, the British Red Cross found that some 74% of all family reunion cases were missing one or more documents. He will also know that someone who is genuinely fleeing in fear frequently does not have time to go through a checklist of documents they might need later. Is not that one of the reasons why this Bill, in a very modest way, improves things in the direction that he has argued for in the past?

David Warburton: There is a lot to be said for what my hon. Friend says. As he knows, exceptional compassionate circumstances do exist, and the Home Office guidance allows for those things. He is absolutely right that there are issues about this, such as timing. There are the practicalities and the logistics of the situation, which can very often mean that it is not as easy as it may seem.

Mr Carmichael: The hon. Gentleman asks the very legitimate question about what will be the impact of change. As we have heard from the Chair of the Home Affairs Committee, current British policy is leading to authorities in Greece and Italy not sending children who would otherwise be eligible under the Dubs arrangements. Is the hon. Gentleman comfortable with the status quo in this regard?

David Warburton: No, I am not entirely comfortable with that. We need to look closely at how the Dubs scheme is now being run and what has happened to it since the Government accepted the amendment, because it has not necessarily been fully adopted, and councils have not taken it on in the way that they perhaps should have done.

I am not sure that secondary movements really do improve lives. There are examples that we can look at. In 2015, Germany's asylum seeker intake increased by 155% as a result of people reacting specifically to policy change. Interestingly, more than 20% of the people who sought asylum in Germany that year were from the Balkan countries, which have been conflict-free for more than 20 years, so those people were not seeking refuge—they were seeking opportunity.

Angus Brendan MacNeil: Just to be clear, what we are doing is putting under-18s in the same category as over-18s. They are already here and we are just giving them the right to family life. If we ask the refugees who are watching us today, they will say that that is what they want. They are people like us and that is what they

want to make their lives better. Some would argue that under-18s need their family even more than over-18s. We give this right to the over-18s, and we should give it to the under-18s who are here.

David Warburton: As I am sure no one would disagree, it would only be in the interests of people traffickers—no one else—for children to be encouraged to leave their families and undertake perilous, difficult, dangerous journeys in the hope that their relatives might be able to join them in future; and how much worse if they found themselves forced to do that?

My experience in chairing the inquiry by the all-party parliamentary group on the British Council into resilience to extremism in north Africa and the middle east has shown clearly that there are an appalling number of criminal gangs looking to exploit vulnerable people in the region. Our role must be first to provide support in the region, upholding, for all the reasons we have heard, the principle that those who need international protection should be able to claim it in the first safe country they reach.

Joanna Cherry (Edinburgh South West) (SNP): Has the hon. Gentleman had the benefit of reading the Human Trafficking Foundation's report of last summer, "An independent inquiry into the situation of separated and unaccompanied minors in parts of Europe"? If he does so, he will see that, using evidence, it knocked the myth of the pull factor on the head.

David Warburton: I have not read it, but I would be extremely interested to do so, so I will look at it. I thank the hon. and learned Lady. It sounds like an interesting report. However, the pull factor does appear to be cited time and again. As I said, there is a clear example in Germany. I would therefore be intrigued to know how that organisation has come to the opposite conclusion.

We need to look at the quickest and the least precarious route to safety for refugees, rather than travelling into and across Europe to reach the UK. Having said that, it is also vital that we are in a position to continually review and mould policy to adapt ourselves to changing circumstances, as the Bill seeks to do. I am very pleased, as I said, that it is before the House and we are able to debate it. Like my hon. Friend the Member for Mid Worcestershire (Nigel Huddleston), who is no longer in his place, I warn against using language like "empathy bypass" because that is not in the interests of a friendly, productive, non-partisan debate. We all have views. Obviously we all feel empathy, and we may express that in different ways. All opinion can be equally and properly expressed and valued, I hope.

Dr Whitford: Will the hon. Gentleman give way?

David Warburton: Let me get to the end of my speech.

I am very pleased that, as we heard from my hon. Friend the Member for Taunton Deane (Rebecca Pow), the Justice Secretary is undertaking a review of legal aid reforms in which he will, properly, address the legal aid changes in respect of immigration cases. I look forward to seeing the report later this year and any changes that will result.

[David Warburton]

Above all, in tackling the plight of refugees we need to look at the causes. The Government must continue, as I have every faith that they will, to support international efforts to find a comprehensive and sustainable solution to the root causes of the refugee crisis. Yes, we must respond carefully and deliberately to the consequences of the situation in the middle east, but we must also focus hard on the matter itself. I feel sure that the Government will continue to do this, and I am sure that the whole House, if nothing else, will support those efforts.

10.58 am

Vicky Foxcroft (Lewisham, Deptford) (Lab): I congratulate the hon. Member for Na h-Eileanan an Iar (Angus Brendan MacNeil) on introducing the Second Reading of his Bill. Many of us in the House feel very strongly about this subject, and I am grateful for the opportunity to make my own contribution to the debate.

Like many of my right hon. and hon. Friends who are here today, I suspect, my interest in this Bill comes from personal experiences gained at my advice surgery. Lewisham, Deptford has more than its fair share of immigration casework, and many of the cases that my staff and I deal with are very troubling. However, it is those that fall within the scope of the Bill which are often the most traumatic.

In December last year, I met a Somali woman who is caring for her four nieces and nephews in Lewisham, after their father was murdered in front of them and their mother back home in Somalia. The mother disappeared for several years, until it was discovered that she had sought asylum in Cyprus. She is experiencing deteriorating physical health, as well as suffering mentally from the trauma of seeing her husband murdered. My constituent is in the process of trying to reunite her sister with her children, but under current rules, the sister has to undergo the lengthy, stressful and costly process of applying for a visa to settle here.

The Lewisham Refugee and Migrant Network is an excellent but overstretched and under-resourced service in my constituency.

Ellie Reeves (Lewisham West and Penge) (Lab): I know of the great work that the Lewisham Refugee and Migrant Network has done in our borough. Will my hon. Friend join me in recognising the work of Action for Refugees in Lewisham, which I am sure will be assisted by the provisions of the Bill in helping some of the most vulnerable to be resettled in south London?

Vicky Foxcroft: I thank my hon. Friend and absolutely agree. We have so many wonderful organisations in Lewisham that do so much great work.

The Lewisham Refugee and Migrant Network recently told me about a woman from Gambia who fled and claimed asylum in the UK with her youngest child in 2011, after finding out that Government forces were looking for her husband and family. Although she has now been reunited with her husband and one other child, her eldest daughter turned 18 in the intervening years and has not been allowed to join her family in the UK. A further child also remains in Gambia.

These are vulnerable people. As my hon. Friends will know, it is stressful enough to negotiate the Home Office system without adding the extra difficulties associated with having suffered significant trauma. The cost of making a visa application and instructing an immigration solicitor is also a significant barrier for many.

If Members will allow me, I will lighten the mood slightly and say that I am proud of the great work that my local council, the London Borough of Lewisham, has been doing to support refugees. After formally agreeing to join the Syrian vulnerable persons resettlement programme in September 2016, Lewisham Council has housed 15 families from Syria, which, last time I checked, was the second highest number of any London borough. Lewisham Council also informs me that it has offered 24 care places for unaccompanied refugee children, but the Home Office has only used one of them. That is completely unacceptable.

Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op): My hon. Friend points out the case in Lewisham. Does she acknowledge that that is the case with Labour-led councils across the country, which are offering to put more people up, but the Government are not using those places? The Government need to take action immediately to use those places.

Vicky Foxcroft: I agree with my hon. Friend. As I said, that is completely unacceptable. We have a council that is willing to help, and no doubt hundreds of vulnerable children need that help.

I will conclude, because I want us to get on and vote on the Bill. Like many or perhaps all of us here today, I firmly believe that if a child refugee has been granted the right to be in the UK, his or her parents or carers should also be granted that right. Equally, children who grew up in this country with a parent who has a right to live here should be allowed that right, even after they reach the age of 18. The Bill would enable both those things to happen, while also providing vital financial support in the form of legal aid. Families are being torn apart by the current rules, and that simply has to change.

11.3 am

Mr Ranil Jayawardena (North East Hampshire) (Con): It is a pleasure to follow my hon. Friend the Member for Somerton and Frome (David Warburton), who spoke of his commitment to this issue and highlighted his concerns about the Bill in a very constructive way, contrary to the way in which, sadly, the hon. Member for Na h-Eileanan an Iar (Angus Brendan MacNeil) presented it. It is also a pleasure to follow the hon. Member for Lewisham, Deptford (Vicky Foxcroft), who shared her insight from her constituency, which is a very different constituency from mine. I respect her contribution and the insight she gave me into her surgery appointments.

The Government have done much good in this area, which I support. I rise with concerns about the Bill, as my hon. Friend the Member for Somerton and Frome did. While it is a pleasure to serve under the chairmanship of the hon. Member for Na h-Eileanan an Iar on the International Trade Committee, where sometimes even we agree, I am afraid that on this matter and the substance of the Bill, I have my doubts. Without doubting his intentions, I believe he is wrong in this area.

Angus Brendan MacNeil: If the hon. Gentleman has doubts, the best place to take them is to Committee. I will happily escort him through the Lobby, when we vote on the Bill. We can discuss this in Committee, and I am sure he will allow those doubts to be raised there.

Mr Jayawardena: The hon. Gentleman escorts me all around the world as we build positive trade relationships with our friends around the world. I will talk about some of that, and perhaps we can continue to agree on that, rather than on the substance of the Bill.

First, let us consider what the Bill asks. It aims to require the Home Secretary within six months to widen immigration rules and grant visas to a wide range of relatives. I contend that making it easier for a parent to join a child refugee could incentivise families to send their child ahead on a perilous journey, often in the hands of unscrupulous people traffickers.

The Bill would also amend the Legal Aid, Sentencing and Punishment of Offenders Act 2012, to extend legal aid to family reunion applications, but this is taxpayers' money, and we must therefore be very responsible in how we spend it. The Bill makes no mention of how to encourage integration, how to provide education or how to offer other opportunities to refugees; nor does it make any attempt to tackle the situations that people are fleeing. Rather, it simply accepts that that will continue to be the case.

Anna Soubry: I urge my hon. Friend to consider that this Bill is about refugees—not economic migrants, with whom one might have some sympathy, but people who are fleeing war, persecution and terror on a scale that none of us can even begin to imagine. The idea that someone would willingly put their child in an even more perilous place is frankly for the fairies.

Mr Jayawardena: I respect my right hon. Friend's contributions and her right to make them to the House, but as she lets me extend my argument, I think she will understand why I have concerns about this process, about the potential use of unscrupulous people traffickers and about some people in this country abusing the rules on refugees, which is wrong and devalues the argument on which we all agree about supporting genuine refugees.

Huw Merriman (Bexhill and Battle) (Con): I speak for the fairies, as far as this is concerned. Logic would dictate that when refugees are coming from war-torn areas, they will do some incredibly desperate things, such as those that my hon. Friend has outlined. I do not think it is for the fairies at all. It is the sad reality of the terrible state of some countries around the world that forces these things to happen.

Mr Jayawardena: I thank my hon. Friend for his contribution. I think that he supports my point—*[Interruption.]* The debate is continuing behind me.

In explaining why I believe that the Bill is misguided, it seems important to discuss the current system that Britain has, as well as the international legal arrangements that underpin it. That history is important to where we are today. Principally, the UK is a party to the UN's 1951 convention relating to the status of refugees and the 1967 protocol, which expanded coverage to refugees from beyond Europe and beyond those fleeing world war two. While the UN convention recommends that

signatories take measures, it is important to note that it does not provide an automatic right to family reunion for refugees.

The convention does, however, recommend that signatories take the necessary measures for the protection of the refugee's family, which I contend the Government do at present. Further, the Government clearly take more account than the Bill does of the protection of a refugee's whole family, by reducing the pressures on family members, as my hon. Friend the Member for Bexhill and Battle (Huw Merriman) said, to be trafficked or make dangerous journeys—pressures that I believe the Bill could amplify. Thirty years on from the UN convention and 20 years on from the protocol amending it, article 3 of the 1989 UN convention on the rights of the child ensures that the best interests of the child must always be the primary consideration.

Steve McCabe (Birmingham, Selly Oak) (Lab): Will the hon. Gentleman give way?

Mr Jayawardena: I will give way in a moment.

When assessing asylum claims, Home Office officials must already consider the best interests of the child. A similar consideration must be taken under another of the UK's commitments in international law, which is as a signatory to the European convention on human rights. The UK is a signatory because of a historical desire to spread British values, and often where British values lead, the world has followed. It is often said that the convention was originally conceived by Churchill and drafted mainly by British lawyers.

It is perhaps ironic that, as I contend, shameless ambulance-chasing lawyers now use the convention as a stick with which to hit Britain in all sorts of situations. That is perhaps worst seen in their behaviour over soldiers in Iraq and Northern Ireland, but some of the worst offenders in the legal profession also use their skills to purport that certain people are refugees when they are not. That devalues the argument, which should rightly be agreed across the whole House, that genuine refugees ought to have the support of this country.

Kevin Foster (Torbay) (Con): My hon. Friend has made brief reference to the ECHR. Does he share my concern that while it sounds great, Russia is actually a signatory—and look at its dismal human rights record under Mr Putin?

Mr Jayawardena: My hon. Friend anticipates my argument. I set rights in the context of rights and responsibilities. In fact, he reminds me of my maiden speech, in which I referred to King John, who rode from his castle in my constituency to sign Magna Carta, creating rights for the first time in 1215. I said in my maiden speech that

“human rights were not conceived in 1998. They have existed for centuries, but they did not exist in a vacuum. Rights were balanced by responsibilities.”—*[Official Report, 3 June 2015; Vol. 596, c. 646.]*

It was no less true in 1215 than in 2015 that rights to reunite refugees' families must be balanced by responsibilities to prevent them from coming to harm and by responsibilities to the rest of our country.

Steve McCabe: Since the hon. Gentleman is giving us a history lesson, does he not agree that the best example in history of a mother sending off her child on a perilous journey is that of Jochebed placing Moses in a basket because she feared what would happen to him? Should the hon. Gentleman not be drawing on such examples, rather than telling us about his fears for push or pull factors?

Mr Jayawardena: If the hon. Gentleman had been paying attention from the back of the class, he would have heard me say repeatedly that I support genuine refugees being sent to other countries to be looked after by Britain and our allies in the world. The trouble is that this system can be abused. That is why article 8 of the European convention on human rights provides a qualified right to respect family and private life. While this can be interfered with for the purposes of maintaining effective immigration controls, the interference must be proportionate. As refugees cannot easily return to their families, Home Office officials must already take respect for family life into account.

To continue my history lesson, which the hon. Gentleman is so much enjoying, a final EU agreement of note is the Dublin regulation, which prioritises respect for family reunion above certain other considerations, such as the state in which the refugee has initially entered the EU. The Government have supported this, announcing a £10 million fund to support the Dublin provision and seconding Home Office officials to France, Italy and Greece to improve the handling of Dublin transfer cases. However, it is again important to note that no automatic right of family reunion is conferred. These rules only determine which country a person can stay in while they await an asylum decision.

Here is the big problem that the Bill does not seek to resolve: the United Kingdom respects its obligations under international law—I have outlined them—but it is vital that other countries do so too, because at present they do not. Described as the “electronic centrepiece” of the Dublin regulations, Eurodac is the central system of fingerprints designed to document where all refugees have arrived. However, the police authorities in Germany have said that they could not keep up, and there has been a similar situation in Greece—in 2015, Greece estimated that more than a third of all the people arriving were not fingerprinted—and in Italy.

Greece and Italy have the highest number of people recorded under category 2—someone irregularly crossing the border, rather than an asylum seeker. After 18 months, category 2 data are erased, subverting the Dublin regulations and enabling people to apply for asylum in another EU member state, even if they should not be entitled to do so. This is wrong, because Italy and Greece are safe countries. Any Opposition Member wishing to disagree with me about Italy and Greece being safe countries should take that up with the ambassadors from those countries. There is no reason for a genuine refugee fleeing horrific violence and persecution not to feel a flood of relief and a sense of safety on arrival in either country.

Obviously, for the avoidance of doubt, it is right for the United Kingdom to play our part, and we do. Perhaps the reason why so many of the arrivals are not registering their fingerprints and applying for asylum is that they are not refugees fleeing conflicts in Syria or

elsewhere in the middle east, but economic migrants from countries further afield, perhaps in sub-Saharan Africa.

Chris Green (Bolton West) (Con): On the point about national responsibility, does my hon. Friend recognise that Britain is one of six countries in the world that is meeting its 0.7% target for spending on international aid? So few countries are doing so, including many in the European Union.

Mr Jayawardena: My hon. Friend makes an excellent point. Again, he pre-empts my remarks, for I will talk a little bit about aid, which is a vital part of this debate.

Before I do so, I want to mention what one of my constituents has said. Graham wrote to me, saying that the fact

“that the majority of would-be asylum seekers have landed within the EU on Mediterranean coasts and have then chosen to cross several countries within the EU (all of which could have provided refuge) does seem to contradict the argument that they are escaping persecution, hardship or war.”—[*Interruption.*]

I suggest that Opposition Members listen to the views of people in the country, rather than belittle them. This is, of course, the establishment view of people bought by vested interests, but they should actually consider what people feel in the country. They have all been criticising my constituent and maligning his views and intentions, but this very same constituent wrote in the same email of his

“personal belief in a sensible, compassionate system of accepting genuine refugees where possible”,
and I agree with him.

Anna Soubry: Will my hon. Friend give way?

Mr Jayawardena: No. I must make some progress. The UK’s commitments under international law—

Angus Brendan MacNeil: On a point of order, Madam Deputy Speaker. The hon. Gentleman’s speech is not addressing the Bill. The people covered by the Bill are already here. This is another problem.

Madam Deputy Speaker (Dame Rosie Winterton): That is not a point of order. The hon. Gentleman will continue his speech.

Mr Jayawardena: Thank you, Madam Deputy Speaker.

The UK’s commitments under international law, which we clearly follow more carefully than some other countries, and the letters that I have received from constituents show that the UK does care about refugees. We resettle many of them in the UK under various different schemes already. Under the Syrian vulnerable persons resettlement scheme, the UK had resettled over 10,500 people by last month. My right hon. Friend the Home Secretary has highlighted several points that it is important to reiterate today about why as a country we can be proud: first, this is

“the largest number of any European country”;

secondly, nearly half of those resettled have been children; and thirdly, we are

“over half way towards honouring our commitment”,

and, as a consequence, the Government are considering whether the UK should extend its target.

In addition, over 500 children have been resettled under the middle east and north Africa vulnerable children's resettlement scheme—the “children at risk” scheme—while 220 unaccompanied children have been resettled from Europe under section 67 of the Immigration Act 2016 and another 8,000 Syrian asylum seekers have been granted asylum since 2011. The UK also operates the gateway protection programme, which allows the resettlement of up to 750 refugees every year who are referred to the UK by the UN High Commissioner for Refugees under the 1951 convention. Furthermore, we have the mandate refugee programme, under which the Home Office considers asylum applications from individuals who have been granted refugee status by the UN High Commissioner for Refugees at either a local UNHCR office or the British embassy in the country of refuge and who have close ties to the UK—including, but not limited to, family here. Applying to the UK through the immigration system is an additional option open to refugees.

In total, since 2010 the UK has provided asylum or protection to 28,000 children, and in the last five years 24,700 family reunion visas have been granted. Over 5,000 of the 8,000 decisions on family reunion applications—two thirds—between October 2016 and September 2017 were granted. What all these schemes have in common, of course, is that UN-recognised refugees living overseas are being resettled in the UK. In 2016, the UK resettled more refugees from outside Europe than any other EU member state. The UK will gladly resettle genuine refugees living overseas where this is deemed to be in their best interests but—crucially—without people being encouraged to undertake life-threatening journeys to apply.

The UK has resettled many thousands of refugees, even if Opposition Members choose to dismiss that, and has spent billions in aid, as my hon. Friend the Member for Bolton West (Chris Green) mentioned, to help look after refugees in the countries where they first seek refuge, or perhaps in their own country. Only yesterday morning, listening to BBC Radio 4's “Today” programme, I heard the testimony of several residents living under more than three weeks of bombardment in eastern Ghouta, the opposition rebel stronghold on the edge of Damascus. Deana Lynn, an English language teacher, is the mother of seven young daughters and one son. She met her Syrian husband in 1990, and almost 20 years ago they moved to eastern Ghouta from the US to be close to his elderly parents. Here is what she said:

“This my kitchen. Here in the eastern Ghouta we use the fridge as a cupboard to store things in. My daughter's doing the dishes. I know the world is waiting for us to evacuate. But it's not right. It's not right to kick someone out of their own land. It's not right to go in and force people to leave. What will happen to them? They'll just be a displaced people, wherever they go people will look down on them. How do I think all this will end? I'm not sure to tell you the truth. I know what I hope and I hope that something good will happen, that everything will be okay, and that's what I tell myself: everything will be okay.”

Opposition Members seem to be uninterested in the experience of someone living through hell, but I pray that Deana is right. I believe that she makes an excellent point. It is all the more relevant today because this is her lived experience—she and her family are doing no more than surviving—in an underground shelter, a basement. Perhaps we should listen to people such as Deana and

not just assume we know how they think and feel. People should not be forced to flee their countries and make dangerous journeys halfway across the world.

That is why we should be proud of all the aid—and the 25 million food rations—that the UK has given. Back in 2016, David Cameron pledged an additional £1.2 billion of support for refugees from Syria, including in Jordan, Lebanon and Turkey. Last year, the Government unveiled a £1 billion aid package for Syrian refugees, providing food, shelter, vaccines, healthcare and education, skills and job opportunities,

“so they don't feel forced to make the perilous and potentially life-threatening journey to Europe.”

There are many other UK aid projects too, including £300 million towards a facility for refugees in Turkey; £200 million of economic development opportunities for Syrian refugees in Jordan; and almost £200 million to support Palestinian refugees. To people listening on the radio or watching on the television, it should be crystal clear that the UK cares, the Government care, I care. That is why we should not virtue signal today.

Even with the clear commitment shown to helping refugees, it is important that we retain careful control over our asylum system. *[Interruption.]* What is disgraceful is Members not being heard in the House. Every Member is entitled to espouse their own views. I will continue in that vein. Let us take Sweden, for example. *The Guardian*—no critic of immigration, of course—described the situation in Sweden back in 2015 as

“almost at bursting point... There have been small riots in Malmo over the demolition of a migrant camp set up for Palestinians and a general sense that the fabric of Swedish society is under strain.”

Those are not my words but the words of *The Guardian*. *The Telegraph* makes no effort to gloss over things:

“when asylum seekers have their case rejected, most disappear... On average, seven out of 10 of those facing deportation just vanish. Or, rather, they stay in the country and keep gaming a system that could have been designed for ease of exploitation.”

Anna Soubry: I gently say to my hon. Friend that this is not one of his greatest contributions. The Conservative party stands proudly on its record of offering refuge, especially to children in conditions of the kind he has actually described. May I please remind him that the Bill is about people who are genuine refugees and have been granted that status? If he could confine his comments to that, this debate would progress in a much more pleasant way.

Mr Jayawardena: I respect my right hon. Friend and her position as a sponsor of the Bill. It is entirely her right to do that, but equally it is my right, and that of any Member, to hold contrary views. My argument, as I outlined earlier, is that some people game the system, which is wrong, and the risk, in my view, is that the Bill could encourage more people to do that or to undertake dangerous journeys and so sadly put more children in harm's way.

Even the children that Sweden attempts to resettle can suffer if refugees are granted asylum without careful management. The article in *The Telegraph* stated that

“in 2004, it was absorbing about 400 children a year. Five years ago, this had grown to 2,600 - and even then, the system was starting to creak... Last year, 35,000 unaccompanied children claimed asylum in Sweden”

[Mr Jayawardena]

and that

“providing the right care to so many is a task that would overwhelm a superpower, let alone a small Nordic state... Care homes have been set up so quickly that they fall far short of what’s needed to protect the staff, let alone the children. On Monday, a 22-year-old working at one of the homes - herself the daughter of immigrants - was stabbed to death.”

This is no lone case:

“18 boys were found in an abandoned house with no toilets and no heating; the temperature was well below zero. They were sleeping on the floor, many under the same quilt to keep warm - one was just nine years old. But after being placed in a care home, they ran away and ended up sleeping rough again.”

Further:

“There are ‘anchor children’, who are sent ahead by their desperate family”—

the point that my hon. Friend the Member for Bexhill and Battle made earlier—

“There are also trafficked children, who may still be in the hands of gangmasters and are being forced into work or prostitution. And there are the ‘street children’ who live in abandoned buildings and are often sucked into a criminal underworld.”

The article concluded:

“the lesson from the Continent is clear: to let in more immigrants than you can handle leads to trouble, but to admit more children”—

Hon. Members: Shame!

Madam Deputy Speaker (Dame Rosie Winterton): Order. Can we calm it down, please? I am sure that the hon. Gentleman is returning to the Bill.

Mr Jayawardena: I am getting very close, Madam Deputy Speaker. Thank you for your intervention.

I need to make that quotation clear—they are not my words but the words of the article:

“the lesson from the Continent is clear: to let in more immigrants than you can handle leads to trouble, but to admit more children than you can care for leads to tragedy.”

Before I wind up I should refer to Germany as well, where a similar situation arose when up to 1 million refugees and migrants entered in 2015. *The Telegraph* reported a terrible incident that occurred on 19 December, when a failed asylum seeker from Tunisia ploughed a truck into a Christmas market in Berlin, leaving 12 dead.

Perhaps no event was more disgusting and disgraceful than the events of new year’s eve 2015 in Cologne, when the BBC reported that more than 1,000 criminal complaints were filed, hundreds of them alleging sexual assault. An officer with the federal police stated in his report about that night:

“Women, accompanied or not, had to run a literal ‘gauntlet’ of heavily intoxicated masses of men of a kind that is impossible to describe...the situation we were confronted with (chaos) could have led to serious injuries or even to deaths.”

As a consequence, by April 2017, although a majority of Germans still said that refugees were “very welcome” or “quite welcome”, a majority were also saying for the first time that their country simply could not take in any more.

The UK has the potential to face similar issues. As I begin to close my remarks—I suspect that will delight Opposition Members—I wish to talk about how learning English is central for integration into British society.

It gives refugees opportunities, and in the case of 28,000 children who have been resettled since 2010, an education. However, the Bill does not deal with that; it does not help to provide refugees with English language training, integration or opportunities. It does not think through the implications of that, or consider the hard-working people up and down our land who have aspirations for themselves and their families—hard-working people who should not suffer because of the strain on public services that could be created by the policy in the Bill.

In conclusion, the current family reunion policy is designed to provide a safe and legal route with no application fee to be paid, so that close, dependent family members can join their refugee family in the UK. That avoids the need for family members to make dangerous journeys to seek protection. I have highlighted the UK’s many other excellent refugee resettlement schemes, and it is crucial that our efforts are concentrated on ensuring that the existing schemes are used to full effect, and that the current rules work properly and effectively, without the need for family members to make dangerous journeys to seek protection. That way we can help those who need it most.

Anyone can provide examples of individual, heart-wrenching cases where our current system has not worked for an individual. However, let us be judged by what we do, not just by what we say. It is easy to vote for something in this place without thinking through the consequences. It is easy to get caught up in virtue signalling, without a second thought for the men, women and children we are here to represent. It is easy, as some Opposition Members have done, to cast aside the views of the British people. The British people are a kind, generous people who are happy to provide a beacon of hope to so many around the world, but they want to see their money well spent, and they naturally want to look after their own families too. To cast aside those views would be wrong, for the British people are right.

We must do what is best for those at risk of being trafficked or of making life threatening journeys by reducing that risk. We must do what is best for the millions of refugees overseas, and we can help more of them, and to greater effect, by providing billions in aid so that they can stay in or near the lands they call their own. We must do what is best to keep control of our system and protect the hard-working, law-abiding, decent, charitable but silent majority across our United Kingdom.

11.33 am

Chris Law (Dundee West) (SNP): I thank my hon. Friend the Member for Na h-Eileanan an Iar (Angus Brendan MacNeil) for sponsoring this most important Bill, and for his excellent and eloquent speech. His remarks were in sharp contrast to those by the hon. Member for North East Hampshire (Mr Jayawardena), who does not know the difference between a refugee and a migrant, and who clearly has not read the Bill. I also thank many constituents from Dundee who support this Bill, and who have emailed or written to me, and sent me messages on Facebook, in the run-up to this debate.

We face unprecedented times. More than 65 million people around the world have been forced from their homes owing to conflict, persecution, and the effects of climate change. That is the entire population of the United Kingdom. More than 22 million of those people

are refugees, and half of them children. Every Member of the House was once a child, so let us keep that at the heart of our debate today. Many of those children have been torn away from their families and are desperate to be reunited with them, but they are being kept apart thanks to bureaucratic hurdles in UK policy.

Make no mistake: the UK Government's refugee family reunion rules are restrictive and unfair, and refugees who have reached safety in the UK can find it impossible to bring their family members to join them. Currently, the only family members who are allowed to join adult refugees in the UK are someone's partner and dependent children, but only those under the age of 18. Unaccompanied children granted refugee status have no right to be reunited with their brother or sister, mother or father. That means that family members who have become separated and remain outside the UK are left with the invidious choice of staying in dangerous places or embarking on treacherous, expensive, and unregulated journeys. Only after surviving that journey and reaching European shores does the UK legally recognise someone's sibling, aunt, uncle or grandparent as a family member with whom they can reunite. Let us not forget that last year more than 3,000 people died making the dangerous journey across the Mediterranean—a disgraceful border that the EU has put up on the shores of northern Africa.

Catherine West (Hornsey and Wood Green) (Lab): Does the hon. Gentleman agree that many excellent volunteers, including from the UK, have joined others in the Mediterranean to assist those people in desperate need? Sometimes that part of the world looks more like a cemetery than somewhere where we are saving lives.

Chris Law: I wholeheartedly agree with the hon. Lady, and if it had not been for those volunteers, it is likely that the number dying would have been far greater.

Legal aid has not been available for refugee family reunions since 2012, which makes it even more difficult for families to reunite. A recent report by Oxfam and the Refugee Council highlighted the negative effects of those rules on refugee families. Evidence found overwhelmingly that reuniting refugee families gives them the best chance of living settled and fulfilling lives—I am sure no one in this House would not want that. Separation can have a devastating impact on refugees, their recovery from traumatic experiences, and their ability to integrate and adapt to their country of asylum.

This Bill has cross-party support and seeks to do three things. I will describe those things succinctly because some people clearly do not understand what the Bill is about. First, it expands the criteria for who can qualify as a family member, so that young people who have turned 18, and elderly parents, can live in safety with their families in the UK. It will also give unaccompanied refugee children in the UK the right to sponsor their close family, so that they can rebuild their lives together in their new community. Lastly, and simply, it will introduce legal aid, so that refugees who have lost everything can afford to navigate the complicated process of reuniting with their families.

I am proud that Scotland has a long history of welcoming refugees from all over the world. Over the past two years, communities across Scotland have demonstrated their compassion and understanding by

welcoming more than 2,000 Syrian refugees, one of whom—Kawa from Afrin—I mentioned in the Chamber on Monday. I heard comments earlier today that refugees are driven by incentive. Well, here is an incentive: on Tuesday that same person, Kawa, heard from his family in Afrin district that both his cousin and uncle have been killed. If that is an incentive, we should recognise that it is one we all share. Such things are why people become refugees in the first place.

We have a welcome saying in Scotland: “We are all Jock Tamson's bairns,” and I remind the Chamber that Scotland is not full up. At its heart, family reunion is about keeping loved ones together—that simple yearning that we all have to be with our mum, dad, son or daughter. Family reunion is also a safe and legal route to protection that refugees can pursue in order to bring loved ones to the UK. The current UK system for reuniting refugee families is needlessly stacked against those who need it. We need to introduce some humanity into the system, and the Bill does just that.

Last night, after going out for some light refreshment with some of my colleagues, I was on my way back home. I was at Liverpool Street station, and anybody who stops for a moment there will see the bronze statue of Frank Meisler's Kindertransport children, which is about British values. Some 10,000 children came over here during the second world war, fleeing persecution and terror in Nazi Germany. Today, we are talking about several hundred children—surely we are up to such a job.

Anna Soubry: Does the hon. Gentleman agree that those parents sent their children here to keep them safe, not so that they could join them—although, my God, it is a pity that we could not provide that facility?

Chris Law: I support absolutely every word the right hon. Lady says and I thank her for that.

The Bill is about humanity. All of us are humans and all of us have been children. That is why I urge the Minister and everyone in the Chamber to support the Bill.

11.39 am

Robert Neill (Bromley and Chislehurst) (Con): I am delighted to be a sponsor of the Bill and to support it. I congratulate the hon. Member for Na h-Eileanan an Iar (Angus Brendan MacNeil) on introducing it. I pay tribute to the work of the British Red Cross and others who have done a great deal to assist in this matter.

I was a member of the Conservative party when Ted Heath, rightly, admitted Asian refugees from Uganda. I am proud of that. In my community, we have a happy and prosperous community of former Ugandan Asians who are now proudly British. That is the spirit of my party that I hope Members from across the House will remember. That is the spirit in which my hon. Friend the Member for Somerton and Frome (David Warburton) spoke earlier. I regret it if other contributions have perhaps not come up to that spirit.

I simply say this: the Bill is consistent with Government policy—my hon. Friend explained that very well—which has sought to address real issues. I do not criticise anything the Government have done on the work to support refugees in the region and to try to make it

[Robert Neill]

possible for them to make new lives nearer to home, rather than to embark on dangerous journeys. All of that is good and right—the money we have invested through the Department for International Development and other programmes—and the Bill does not seek to criticise or undermine it in any way. The Bill deals with a specific area of the law in relation to family reunion, a concept that is accepted in our law and, indeed, is accepted in Government policy.

The issue is that in practice some areas of the law do not work well or fail. The Bill does no more than try to improve the law in that regard and to make it work in a fairer fashion for, as has been observed, a very small number of people. The real issues about pull factors and so on, be they right or wrong, are addressed through other Government policy initiatives that are nothing to do with the Bill. This is a small and modest but very useful measure. We would do well to keep that in context.

The position of legal aid in family reunion cases is being considered by the Lord Chancellor. I am glad about that—the Justice Committee has pressed long and hard for there to be a review of LASPO—but that does not mean they should not also seek to entrench the rules through the Bill. It is very clear from the evidence we heard that there was a misapprehension that cases of this kind are simple and straightforward. The evidence from practitioners in the field—from the British Red Cross, pro bono lawyers and others—clearly demonstrated that in the vast majority of cases it is in fact quite complicated. We only have to think about it: genuine refugees flee in fear. As I said in an earlier intervention, they are not likely to have had the time or inclination to have gone through a tick-box exercise on what documentation they might need at some point further down the line in the future under regulations of which they, by the very nature of things when they leave, have no knowledge. They then have to go through a process which is, for perfectly good reasons, complex and full of legalese. They have to do so in what is almost invariably going to be a foreign language and under circumstances of great stress and pressure.

I note that from the research of the British Red Cross and the lawyers involved, in something like 74% of family reunion cases at least one original document required under the current rules is missing. That is hardly surprising given the way people have fled and have ended up here—lawfully and properly accepted, I emphasise again—as refugees under legal conventions. They then have to go through the rigmarole of producing witness statements and affidavits to explain why those documents are missing, get in touch with embassies or consulates—powers that, by the nature of things, are hardly likely to be friendly to them—or try to seek alternatives. The idea that they can do that without legal assistance is wrong. Practitioners and tribunal judges tell us that much time, sadly, is wasted, both for our court system and for people in difficult circumstances, and that early legal advice could not only achieve a more just outcome but will probably save money for the system, if that is a consideration. I simply say that this is not an either/or.

At the moment the issue around exceptional cases is guidance. In practice, the bar on exceptional cases is extremely high—I think “rare” is the word that is used—and

may go further than is appropriate, particularly without legal advice to help refugees through the minefield of getting over that high bar. The Bill seeks to put that same principle, that there is an exceptional case regime, into statute. There is an advantage. By the nature of it, guidance changes, there is a lesser degree of certainty and it would confer different rights. The rights are not great.

Mr Jim Cunningham (Coventry South) (Lab): I agree with most of what the hon. Gentleman is saying. There is another problem: people are led to believe that the process takes 13 weeks, but we know it takes months. That often causes unnecessary hardship, delay and anxiety.

Robert Neill: The hon. Gentleman is entirely right. Any delay in any kind of tribunal case causes pressure and hardship, and makes for less effective justice. The longer things drag on, the harder it is to ensure that evidence is good and genuine. It is particularly harsh in cases such as these.

For all those reasons, I hope hon. Members will support the Bill. If they do not feel they can support it, or feel that changes are needed, I hope they will not prevent its Second Reading but let it go to Committee to see if changes and improvements can be made. I suspect the hon. Member for Na h-Eileanan an Iar, the promoter of the Bill, and those of us who support it are willing to do that. As someone who believes passionately in being a one nation Conservative, and who joined the party of Harold McMillan, Disraeli, Churchill and indeed Margaret Thatcher, who did a great deal to support the communities who came from east Africa when she succeeded Ted Heath as leader of my party, I hope nobody will seek to stand in the way of the Bill making progress today.

11.47 am

Afzal Khan (Manchester, Gorton) (Lab): Let me begin by thanking the hon. Member for Na h-Eileanan an Iar (Angus Brendan MacNeil) for introducing the Bill and thanking all the other Members who support it.

I want to put on record my thanks to Oxfam, the Red Cross, the Refugee Council, UNHCR, Amnesty International and many other charities for their campaigning on this issue. This coalition of charities shows the breadth and strength of support for refugee family reunion. This morning, many Members have put forward clear and convincing arguments in support of today's Bill. I will use my time, which will be brief because I want to ensure that we have a vote, to outline why the Bill appeals to Labour values of fairness, respecting human rights and protecting the vulnerable in our society, and why we will therefore be supporting it.

The Labour party believes in respect for human rights, which are at the centre of our approach to foreign policy, development and the treatment of migrants and refugees on our soil. That includes the right to family life. At the moment, the definition of who is considered “close family” for the purposes of family reunion is narrow. It includes the spouse or partner of an adult refugee, and their dependent children under the age of 18. It does not include young siblings, elderly parents or older dependent children.

Alex Sobel (Leeds North West) (Lab/Co-op): Does my hon. Friend agree that allowing families to sponsor their immediate family would be an easy change to implement? It would affect a small number of child refugees, but it would have a transformational impact on how we treat them in this country.

Afzal Khan: I agree with my hon. Friend and will address that issue later.

We have a perverse situation where unaccompanied children are not allowed to bring their close family members to join them in the same way an adult can. These are already some of the most vulnerable children in our society. They face language and cultural barriers, on top of the trauma of being forced to flee war and violence. We are one of the only countries in Europe that further denies them the right to reunite with their families. Evidence shows that refugees who are not permitted to be joined by close relatives struggle to integrate. It is clear that so long as there are push factors of war, violence and persecution, people will be forced to flee their homes. Safe and legal routes to family reunion disrupt the work of smugglers and people traffickers.

The Opposition welcome some recent Government achievements. The Sandhurst treaty committed to speeding up the process for refugees in France to join family members in the UK. We welcome investment in the processing of Dublin cases and agree that we need to look at the whole issue of routes taken by refugees.

On a personal level, I believe that the Minister takes seriously her obligations to refugees and wants to fulfil Britain's commitment to vulnerable children in particular. However, fulfilling our existing commitments is not enough. The Government have not yet promised that that agreement will continue after Brexit or that they will change the UK's immigration rules to align them with the current Dublin III provisions. In a recent Westminster Hall debate, the Minister said:

"I regard it to be an absolute priority to take the 480 young people we have committed to."—[*Official Report*, 22 February 2018; Vol. 636, c. 187WH.]

She was referring to the Dubs scheme, but 480 young people is well below the original intention of the Dubs amendment, which was to resettle 3,000 young people, and significantly fewer than the 10,000 refugees a year that the UN has called on Britain to take. The refugee crisis is a large and complex challenge. Reforming the UK's family reunion rules would be a simple and direct way to help refugees in the UK and to deter others from making the dangerous journey here.

Whatever immigration system we have, it should be managed fairly. At the moment, our immigration rules are complex and enforced inconsistently. The Red Cross has found that

"refugee family reunion is not a straightforward immigration matter, and that...only qualified legal advisers can deal with...the significant and diverse complexities"

of the refugee family reunion process.

In his article for LabourList yesterday, the shadow Justice Secretary, my hon. Friend the Member for Leeds East (Richard Burgon), expressed a sentiment that I totally agree with:

"When people can't afford to defend their rights—often won by social justice campaigners over decades—then they are not worth the paper written on."

That is the case at present with family reunion.

Since 2012, immigration has been outside the scope of legal aid in England and Wales, but not in Scotland or Northern Ireland. It is only fair that applicants, who are navigating the system up against the bureaucracy and resources of the Home Office, should have access to legal aid. The Government are currently undertaking a review of legal aid provision. I am worried that refugee family reunion will be such a small part of that review that the urgent need in this area could easily be overlooked. Labour's own Bach review of legal aid provision recommended that areas of family and immigration law—specifically family reunion—should also be brought back in scope. Labour supports the Bill because it would reintroduce legal aid for refugee family reunion cases.

We want to live in a society that is fair and integrated and respects human rights. We have seen some progress on child refugees, but there is clearly more to be done. Reforming the refugee family reunion rules would be a simple but important step towards addressing the anomalies in our refugee system. It would affect a small number of people, but it would transform their lives.

The Bill is based on liberal values of fairness, human rights and the protection of the most vulnerable. Labour Members will support its Second Reading, and I hope that all other Members will as well.

11.55 am

Anna Soubry (Broxtowe) (Con): I, too, am proud to sponsor the Bill. I congratulate the hon. Member for Na h-Eileanan an Iar (Angus Brendan MacNeil), and endorse everything that he said in his excellent speech. I also fully endorse everything that was said by, in particular, my hon. Friend the Member for Bromley and Chislehurst (Robert Neill). Ever the lawyer, he made the valid point that the Bill is very modest. It not only improves the existing legislation, but makes it considerably fairer. I join him in saying to Members—notably Conservative Members—that if they feel unable to support it, as I understand may happen, they should nevertheless allow it to proceed to its Third Reading. Any problems can be ironed out before then.

This is a small but incredibly important measure, which also enables us to send a strong signal from the Conservative Benches about the type of Conservative that we are all proud to call ourselves. It is very easy to take a group of people and attach to them a label that dissociates oneself from seeing each and every person in that group as what he or she is: a human being with a story to tell.

Let me remind the House what a refugee is. A refugee is defined as

"A person who has been forced to leave their country in order to escape war, persecution, or natural disaster."

It is not a free choice. No one wakes up of a morning and says, "I think that today I will leave everything I have ever known and loved for generations, and make myself a refugee." I will dwell on that in a moment, but first let me pay tribute to my own Conservative local authority, Broxtowe Borough Council.

We have taken in four Syrian families. Not only have we accommodated and provided for them—as well as welcoming them—but we have continued to support them, because each of those four families is in our country for a very good reason. They are not here just

[Anna Soubry]

because they are refugees, as in my description. At least one member of each family has suffered in a way that goes beyond some of our comprehension. Those family members have been tortured, or have been subjected to some form of sexual abuse, or have a particular medical need which means that the last place they should be is in a refugee camp, or in the sort of accommodation that the Jordanian Government have—rightly—provided. Their need is even greater, and I am proud that we have given them a home in Broxtowe.

I am also proud of the work that our Government have done in respect of the provision of aid for refugees, and not just those fleeing from Syria. In more recent times we have been providing aid for the Rohingya people, and I am proud of our 0.7% record.

When I went to Jordan just over a year ago as a guest of Oxfam, along with the hon. Member for Tooting (Dr Allin-Khan), the reality of meeting a human being—not seeing the label on a group of people, but meeting individuals—was one of the most profound things that has ever happened to me in my life. I met a teacher, a man living in two rooms with his two children and his wife, in the cold, sitting around one of those peculiar gas heaters that are provided. I am going to be very blunt in my description of this remarkable man, because what I saw in his eyes was shame.

He felt almost ashamed that he was living in such circumstances; I am not saying he was a proud man in any way, but I would not be surprised if he was so. This is a real human being; he did not choose to be in those circumstances through any desire other than to escape the real horrors of Syria. He left his job; he left his home. I met other people who had left successful businesses, but it does not matter what class they are, or what trade or skill they might have; they are human beings who fled abominable circumstances. They must have been abominable, otherwise they would not have left, and they scooped up the barest of possessions, as my hon. Friend the Member for Bromley and Chislehurst said. They do not think, “Have I got this piece of paper?” or whatever; they just get the hell out.

Debbie Abrahams (Oldham East and Saddleworth) (Lab): I have a very similar case. A young architect called Samira escaped from Syria. She was separated from her husband Samir, but he finally, with help from my office, managed to get to this country. They are both practising architects, now contributing to the country, but they escaped war-torn Syria and were separated. This Bill will enable other such families and couples to thrive and contribute to our country.

Anna Soubry: I could not agree more with the hon. Lady, and there are many such examples.

I went to the Zaatari refugee camp, where I met a 19-year-old who had lived in a tin shed for four years. His father had had his own business in Syria. Again, he scooped up everything and fled, through terror. Meeting this 19-year-old was a genuinely concerning and distressing experience. Where was his hope? He had been there for four years; he did not want to be in that place. He could not work, and although our Government are doing a fine job of providing education for his younger siblings, where was his hope?

The second most striking feature I experienced was the clear desire to go home. They do not want to be living in those conditions; they want to go home—they want to go back to their country, of which they are so proud. We should try to imagine year after year after year seeing the possibility of returning to our home disappearing. These are remarkable people: their hope, their strength, their humanity, and the way they kept themselves together, somehow with a semblance of pride, has never left me.

Huw Merriman: I, too, went to Zaatari, and what my right hon. Friend says about the concern that people will eventually lose hope is absolutely right. Things are not easy in Jordan, albeit they could be worse. However, having made that trip, does she perhaps share my genuine concern about the pull factor arguments? [Interruption.] This is a genuine concern that I am asking about.

Anna Soubry: I completely understand my hon. Friend's genuine concern; I just do not believe that there is any evidence to support it. Let us all stop and get real. History tells us: the hon. Member for Birmingham, Selly Oak (Steve McCabe) referred to Biblical times, and we have referred to the plight of the Jews in Germany and other countries. As my hon. Friend will understand, these people are living in the most appalling conditions, surrounded by war and terror day after day, month after month, and year after year. To suggest that someone deliberately, cruelly tries to get their child out of that horror in order to follow them is, frankly, as appalling as it is clearly not right; it is verging on madness. People do not do that for that reason. They might well say, “How the hell can I get my child out of here?” because of their love and concern for that child and to try to keep that child safe, just as the Jews did in Germany. Nothing has changed in person-mankind over the centuries: our desire is to keep our children safe, not to use them as a route for our own escape. So let us crush that one. I gently ask where is the evidence of people doing that? It is the last thing genuine refugees would do.

Michelle Donelan (Chippenham) (Con): I completely agree that family reunification is in the interests of health, wellbeing and humanity. However, is not the concern the impetus that it could give to criminal gangs and human traffickers? We must recognise that genuine concern if we are to safeguard these families and children.

Anna Soubry: We are talking about people who are already here and whose status as genuine refugees has already been determined. The idea that there are gangs of people smugglers in Syria going through that desperate warzone and enticing families to put their children into their hands is the stuff of fantasy. [Interruption.] No, it really is the stuff of fantasy.

It behoves on all of us to conduct these important debates on the basis of facts and evidence—and yes, at times, emotion. Look at the problems we have in our country with the lack of understanding. If I may say so, perhaps that has been evident in some of the speeches we have heard today.

If somebody living in very poor circumstances comes to this country, that person is an economic migrant, and that is profoundly different. Even if they enter the

country illegally, we can understand why they are coming here. These people come here not to take, but to give. For centuries people have come to this country from other parts of the world because they want to build a better life for themselves and their children. I have always welcomed them, because they contribute by virtue of their immigration status. They are fleeing poverty and come for a better life. They do not expect us to provide for them.

Huw Merriman: I thank my right hon. Friend for giving way again; she is making a heartfelt speech. Perhaps I can articulate the concern here. We hear that the Bill relates only to children who are already here, but my understanding is that it will apply to future child refugees. The concern on the Government Benches is that, as people traffickers take advantage of these changes, more children could be pulled into desperate and evil situations in which they are taken advantage of. Our concern is about welfare, not some of the other points that have been made.

Anna Soubry: Again, my hon. Friend misses the point. These are people with the status of refugees; they have been through all the systems and are accepted as genuine refugees. This is just a fake and phoney point that is being put forward.

It says a lot that there is this lack of understanding about the difference between an economic migrant and a refugee. During the referendum debate—I am not going to get into Brexit, Mr Deputy Speaker—people rightly raised the issue of immigration. I remember having a conversation with a constituent who said that she was voting for leave, “because there were too many Muslims in our country.” That is the level of debate in our nation. That is the level of plain misunderstanding and misinformation. That is why this debate is so important.

Angus Brendan MacNeil: If there was any truth in the idea that people are being sent ahead to act as an anchor, surely it would be the adult who would go, because it is the adult who would have the legal right to be here. We know from the adult experience—and we are trying to equalise the law for the child experience—that this is nonsense. As the right hon. Lady says, it is fantasy. Nobody wakes up one morning and decides to become a refugee; it is the circumstances and situation around them that force them to go, whether they are an adult or a child.

Anna Soubry: Let me bring my remarks to a conclusion, Mr Deputy Speaker. Of course I agree with everything the hon. Gentleman has said; he is absolutely right on this. Hon. Members have nothing to fear in this Bill. It is the right thing to do, legally and morally. Even if they cannot vote for the Bill, I ask them to abstain. But they can go better than that, and I ask them to support this excellent piece of legislation.

12.10 pm

Gill Furniss (Sheffield, Brightside and Hillsborough) (Lab): I stand proudly today in support of the Bill, and I congratulate the hon. Member for Na h-Eileanan Iar (Angus Brendan MacNeil) on his determination in bringing the Bill forward, despite some efforts from people in this Chamber to show little empathy and to

frustrate this process. I support this Bill for my refugee and migrant constituents, and for their loved ones unable to join them. This Bill will give a lifeline to families torn apart, first, by conflict, and, then again, by our unfair and nonsensical immigration rules. Currently, refugees can be joined only by parents or by children under the age of 18. Unaccompanied minors in the UK cannot currently sponsor anyone to join them. This Bill will expand who qualifies as “family” so that vulnerable people, such as the elderly and children over the age of 18, may be able to reunite with their families in the UK, and it will allow unaccompanied children, who have to adjust to life in the UK without a single family member there to support them, to sponsor relatives to join them.

I support this Bill because some of my constituents do not know when they will see their families again. Abdul Charif, a young man from Syria, came to study in the UK in 2006, but when he attempted to return to his home town after his studies he was forced to flee again and make the perilous journey back to the UK. He settled in Sheffield and applied for a visa to visit his family, who had made it past the Syrian border to Turkey, but he was rejected. He sought help from every agency and organisation available to try to be reunited with his family, but to no avail. In 2016, the Government brought in the vulnerable persons relocation scheme. Abdul applied, and later that year he was finally informed that his family had been registered and that his case has been passed to the Home Office. Two years on, and six years after attempting to see his loved ones, he has yet to receive a single piece of correspondence telling him when exactly his family can join him.

It is hard to believe, but Abdul and his family are considered some of the lucky ones. When I asked why his family eventually qualified for the vulnerable persons relocation scheme, he told me that his elderly parents had developed serious health problems, in part because his older brother was tragically killed by a handmade bomb. They are considered the lucky ones, and they are still waiting. I cannot imagine what Abdul and his family have gone through. I also cannot imagine the grief and worry that he could have been saved had he been aided by a process which from the start had regarded his parents and sister as “family” in the way that we would for any citizen, as they might very well be with him today.

I support this Bill because children are missing their grandparents, their uncles and aunts, and their siblings. In November, 21 pupils from Byron Wood Academy in Sheffield wrote to me about the injustice of our immigration rules, and many of them are refugees or have parents who arrived in this country as refugees and then settled.

Michelle Donelan: The hon. Lady said she was supporting this Bill as it would help to reunite grandparents, and aunts and uncles. I understood that the Bill did not extend to those categories.

Gill Furniss: That is a fair point, and it is an aspiration of mine to see that everyone has the right to be reunited with their family. As I was saying, many of these children are growing up never knowing their relatives. They are just children, but even they could point out that the British Government are not adhering to article 10 of the UN convention on the rights of the child, which says that if you live in a different country from your

[*Gill Furniss*]

parents, you have the right to be together in the same place. These pupils urged me to challenge the Government's double standard on who qualifies as "family" when someone is a refugee. So please, answer me: why should UK citizens be able to call their grandmothers and grandfathers, and their siblings and cousins "family", given that this right is not afforded to refugees? Why should unaccompanied child refugees not be allowed to sponsor anyone to come over and live with them?

Members should imagine fleeing their war-torn home, risking their life to get to the UK, and trying to start their life over again in a foreign country, and the trauma that they would experience. They should imagine growing up and experiencing the difficulties and turbulence of adolescence while also having to learn to cook, clean, read and write, all without having their parent there to guide them; and then imagine being told that their family cannot join them. I cannot imagine that—in my opinion, that is too much for anyone to bear.

We do not have any Government statistics on specific refugee family reunion applications, although we know that they now make up the majority of refugee applications. That in itself is telling. We are not paying enough attention to the issues that matter to refugees in this country. We are not giving them the support that they need to help them to rebuild their lives.

I am so proud of Sheffield and our legacy of welcoming refugees. Sheffield has so far provided a home to more than 1,500 refugees since 2014 and it is one of the areas in which the vulnerable persons resettlement programme is operating. But we can do more, so let us rectify this. Let us vote with the spirit of Sheffield and pass the Bill, so that our families can start to rebuild their lives.

12.15 pm

Will Quince (Colchester) (Con): It is a pleasure to follow the hon. Member for Sheffield, Brightside and Hillsborough (*Gill Furniss*). I congratulate the Bill's promoter, whose constituency I do not want to offend by trying to pronounce it, on introducing this important Bill on an important issue.

To debate the Bill properly, it is important to look at everything that the Government are already doing to help refugees and those fleeing conflict and persecution, as opposed to considering the Bill in isolation. Context is very important in this case. We have been investing in support for the most vulnerable refugees through resettlement programmes such as those that bring Syrian refugees over to Britain. By 2020, some 20,000 Syrian refugees will have been resettled, and around half have already arrived.

I am incredibly proud to represent Colchester and my residents, who have been so welcoming of those who have made their home in our town. I particularly commend Welcome Refugees Colchester and Fresh Beginnings, which do such great work in my constituency. The UK is settling 3,000 vulnerable children and family members from conflict zones in the middle east and north Africa. That is on top of the unaccompanied child refugees brought over from Europe under the Dubs scheme, which Members will note I supported. Several Members have said that that is not enough, but we should be clear that the Government are playing their part in helping those in need of sanctuary.

In 2016, the UK resettled more refugees from outside Europe than any other EU state. Eurostat figures show that more than a third of people who have been resettled in the EU came to the UK. We need every European country to be play its part. It is long established in the Dublin III regulations that asylum seekers should apply for asylum in the first EU state at which they arrive. I accept that that can be an incredible administrative burden on some nations, so it is right that we do what we can to help.

The Government have committed £3.6 million to help to strengthen co-operation with France on the operation of the Dublin regulation and the development fund. I have no doubt that we will continue to work with other countries to identify projects that support genuine claims through the Dublin process. Those are not the actions of a Government who do not care about refugees. This is about getting the existing regulations working properly.

Jeremy Quin: I respect the position that my hon. Friend took on the Dubs amendment when it was debated in this place. I have been pondering the remarks made earlier by the Chairman of the Home Affairs Committee, the right hon. Member for Normanton, Pontefract and Castleford (*Yvette Cooper*): her concern that children in Greece may not be coming to this country because of worries about our rules on whether they can then bring in their parents. That does not change how I think about the Bill, but does my hon. Friend agree that it would be nice to hear the Government's reaction to that and to establish whether what the right hon. Lady described was the official position of the Government in Greece and Governments elsewhere?

Will Quince: I thank my hon. Friend for his intervention. I, too, hope that the Minister will answer that specific point when she rises to her feet later in the debate. I agree that that issue potentially needs to be addressed—I might come to it a little later in my relatively brief contribution—but it does not address the fundamental reasoning in relation to supporting, or not supporting, this Bill.

As I have said, this Bill is about both getting the existing regulations working properly—many would say, I think, that they are not working properly at the moment—and ensuring that refugees can be identified, which is the most important thing, and then reunited with their families when they arrive safely in Europe. We do reunite families—that is a very clear point to make. Over the past five years, 24,700 family reunion visas have been issued. Since 2010, 49,830 people have been provided protection status in the UK—a status that means that they are entitled to apply for qualifying family members to join them. Suggestions that our immigration rules somehow prevent families from being together are simply not true.

Of course, the rules allow for a refugee's partner and dependent children under the age of 18 to come to the UK. Unaccompanied child refugees are not allowed to sponsor applications from family members, yet, importantly, the rules also provide for scope to grant leave outside the rules in exceptional circumstances. That can allow for dependent children over the age of 18 to be reunited with family members in the United Kingdom.

Layla Moran: Exceptional circumstances can apply to so many of those who have sought refugee status in the UK. For example, my dear friend Bahareh in Oxford came to this country having converted to Christianity in Iran. She was persecuted and had to leave, but, as a result of her getting refugee status here, the rest of her family now face equal persecution. Some have been incarcerated, and some have also had to flee. Is that not an exceptional circumstance?

Will Quince: I thank the hon. Lady for her intervention. I do not know the full situation in that particular case, and I strongly advise her to raise it with the Minister. My wider point is that there is already a process in place by which the family reunification route can be taken. I appreciate her point about exceptional circumstances, and I very strongly advise her to raise her case with the Minister. It is not something that I can properly address—

Carol Monaghan (Glasgow North West) (SNP) *rose*—

Will Quince: I will come back to the hon. Lady in a moment, but I just want to make a little progress.

We need to address the current system, and the problems with the current system, before looking at further legislation. I will come to the other concerns of the hon. Member for Oxford West and Abingdon (Layla Moran) in a few moments.

There are also other settlement schemes, such as Mandate, which can help eligible refugees with close family ties to the UK. We also need to recognise that widening eligibility, as this Bill does, will do nothing to tackle the refugee crisis in and of itself. Issues creating a pull factor have already been mentioned by numerous Members. I know that some have put opposing views to that, and I entirely respect that, but I think it is widely accepted that push factors of civil war and persecution are the single biggest deciding factor in whether an individual chooses to flee their country. As long as there is instability across the middle east and north Africa, vulnerable people will choose to continue to flee. We need to find sustainable solutions to these problems as well as to support those affected.

I think that everyone in this Chamber wants to ensure that eligible refugees are able to reunite with family members in the United Kingdom. I have to say, though, that there are questions over the approach that we take. I remain to be convinced by the Bill, as I have not yet made up my mind. I stress that as I want to hear the remainder of the debate, I will be brief in summing up.

I do not want to cause undue disagreement or discord in a debate that has otherwise been largely constructive, but I have to say that it is somewhat unhelpful of Members to label colleagues who do not feel able to support the Bill today as either lacking in empathy or being cold-hearted, which has happened both in this Chamber and on social media. I admit that I have yet to make up my mind on this issue. On the Dubs amendment, I made up my mind mid-way through the debate, much to the disappointment of the Whips Office. The point I am making is that people's minds can be changed, and that it is not overly helpful to make those kinds of comments about individuals who have not yet made up their minds, or indeed who may not feel able, at this point, to support the Bill.

Accepting and noting the contributions of colleagues so far, I have a concern that the Bill would rapidly widen the eligibility criteria while not acknowledging the wider continuing problems with the Dublin process or the potential pull factors that it might generate. We want to make the Dublin regulations work. We are investing in our European allies to ensure that refugees, when they arrive in Europe, can be quickly processed and that family members can be identified. That is the sensible approach. All the while, we are working hard to resettle 23,000 vulnerable refugees.

I have always felt that this nation should react swiftly and decisively in response to large-scale crises. That is why I supported the Dubs scheme, and the record shows that I was one of only five Conservative Members to do so. However, this is not the same as wide-scale immigration reform. I welcome this Bill and I welcome the debate, which has been a good one with passionate contributions from numerous Members. I will listen to the remainder of the debate before forming an on-balance view.

12.25 pm

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): It is a pleasure to follow the hon. Member for Colchester (Will Quince), who cares immensely deeply about these issues. During the course of my speech, I hope to persuade him that this Bill should pass its Second Reading and that any concerns he may have should be dealt with in Committee, as that would be an opportunity to improve the Bill further.

This Bill is about putting family at the heart of the asylum and refugee system. Family is something that we all care about immensely. In our house, my family is in a state of greater chaos than normal at the moment because Ed, who does all the cooking, is currently several hundred miles in one direction, while our 18-year-old daughter is several hundred miles in the other direction on her first trip abroad alone. Although they are in safe places and I know that they will come home very soon, a part of me is away with them too. I keep checking my phone, particularly to make sure that my daughter is okay. That is what we all do with our families, who are immensely important to us all the time.

But this Bill is about what happens when people's families are not safe and when they are not going to come home again because they cannot. It is about what happens when families have to go through the most awful things in the world: when they have to watch a parent being murdered or a child being raped; when they have to flee their homes because their neighbours' homes have been bombed; when they have to make the most difficult journeys, and face exploitation, trafficking and abuse along the way; and when, somewhere along that journey, the family get split up. We know that this happens to so many refugees and we also know that it is in those times—when we face the worst of humanity—that we need our family the most. These people need those with whom they share a history, all that past and all those relationships, even if so much of that history, including their home, has been ripped from them.

Building family relationships is one of the most important things about being human. The refugee scheme and the asylum system are all about being human and standing up for humanity against the worst of inhumanity—against

[Yvette Cooper]

the barbarism, persecution, war and conflict that can cause so much chaos in families' lives. In the end, that is all that this Bill is about.

The current system is not working well enough to keep families of refugees together when they face the most difficult times of all. This Bill is about the Eritrean mother who has come here through a proper, managed, legal resettlement scheme, but who cannot bring her teenage son here because he is over 18. Even though she has been through terrible persecution along the way, she cannot be reunited with him. This Bill is about the family from Syria who cannot bring their 18-year-old daughter here from Lebanon because she is over 18.

The Government and other Conservative Members have set out a series of things in response. I want to address their points, because this should be a cross-party issue. So many of the refugee discussions that we have had in the past—on the Dubs amendment or even going back to the Kindertransport—have been cross-party debates, and they should and could be again.

The Government's response has been partly to talk about all the good work that they rightly do to help families and refugees in the region. The Government do do excellent work, and I pay tribute to them, as have other Members. We all want that work to continue. We also know that this is not an either/or situation. We would not expect families to continue to be split up or to suffer simply because a lot of other families in the region are being helped. There is no reason not to help these families as well.

Next, the Government say that there is discretion within the existing system, and that there are other ways of doing this. The hon. Member for Colchester referred to the Mandate scheme and others. However, the problem is that they do not work well enough. In too many cases, the entry officers use their discretion to simply say no. Nobody has the resources to overturn that because there is no legal aid in England to be able to deal with some of those cases, and it is too hard and too difficult. The discretionary system is not working at the moment. The independent chief inspector of borders and immigration has said that there are serious problems with the way that it works.

Bambos Charalambous (Enfield, Southgate) (Lab): Does my right hon. Friend agree that taking the refugee element out of scope through LASPO has had an adverse impact? The Bill is merely trying to reintroduce something that was there before LASPO took it away and would be greatly beneficial to people applying for a family reunion.

Yvette Cooper: My hon. Friend is exactly right. To be honest, it is hard for anybody to navigate our immigration system or asylum system, but for someone who is trying to pull together their family and has been through very difficult circumstances, not being able to get any kind of legal aid makes it so much harder.

The next argument that people use is to say that this is going to create a pull factor, and that it will somehow make things much worse. There are three strong responses to that. First, as the right hon. Member for Broxtowe (Anna Soubry) argued, this is only about those who have already demonstrated that they meet all the criteria

for being refugees. There are tests in the system already. They have shown that they have been fleeing persecution or conflict, and it is now simply about their ability to reunite with their family. Many of them have come through the legal resettlement process that the Government have rightly brought in and extended, and that we all support.

Angus Brendan MacNeil *rose*—

Yvette Cooper: I give way to the hon. Gentleman, who has done so much work to bring this Bill to the House.

Angus Brendan MacNeil: The right hon. Lady has demolished the pull factor argument. The person has to be a refugee already, so the pull argument is dead, according to her point. I thank her for that.

Yvette Cooper: The hon. Gentleman is exactly right. I pay huge tribute to the work he has been doing.

Secondly, the current system encourages trafficking. It encourages illegal routes and dangerous routes because there is not a safe and legal route for people to travel on. The concern of the family I spoke to whose daughter is in Lebanon—this was some time ago—was that they were going to face a choice about whether to try and find a route through with smugglers or with traffickers to get her reunited with them because they did not have a legal route. The problem is that we are already driving people into the arms of traffickers and exploitation, and we should not do that.

Anna Soubry: I am grateful to the right hon. Lady for giving way; it is very kind of her. When I was in Jordan—I am sure that she has had experience of this as well—I saw that magnificent efforts are being made to settle refugees. However, I also came across a family where the elderly parents, or grandparents, were going to Austria and the youngest son and his wife and children were going to Canada. That situation would encourage them to look at those illegal ways to stay together, which, as the right hon. Lady rightly says, we all want to do with our families.

Yvette Cooper: The right hon. Lady is exactly right. When people have been through such difficult experiences, and lost the home that they all shared, to be separated across the globe is so much harder—and at a time when they need their family the most.

My third response to the pull factor argument is that we are, in effect, saying to people, “You have to suffer more in order to deter others.” We are saying to those who have suffered the most already that they have to suffer more by not being reunited with their families because we are convinced that that might deter some fictional people who we think are going to respond in a particular way, when there is no evidence to show that. When there is real hardship and real hurt for families who are not being reunited, let us not make them suffer more for the sake of deterring others when there is no evidence that that will happen.

Huw Merriman: I thank the right hon. Lady for outlining the case against the pull factor. I did not want to be shouted at; I wanted to hear arguments. When I

was in Zaatari, there were about 100,000 people in that camp; 56% of the camp population is under 18, and there are about 79 births each week. My concern is that, while the figure may be 1,000 at the moment, as soon as we change our laws and that population, that is when the pull factor could come in. Can she address that concern?

Yvette Cooper: I just do not follow the hon. Gentleman's argument. If he is basically arguing that any kind of family reunion will somehow act as a pull factor and therefore should not happen, that would be an argument for having no family reunion for anybody at all—not for any adult, any husband or any wife. But of course, nobody thinks that. Everybody thinks that family reunion is important and that we must make sure we can keep families together.

Huw Merriman: The right hon. Lady is kind to give way again. At the moment, families can come through. My concern is that if we change the law, a brave under-18 will say, "I will take that step, and this law will allow me to bring you with." That is my concern, with such a large population. Perhaps that clarifies where I was coming from.

Yvette Cooper: If the hon. Gentleman was going to make that argument convincingly, he would be making the same argument about the 19-year-old, the 20-year-old, the 30-year-old and the 50-year-old. The problem is the evidence. We must remember that other countries across Europe have these rules about family reunion in place, and we do not see it becoming a pull factor to Hungary, Poland or all sorts of other countries.

Michael Tomlinson (Mid Dorset and North Poole) (Con): Will the right hon. Lady give way?

Yvette Cooper: I am very conscious of time. I will give way a final time, because this is an important point to address.

Michael Tomlinson: I am grateful to the right hon. Lady; she is making a cogent argument, and that is what this place is for. She asks for evidence. My hon. Friend the Member for Somerton and Frome (David Warburton) mentioned the example of Germany in 2015 and the impact that the change of policy there had. Could she comment on that and say whether that is evidence one way or the other?

Yvette Cooper: We have to remember that what happened in Germany was at a time when we had huge migration out of Syria by people desperately fleeing at the height of the conflict and a lack of proper support in Turkey, so a huge number of people were crossing the Mediterranean at that time. It was very unusual circumstances and an unusual period.

I think all of us would want to ensure that migration, in particular for those who are fleeing, should be provided through legal, safe and settled routes. That is why I support the Government's Syrian resettlement scheme. It is far better to have legal, safe routes than unmanaged or illegal routes through trafficking and so on. All of that must be right. However, we can ensure that we have a legal, managed scheme to help refugees, and that is exactly what the Bill is all about. It is about having a

legal settlement route, not unmanaged migration routes. We know that if we do not have legal family reunion resettlement routes, that is when we get people falling into the hands of traffickers, and that is what increases the number of illegal and dangerous journeys.

For example, on all the visits that I took to Calais, which was an awful and bleak place with so many young people, pretty much every young person I spoke to had family in Britain. They were trying to get to Britain through these awful, dangerous routes because they were trying to be reunited with family and with people to keep them safe. They were not trying to make the journey to bring other people; they were trying to be reunited. The current system, without that legal family route, is what is causing so many problems.

Anna Soubry: Will the right hon. Lady give way?

Yvette Cooper: I want to conclude, because I know that many Members want to speak.

In the end, this is about our humanity. We all believe that the close relationships of love, family, commitment and a sense of obligation are at the heart of what makes us human beings and at the heart of who we are. That is at the heart of the values that brought all of us, from both sides of the House, into this place, to have debates like this and argue about issues like this. We should keep those values of commitment, obligation to one another, love, respect and support for our families at the heart of our refugee programme. That is all the Bill is trying to do. If Members want to amend it or add some safeguards, they by all means should do so in Committee, when we get to that stage, but let us support the values of family now.

12.39 pm

Rebecca Pow (Taunton Deane) (Con): I am pleased to follow the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper), who was eloquent, as ever. I am also pleased to have the opportunity presented by this Bill, which has been so poignantly debated today, to speak about Britain's role in taking in refugees.

I want to say at the outset that as a mother of three children who are now—I cannot really believe this—over 18, I am very pleased that the Government are listening carefully to concerns raised about this issue by non-governmental organisations and others, and that Home Office officials are currently reviewing our approach to family reunion as part of the Government's wider assessment of asylum and resettlement policy.

Britain has a very proud history of being a warm and welcoming country for refugees fleeing violence, persecution and oppression, and we are a country that is willing and able to help those in need. About 0.24% of the UK population are refugees and asylum seekers, which is about 169,000 people. I am pleased to say that, over the years, Somerset has of course played its part.

To give just one example, several of the people who escaped from Uganda in the 1970s—they were thrown out by Idi Amin, having been given 90 days to leave with anything they could carry in a few bags—came to Somerset. Altogether, over 27,000 came to the UK, but some went to camps in Watchet and Yeovil in Somerset, and many of them have stayed in Somerset, living their lives and making their homes in Taunton Deane, which

[*Rebecca Pow*]

as we all know is a very fine place to live. We have welcomed them and educated them, and I met one of them who came to my surgery the other day. When I was a news reporter for HTV, I interviewed some of the people who escaped from the terrible war in Kosovo, and we also welcomed them with open arms in the west country.

Today, there is no less a call for humanitarian actions across the globe, and the UK has a commendable record in the middle east. By 2020, 20,000 refugees from Syria will have been resettled in the UK, half of whom have already arrived, so we have a very proud record. As has been mentioned by several colleagues, in 2016 the UK settled more refugees from outside Europe than any other EU state, which is a brilliant record. According to Eurostat figures, over a third of people resettled in the EU came to the UK.

To go back to my constituency, the community has really stepped up in taking in refugee family groups. Although Somerset is not an established asylum dispersal area, Somerset County Council has committed to taking dozens of families over the next three years, and I am really proud to support that. The families are taught English, and they have access to counselling and schooling, as well as support to become fully fledged members of the Taunton Deane community, which means attending Brownies, playing football on Saturdays, holding birthday parties and—I am pleased to say with my gardening hat on—adults accessing our local allotments, because many of them want to grow the crops they are used to eating. As I have said, we are very proud to welcome them.

The community in Taunton Deane has been especially welcoming to Syrian families. The charity Christian Help and Action for Refugees in Somerset was established by three churches—Taunton Vineyard, Creech St Michael Baptist and St Mary Magdalene. CHARIS has successfully worked with the local authority and the Government to resettle a vulnerable Syrian refugee family in Taunton, and it continues to offer the family support now that they have arrived. It trains volunteers in the community to help them, and they are completely engaged with our community. I have met all the church leaders and some of the volunteers, and I really praise them for their dedicated work.

Nigel Huddleston: My hon. Friend is making an important point that has not been much debated today. It is probably inappropriate in this debate to talk about capacity constraints—do we have enough housing, and so on—when accepting refugees into this country, but one thing to which there seems to be no limit on capacity is the willingness of our residents and constituents to welcome refugees. We are hearing that very strongly right across the country. It seems that they are very willing to fill the gaps in areas where the Government, with their resource constraints, cannot always achieve these goals.

Rebecca Pow: I could not reiterate my hon. Friend's comments more strongly. Just last month, the charity I have been talking about announced that the Home Office had approved the resettling of a second refugee family in Taunton—and they will be very welcome. We must remember the lasting impact that welcoming

vulnerable families into the UK may have on our national reputation. A letter from the father of the first refugee family resettled in Taunton from Kurdistan reminds us of this. In his letter, he thanks the “tender and loving” people of the UK and says:

“This beautiful kindness will remain with me until my end”.

That fully backs up what my hon. Friend just said.

Martin Whitfield (East Lothian) (Lab): Does the hon. Lady not agree that she has succinctly and successfully described the benefit that families together can bring as they try to create a life in this country? All the Bill would do is extend the option for families to be together and to work in constituencies and bring economic benefit to us all.

Rebecca Pow: I think that the hon. Gentleman will find that I agree with much of what he says, and I believe that the Government have a large toolbox of regulations already in place and achieving that, but that is not to say that there is not always the opportunity to have a look and do more, although the Government are already on that case, and I hope they are taking notes today.

Joanna Cherry: Will the hon. Lady give way?

Rebecca Pow: I am going to press on, because other people want to speak.

Having illustrated how this country is willing to take in people and do its very best for them, I want to touch on the current law. In the last five years, we have granted 24,000 families reunion visas, and these visas are free of charge and free from the eligibility criteria that usually apply to family visa applications. The law ensures that those offered refugee status in Britain can bring their family unit, including their partners and dependent children under 18. Other relations, such as dependent adults, adopted children and post-flight family members, are rightly subject to different visa criteria, such as maintenance funds and knowledge of English. If applicable, however, in the case of dependent children over 18, for example, applications may be granted outside the exemption rules, and in serious circumstances the law allows for extended family members to sponsor children. It is absolutely right that these exemptions are in place and that they be used properly.

Joanna Cherry: Will the hon. Lady give way?

Rebecca Pow: I am going to press on.

To be clear, a great deal of thought and attention has gone into this system, and the Government are fully committed to implementing section 67 of the Immigration Act 2016. As we have heard, Ministers have visited Greece and Italy to discuss processes, taking into account relevant national laws applicable to the scheme's implementation. The Government have also invited referrals of eligible children from France, Greece and Italy, and we are working to ensure the safe identification and transfer of eligible children.

In partnership with the UN Refugee Agency, we operate numerous schemes—many have been referred to already—such as the Gateway, Mandate, children at risk and vulnerable persons relocation schemes, to make sure that those in most need can find a secure home.

The children at risk scheme alone will resettle 3,000 children and their families from the middle east and north Africa over this Parliament. In addition, as mentioned, the Government have an ongoing commitment under the Dublin regulation, and we continue to work closely with member states and relevant partners to ensure that children with qualifying family in the UK can be transferred quickly and safely to have their asylum claim determined in the UK.

This country takes its moral obligations very seriously and wants to contribute to making the world a better place, yet it is important that in our generosity we do not inadvertently create circumstances that harm some of our most vulnerable. We do not want to encourage children to undertake dangerous journeys in the hope that relatives can join them later, only to fall prey to human traffickers. Sadly, that happens all too often.

Several hon. Members *rose*—

Rebecca Pow: I will press on because the hon. Members who wish to intervene have already had their say on this.

We all know that, unfortunately, criminal gangs will shamelessly exploit vulnerable people for profit, and we should be careful not to feed such activities in any way. We should reaffirm that international protection must be claimed in the first safe country reached by a refugee. That is the fastest possible route. Current criteria aim to strike the right balance and enable thousands of people each year to be reunited with their families in the UK, without putting the most vulnerable at risk. I am pleased that the Lord Chancellor is undertaking a review of legal aid reforms. That will include an evaluation of changes to the scope of legal aid in immigration cases, and it will report back next year.

Joanna Cherry: Will the hon. Lady give way on that point?

Rebecca Pow: I will press on because I am being encouraged to conclude my remarks—*[Interruption.]*

Mr Deputy Speaker (Sir Lindsay Hoyle): Order. Let me help. The hon. Lady has other colleagues who want to speak, and she has been speaking for probably 12 minutes. Please, we need to get other Members in as well.

Rebecca Pow: I am winding up, Mr Deputy Speaker—*[Interruption.]* I am winding everybody up, so I will cut to my conclusion.

We need to focus our efforts and humanitarian aid on ensuring peace and stability in the world. People do not want to leave their homes; they want peace. When any of them are asked, they say that what they really want is to stay in their own country, and that is what our country, with its humanitarian aid and overseas spending budget, is determined to help with as its first priority. The UK does not back away from its obligations, and it has pledged £2.46 billion of aid to Syria, and is committed to spending 0.7% of our GDP on international aid.

We must work with our partners across the world and with colleagues across the House, but our answer must strike the right balance between our will to shoulder our humanitarian responsibilities, and not encouraging a situation that would inadvertently cause more suffering. We need to deal with the root causes of the refugee crisis. Crucially, all existing regulations in our toolbox

must be used effectively and eloquently—my hon. Friend the Member for Colchester (Will Quince) referred to that and I fully support his words.

Finally, as I have said, this Government have a fine record on refugees, but they are fully aware that in some areas that record might be improved. That is why we are reviewing legal aid, and why the Government are listening carefully to NGOs, and others, as part of their commitment to a wider review of our approach to family reunion, asylum and resettlement policy. I know they will continue to build on that approach, which fully supports our humanitarian principles. I welcome the discussion and debate that has ensued today, and I trust that notes are being made by those on the Treasury Bench. Like my hon. Friend the Member for Colchester, I will continue to listen to the wider debate, and then I will make up my mind.

Mr Deputy Speaker: We won't be able to listen to anything if hon. Members carry on for that long.

12.53 pm

Tim Farron (Westmorland and Lonsdale) (LD): I will try to be brief, Mr Deputy Speaker, because the most important thing today is that this Bill proceeds. I pay tribute to the hon. Member for Na h-Eileanan an Iar (Angus Brendan MacNeil), and to all hon. Members who, unusually, are here on a Friday. This is my fourth debate on a Friday in 13 years, because this Bill matters. It is a chance and a test. It is a test of our support for the people who need it most; it is a test of our ability to act with compassion and common sense. It is not a hard test, because this is a modest and tightly defined common-sense Bill.

Let us be clear what the changes in the Bill would mean for the refugee children who are already here in the United Kingdom. These are children who have experienced unimaginable things. Nevertheless, I want Members to try to imagine. What horrific set of circumstances might have to happen to a family that would mean that the danger and misery of fleeing across land and sea, as well as the risk of separation, is preferable to staying put? Imagine how you would want your children and your family to be treated at the end of your journey. Imagine that sanctuary, and the kindness that goes with it, and be very clear that that must be the model for how we treat families today.

Separated refugee children in the United Kingdom have already overcome threats and danger in their own communities. They have been split from their families in their rush to find somewhere—anywhere—safe and have then been forced through a terrifying journey by sea and land to Europe, journeys that we know have claimed hundreds of children's lives. These refugee children are here right now living in our communities alongside us, asking us today to step up and reunite them with their families. The Bill will allow them a future with their families instead of being separated from them. It will mean children growing up with their parents where they should be, at their side, rather than living with the constant worry about the fate of their families, stranded and out of reach. The Bill simply makes that possible.

Let us not lose sight of who these refugee children are. The biggest groups seeking help in the UK last year were from Eritrea and Sudan, two countries torn apart by generations of civil war and violence. In Eritrea, boys can be conscripted into the army from the age

[Tim Farron]

of 16, sent off to kill and be killed at the whim of their Government. They are sent away from their families as child conscripts to serve wherever they are posted, cut off from home when they are barely of high school age. In Sudan, hundreds of thousands of families are starved of food and basic medical supplies, and are at the mercy of warring factions on all sides. For many parents and their children, this is how ordinary life has been for years. These are children who have started life with the worst possible deal. Let us today give them a better deal.

The Bill will not just assert the rights of children to sponsor their families to join them, which is itself long overdue; it will bring immigration rules into line with real life. The rules need to be as flexible as families themselves. That parents can be reunited with some but not all of their children, and younger siblings can be brought to safety but their older sisters and brothers may be left behind, are shocking anomalies. At the moment, the rules obsess over age. If a child is the wrong side of their 18th birthday when their parents become refugees, the parents have no right to bring them here. They will be left in danger. Can we agree that common sense and compassion should take the place of pedantry?

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): Will the hon. Gentleman give way?

Tim Farron: I am sorry, but I will not give way because we need to get on.

This is not a question of age, but of family. It is difficult to imagine anything more agonising for a parent than to know that they can keep some of their children safe but not all of them. It is ludicrous that that should be in the immigration rules and I welcome the commitment in the Bill to change them. Common sense is missing when it comes to the Home Office stopping any specialist support, as if reuniting refugee families is simple and straightforward. I disagree, of course. Those families need specialist support. I hope that the Bill, and the debate on it, will help us to take another look at the legal aid available when refugees are trying to reunite across continents and war zones.

Layla Moran: Does my hon. Friend agree that we should thank the very many lawyers across the country who work pro bono to help those who need help most?

Tim Farron: Absolutely. My hon. Friend is right.

It is not a simple process when it involves DNA testing and legal wrangling over birth certificates. Many Members will have seen in their constituency surgeries just how complex it can become. Leaving some of the most vulnerable people in our society to navigate the system on their own is deeply unfair.

There is one last reason to commend this Bill: doing the right thing by refugee families just happens also to mean that we do the right thing by our country's future. After the horrors that these children have endured and escaped from, I want us to think not just of the pain of the past but of the potential of what could come next. These kids are not just the products of their horrific experiences; they will also become part of our shared future. It is in everybody's interest that refugee children head off into their adult lives confident and integrated into British society, committed to making the most of

the opportunities ahead. We all know that the kindest and most effective way of making the best of their futures is to reunite them with their families. So let us pass this test, dismiss the excuses and do what is right—support this Bill.

1 pm

Michael Tomlinson (Mid Dorset and North Poole) (Con): It is a pleasure to follow the hon. Member for Westmorland and Lonsdale (Tim Farron) and so many other speeches. I congratulate the Bill's promoter, the hon. Member for Na h-Eileanan an Iar (Angus Brendan MacNeil). I have been practising pronouncing his constituency name, but perhaps not for long enough. I, too, understand the difficulties of piloting private Members' Bills through this House, having got a presentation Bill through to Third Reading, before it fell and failed at that particular hurdle.

It is not my intention to detain the Chamber for a particularly long time. Despite the disappointing cries from the Opposition Benches, there are still one or two points that I want to make. I congratulate the hon. Gentleman on bringing this serious subject to the Floor of the House, particularly this week with the crisis and war in Syria having entered its eighth year. Parliamentarians also heard this week from the ambassador to Jordan, a country to which many refugees have fled for security. He updated us, telling us that there are 740,000 Syrian refugees and 100,000 others in the camps in Jordan. He also talked about the assessments being made by the UNHCR.

Anna Soubry: Conservative Members have rightly raised a very important point: what happens if an 18-year-old in the Zaatari refugee camp in Jordan decides to take advantage of this Bill by coming here and then getting his family over? Does my hon. Friend agree that that scenario simply could not happen, because somebody from Syria would be in Jordan as a place of refuge, and if they were then to enter this country illegally, they would not be deemed a refugee, and therefore they could not use this Bill? Does he agree that that dispels concerns raised by hon. Members about the exploitation of this excellent proposed legislation?

Michael Tomlinson: I heard my right hon. Friend mention that point earlier, but I do not think anyone else has done so as yet. I would like to hear from the Minister whether my right hon. Friend's interpretation is right. The Bill title includes the word "refugees", so she has raised a perfectly sensible point and I look forward to hearing the answer in detail. I will, however, turn to my concerns about the pull factor, because, despite cries from the Opposition Benches, I think they are legitimate points to raise and I will do so.

Anna Soubry indicated dissent.

Michael Tomlinson: My right hon. Friend pulls a slight face, but I think there are legitimate concerns and I will address them as briefly as possible.

Angus Brendan MacNeil: We have to understand and be very clear that the pull factor cannot happen, because the person has to be deemed to be a refugee. All we are doing is giving under-18s in general the same rights as adults. If the pull factor is anywhere, it is with adults who can come legally, but the pull factor just does not and will not exist—the hon. Gentleman has to move

away from it—because the person has to be a refugee. The Bill applies only to refugees and the Government will grant that.

Michael Tomlinson: I understand the hon. Gentleman's point, which is similar to that made by my right hon. Friend the Member for Broxtowe (Anna Soubry), which I answered. I still want to address the concern, because people have raised it with me.

Joanna Cherry: Has the hon. Gentleman read the House of Lords EU Committee's 2016 report? The Committee found absolutely no evidence to support this argument about the pull factor. On the contrary, it said that if there was a pull factor of the kind that the hon. Gentleman has described, one would expect to see evidence of it in other EU member states that participate in the family reunification directive, and there is no such evidence. Does the hon. Gentleman agree that we should proceed on the basis of evidence, not myth?

Michael Tomlinson: I can give two answers to that question. First, no, I have not seen the report, but I did hear the hon. and learned Lady's intervention—*[Interruption.]* I think it is worth my answering her question, and perhaps she can listen to my answer rather than heckling me at the outset.

Patrick Grady (Glasgow North) (SNP) *claimed to move the closure (Standing Order No. 36).*

Question put forthwith, That the Question be now put. The House proceeded to a Division.

Mr Deputy Speaker (Sir Lindsay Hoyle): Will the Serjeant at Arms please investigate the blockage in the No Lobby?

The House divided: Ayes 129, Noes 42.

Division No. 133]

[1.5 pm

AYES

Abbott, rh Ms Diane	Davey, rh Sir Edward
Abrahams, Debbie	David, Wayne
Ali, Rushanara	Day, Martyn
Bardell, Hannah	De Cordova, Marsha
Black, Mhairi	Debbonaire, Thangam
Blackford, rh Ian	Docherty-Hughes, Martin
Blackman, Kirsty	Dodds, Anneliese
Blomfield, Paul	Doughty, Stephen
Bottomley, Sir Peter	Drew, Dr David
Brock, Deidre	Duffield, Rosie
Brown, Alan	Edwards, Jonathan
Brown, Lyn	Efford, Clive
Buck, Ms Karen	Ellman, Mrs Louise
Burden, Richard	Farron, Tim
Butler, Dawn	Field, rh Frank
Cadbury, Ruth	Fitzpatrick, Jim
Carden, Dan	Fletcher, Colleen
Carmichael, rh Mr Alistair	Foxcroft, Vicky
Chapman, Douglas	Furniss, Gill
Charalambous, Bambos	Gaffney, Hugh
Cherry, Joanna	Gapes, Mike
Cooper, rh Yvette	Gardiner, Barry
Corbyn, rh Jeremy	George, Ruth
Coyle, Neil	Gethins, Stephen
Creasy, Stella	Gibson, Patricia
Cruddas, Jon	Gill, Preet Kaur
Cryer, John	Godsiff, Mr Roger
Cunningham, Mr Jim	Grady, Patrick

Grant, Peter
Gray, Neil
Green, Kate
Greenwood, Margaret
Gwynne, Andrew
Haigh, Louise
Harris, Carolyn
Hayes, Helen
Hendry, Drew
Hodgson, Mrs Sharon
Hosie, Stewart
Huq, Dr Rupa
Jones, Sarah
Kendall, Liz
Khan, Afzal
Killen, Ged
Laird, Lesley
Lammy, rh Mr David
Law, Chris
Lee, Karen
MacNeil, Angus Brendan
Madders, Justin
Marsden, Gordon
Martin, Sandy
McCabe, Steve
McCarthy, Kerry
McDonald, Stewart Malcolm
McDonald, Stuart C.
McDonnell, rh John
McGinn, Conor
McGovern, Alison
Monaghan, Carol
Moran, Layla
Nandy, Lisa
Neill, Robert
Newlands, Gavin
O'Hara, Brendan
Osamor, Kate
Owen, Albert

Pearce, Teresa
Pennycook, Matthew
Pollard, Luke
Pound, Stephen
Qureshi, Yasmin
Reed, Mr Steve
Reeves, Ellie
Rodda, Matt
Rowley, Danielle
Russell-Moyle, Lloyd
Saville Roberts, Liz
Sheppard, Tommy
Shuker, Mr Gavin
Slaughter, Andy
Smith, Cat
Smith, Eleanor
Smith, Henry
Sobel, Alex
Soubry, rh Anna
Stephens, Chris
Stevens, Jo
Streeting, Wes
Sweeney, Mr Paul
Tami, Mark
Thomas-Symonds, Nick
Timms, rh Stephen
West, Catherine
Whitehead, Dr Alan
Whitfield, Martin
Whitford, Dr Philippa
Williams, Dr Paul
Williamson, Chris
Wishart, Pete
Yasin, Mohammad

Tellers for the Ayes:

David Linden and
Alison Thewliss

NOES

Argar, Edward
Baker, Mr Steve
Bebb, Guto
Bowie, Andrew
Burt, rh Alistair
Crouch, Tracey
Davies, Mims
Dinenage, Caroline
Donelan, Michelle
Dowden, Oliver
Eustice, George
Foster, Kevin
Frazer, Lucy
Gibb, rh Nick
Green, Chris
Griffiths, Andrew
Hall, Luke
Harris, Rebecca
Heaton-Harris, Chris
Hinds, rh Damian
Hollobone, Mr Philip
Jayawardena, Mr Ranil
Lopresti, Jack
Malthouse, Kit
Maynard, Paul
Merriman, Huw
Milling, Amanda
Morris, David
Nokes, rh Caroline
Opperman, Guy
Philp, Chris
Pincher, Christopher
Pow, Rebecca
Pursglove, Tom
Quin, Jeremy
Quince, Will
Robinson, Mary
Stephenson, Andrew
Stewart, Bob
Sunak, Rishi
Tomlinson, Michael
Warburton, David

Tellers for the Noes:

Mike Freer and
Wendy Morton

Question accordingly agreed to.

Question put accordingly, That the Bill be now read a Second time.

Question agreed to.

Bill accordingly read a Second time.

Unpaid Trial Work Periods (Prohibition) Bill

Second Reading

1.21 pm

Stewart Malcolm McDonald (Glasgow South) (SNP): I beg to move, That the Bill be now read a Second time.

I wish to begin by thanking all the hon. Members who sponsored the Bill at its outset. I also thank the many organisations and people—the Scottish Trades Union Congress, the Better than Zero campaign, Thompsons Solicitors, Jolyon Maugham, QC, and various others—who have taken the time to support its drafting. I would like to mention one person above all others, if you will indulge me, Mr Deputy Speaker, and that is my magnificent researcher Keith Thomson. He has pulled a shift and a half—a paid shift and a half—to ensure that the Bill made it to the Floor of the House this afternoon.

Right hon. and hon. Members will know that the Bill enjoys support from all the parties in this House, with the exception of the Democratic Unionist party, but I do not wish to dwell on that lowly fact at the moment; unfortunately, my overdraft did not extend to that which Her Majesty's Treasury enjoys. Right hon. and hon. Members will also know that yesterday the polling company YouGov published a poll showing that 65% of the public believe that unpaid trial work is unfair; a clear majority of people across the UK are looking for this Parliament to do what it has to do in correcting the law as it currently stands. That is the opportunity that sits before us. [*Interruption.*] Did the hon. Member for Mid Worcestershire (Nigel Huddleston) wish to say something? It is unlike him—

Wes Streeting (Ilford North) (Lab) *rose*—

Stewart Malcolm McDonald: I will certainly give way to the hon. Gentleman.

Wes Streeting: I congratulate the hon. Gentleman on introducing this Bill. Time is short, and we know how Friday shenanigans can sometimes work. Given the high level of public and cross-party support, it is incumbent on the Government and, in particular, Conservative Back Benchers, to make sure that this Bill passes its Second Reading before we adjourn.

Stewart Malcolm McDonald: The hon. Gentleman knows, as do Conservative Members, that I wish to be a constructive voice in this Parliament while I am here. I think this is a good Bill. Some people may see it as not a perfect one, which is why it should go to Committee, so that we can make good law. If we are not here as legislators to make good law, what on earth is the point of this Parliament? Although my political career rests on that question, while I am here I would like to make some use of the time and so I agree with what he has to say. With support from Members from across the Benches and with great support enjoyed among the public, we should give the Bill a Second Reading.

I wish to adumbrate for Members why I believe, as do so many others, that the law needs to be changed. As I understand it, the Government's view is that unpaid trial shifts are already unlawful and that such practices are covered by the National Minimum Wage Act 1998.

It is 20 years old this year and undoubtedly a fine piece of legislation, but it is insufficient when it comes to dealing with unpaid trial shifts, although I do not think it was meant to be. We have the opportunity to put it right.

In 20 years of the 1998 Act, there has not been a single tribunal or a single fine issued. There has not been a single prosecution, naming and shaming or ticking off of anyone for the use of an unpaid trial shift. That feeds into the fact that the Government, the courts and the trade unions do not hold any statistics on unpaid trial shifts. Nevertheless, we all know that they happen.

Bob Stewart (Beckenham) (Con): I think I support the Bill, but will the hon. Gentleman clarify that it will apply only to an unpaid trial for a job, and not to an unpaid sixth-former helping in a Member's office for a while?

Stewart Malcolm McDonald: Every sixth-former should have the chance to do work experience in the hon. Gentleman's office and I would not dream of seeking to rob any of them of the ability to do that. On a serious note, the Bill is not about work experience, which is a good thing. It does not concern itself with volunteering, which is also a good thing. The Bill does not concern itself with internships, because that would require specific legislation, but I shall return to them, because the Minister announced a Government initiative on them earlier in the year.

Jeremy Quin (Horsham) (Con): I am listening carefully to the hon. Gentleman's speech. Following on from the point made by my hon. and gallant Friend the Member for Beckenham (Bob Stewart), how do we sort out the situation wherein someone comes in for work experience and is subsequently employed, because that can happen? It is a good thing for someone to come into an office environment, enjoy the role—it works—and then subsequently get employed some weeks or months later. How do we ensure that we do not penalise employers in those circumstances?

Stewart Malcolm McDonald: I do not know whether the hon. Gentleman has read the Bill—I know him to be diligent and I am sure that he has—but I shall come to how we split that out and ensure that there are no crossed wires.

Mark Tami (Alyn and Deeside) (Lab): Does the hon. Gentleman agree that unfortunately, in perhaps only a small number of companies, one trialist is replaced by another and then another, and so on? Those companies use trial shifts as a way of getting free work.

Stewart Malcolm McDonald: The hon. Gentleman anticipates where my speech is about to go, but to come back to the point made by the hon. Member for Horsham (Jeremy Quin), in the hospitality and retail sectors, where this practice is known to be widespread—it is by no means exclusive to those sectors, but it does happen in them rather a lot—there is a difference between a person applying for a job to be, for example, a barista in a coffee shop or a cocktail maker in a hotel bar, and their demonstrating that they can do the things that they have said they can do, which is fine, and a trial shift

in which the applicant is asked to work alongside someone on a paid shift, doing the same job as them, but is not paid.

The Government think that the existing law is sufficient to deal with and prevent that kind of thing from happening but, as the hon. Member for Alyn and Deeside (Mark Tami) said, all too often a company advertises an unpaid trial shift, and in some cases it might be two or three hours, but in some of the more extreme cases, including the case that first brought this issue to my attention, it is 40 hours. Yesterday, the BBC interviewed someone who had done four weeks of unpaid trial work. Here is the deeply cynical element: in a lot of cases, there is not actually a job to give the person—it is about covering sickness, staff shortages, busy periods over Christmas or wedding seasons in hotels. That is where the law is insufficient to prevent gross exploitation.

Neil Gray (Airdrie and Shotts) (SNP): I hugely commend my hon. Friend for introducing this Bill and for the strong and erudite way he is presenting it. Is not the greatest tragedy of trial shifts that most often the people who are exploited have learning disabilities? They are desperate for work and see these shifts as their only opportunity. That is a key reason why the Bill must be passed.

Stewart Malcolm McDonald: My hon. Friend makes a very good point. Too often that is what happens. The people who fall victim either do not know their rights and cannot stand up for them, or are unwilling to challenge employers on their rights because they are in fear of losing their job. This practice hits the lowest paid and the lowest skilled in our economy, and this is a Bill to protect the lowest paid and the lowest skilled in our economy.

Several hon. Members *rose*—

Stewart Malcolm McDonald: I am overcome with Members' generosity.

Gordon Marsden (Blackpool South) (Lab): The hon. Gentleman is being extremely gracious. I congratulate him—as I am sure do most Members in this House—on bringing this Bill before us today. We have just had National Apprenticeship Week. Not least of the evils of the present situation, is that, first, it prevents the sort of serial offenders that he is describing from doing something decent such as offering an apprenticeship, and secondly, it hides them from exposure for not taking such things forward in the first place.

Stewart Malcolm McDonald: The hon. Gentleman makes a very important point and we are better informed for it. There cannot be a Member of the House who did not celebrate National Apprenticeship Week. On the back of that, if nothing else, this matter certainly merits Parliament's attention this afternoon.

Chris Stephens (Glasgow South West) (SNP): I thank my hon. Friend and constituency neighbour for giving way and, obviously, congratulate him on bringing forward this Bill. He organised a drop-in this week. We heard from Maxine Clifford, a Glaswegian, who is regularly put on unpaid trial shifts of at least 10 hours a day. That is one of the principal reasons why we need this Bill to go through this afternoon.

Stewart Malcolm McDonald: I absolutely agree with my hon. Friend. Surely to goodness, there is not anyone on a Bench here in this House who thinks that that kind of practice can be justified.

Stephen Kerr (Stirling) (Con) *indicated assent*.

Stewart Malcolm McDonald: I see that the hon. Gentleman is nodding, and thank goodness for that. I thank him, too, for his support for the Bill—he was actually a very early supporter of it.

My hon. Friend the Member for Glasgow South West (Chris Stephens) is absolutely right. I argue, as I am sure that he, as a man with fine trade union credentials that would be tough to challenge on these Benches, does too, that employment law is heavily stacked in favour of the employer. It actually provides employers with sufficient instruments to try people out as it is. Why can people not be put on a probation period, as is normal in most mainstream jobs where good employers do that? For example, the Conservative-led coalition, of two Parliaments ago now, changed employment law so that people can effectively be dismissed in the first two years of employment. That is something that I disagree with; I would not have voted for that. None the less, with those kind of instruments at employers' disposal, there is no need to try people out for 10 hours, 40 hours, or four weeks, as I mentioned earlier.

Hugh Gaffney (Coatbridge, Chryston and Bellshill) (Lab): I thank the hon. Gentleman for giving way. Does he agree that working conditions are deteriorating? I have known sons and daughters—I have known many people—who have suffered the abuse of unpaid work. That is why I strongly support the trade union movement. I suggest that everybody should get into the trade union movement to stop the abuse of workers. If the Tory Prime Minister was prepared to put money where her mouth is, she would support these workers and stop this practice.

Stewart Malcolm McDonald: I am very grateful to the hon. Gentleman for his point. There is an important message there that I know the Scottish Trades Union Congress would wish me to send: workers who are affected by this practice, and those who are not, should join trade unions. The prohibitive problem is that, where people are in that kind of precarious work, it is financially difficult to sustain a trade union membership. This Bill will help to give some protection and some security to people who badly need it; the hon. Gentleman is right on that point.

Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op): Does the hon. Gentleman recognise Unite community section, which has low rates specifically to protect those people who are out of work? There are options in the union sector to protect people who are on low wages or no wage.

Stewart Malcolm McDonald: I commend that point. When I first floated the idea of the Bill, I recall receiving an email from Unite, saying, "Stewart, we need to talk." I realised that that would cause a shiver to run up the spines of Labour members; it caused one to run up mine, too.

[Stewart Malcolm McDonald]

We had a very fruitful conversation. Unite has been immensely supportive, and I would mention in particular one of its Scottish organisers, Bryan Simpson.

The Better Than Zero movement has collated lots of information—way more than I have—on precarious work and unpaid trial shifts. It has also taken some direct action against rogue employers, who get up to all sorts of things such as stealing tips from part-time staff and all the rest of it. There is a lot to sort out. Although this Bill does not deal with all of it, I hope that we can all agree that it deals with an important element.

Luke Hall (Thornbury and Yate) (Con): Does the hon. Gentleman agree that this practice of abuse is carried out by some of the biggest and best-known employers in the country, which often put unrealistic productivity targets on their staff that are almost forcing them to use any method they can to get home before midnight?

Stewart Malcolm McDonald: This may be the only time that I have looked forward to using my parliamentary privilege: I am going to name some companies that have come up when I have had this conversation with people.

The first company that came up was Mooboo Bubble Tea. I understand why there are confused looks on some Members' faces because I do not know what bubble tea is either, but I can tell hon. Members that I will not be trying Mooboo's. Mooboo was the company—based in Glasgow, with franchises right across the United Kingdom—that asked one of my constituents to work 40 hours for no money whatever. Not only did my constituent not get the job, although I am sure that she made a fine fist of the trial period, but the company just ignored her. It happens too often that people apply for jobs, go through trials and all the rest of it, but then do not even get told yes or no. They just get left hanging in the air. What a cynical and gross way to treat applicants in this day and age!

Chris Philp (Croydon South) (Con): I quite agree with the hon. Gentleman that this case is a shocking example of abuse. Did he report the matter to HMRC for investigation? If he did, will he update the House on the outcome?

Stewart Malcolm McDonald: Yes, I did. I sent a letter to the former HMRC Minister, Jane Ellison, who I think is now employed by the Government as a special adviser—[*Interruption.*] Forgive me, I may have got that wrong. Jane Ellison did deal with the case for me at the time. I had a conversation with her on one of the few occasions that we were in the same Lobby, and she assured me that my complaint was passed on to the right people. Part of the problem with raising an issue via a Minister, rather than directly to the unit, is that we do not actually get told the outcome of the investigation.

If hon. Members come across cases where there is any question that the definition of the national minimum wage has been abused, I encourage them to report the situation to HMRC. I did a Facebook Live broadcast with House of Commons digital officials earlier this week, and I gave lots of examples from members of the public who have gone through such things. People rely

on the National Minimum Wage Act 1998, and the low paid rely on it more than any other group in society, so it needs to be enforced with rigour.

David Warburton (Somerton and Frome) (Con): If the hon. Gentleman was able to take the case he mentioned to HMRC and it was resolved, why is there a need for new legislation?

Stewart Malcolm McDonald: Forgive me, but I did not say that the case was resolved. I said that I do not know the outcome, because the then Minister told me that she would not actually get told the outcome of such cases.

After blocking Members of Parliament on social media who highlighted the issue and then unblocking them all later that day, Mooboo Bubble Tea sent me a letter to say that the activity carried out in my constituent's case was actually training. Training is actually covered by the National Minimum Wage Act, so Mooboo was still in breach of the law if that were the case. The company did, however, tell me that it had changed its practice as a result. Now, I have not found any available positions that I could perhaps have applied for myself, under cloak and dagger, in order to work out what happens. I do, though, understand that Aldi opened a big new store in the north-east of Scotland, advertising 150 unpaid trial shifts. This cannot go on, and today we have a chance to end it.

Alan Brown (Kilmarnock and Loudoun) (SNP): I congratulate my hon. Friend on bringing this Bill forward. He just mentioned training, which I know about from personal experience. My son Dylan undertook unpaid training with a company that is employed by charities. It was to be a week's unpaid training with a view to a job at the end. Does my hon. Friend agree that it is terrible that charities, which are supposed to exist to raise money for the greater good, are exploiting people in this way?

Stewart Malcolm McDonald: My hon. Friend is absolutely right. I did not even know that he had a son called Dylan.

Alan Brown: He doesn't admit it to me!

Stewart Malcolm McDonald: I am sure that is untrue.

I mentioned retail and hospitality because those were the industries that came up most in my consultation. Amazingly, the British Retail Consortium refused even to discuss the issue with me because it thought there was not a problem. That is news to a young man from North Lanarkshire who was abused by the retail store, B&M Bargains. I used to love going into B&M Bargains, perhaps to pick up some toothpaste and then spending 25 quid because it is the kind of shop where people buy things they do not need. I was horrified to learn that it had had a young man with autism, in the hope of securing work, stacking shelves for three or four days, only to dismiss him at the end of it, saying, "You're not required any more—off you go", with no pay and no chance of a response.

Stephen Kerr: What interests me is the demoralising effect of that situation on that individual. It is this devil-may-care attitude towards other people that really gets under my skin. This Bill is about fairness, and I commend the hon. Gentleman for bringing it forward.

Stewart Malcolm McDonald: I am very grateful to the hon. Gentleman, who has been a great supporter of the Bill from the outset and has had good input into it too. He is right—it is a deeply horrifying and cynical practice. Imagine if that was your first introduction to the world of work: how would it make you feel about trying to secure work for yourself in future? I think we are all united in believing that it is a good thing when people want to go out there and secure work of some kind.

Neil Gray *rose*—

Stewart Malcolm McDonald: The MP of the constituent in the case I have mentioned wishes to intervene.

Neil Gray: The worst part of that story was that my constituent was rota-ed to be in that work the following week, which gave him the impression that he had in fact secured the job. He was told, on the last day possible, that he had not applied enough effort, which was clearly patently wrong. That type of behaviour is utterly shameful and must be called out.

Stewart Malcolm McDonald: I did not know that additional detail. It is shameful and it is right to call it out. It is the last time that I will be setting foot in B&M Bargains, which is a great shame because I pass it on the way to my constituency office every day. Let me say that I mean no malice to the workers of that company but instead the bosses who allow that kind of practice to go on.

Martin Whitfield (East Lothian) (Lab): I fully support this Bill, as I have from the outset. Does the hon. Gentleman agree that as well as the fact that this work is unpaid, there is great danger with regard to health and safety, training, other staff members, and members of the public? Unscrupulous employers are putting everybody in danger, and also damaging the reputation of the good employers who do not engage in this.

Stewart Malcolm McDonald: The hon. Gentleman makes a very good point. He has been a fine supporter of the Bill—a sponsor, no less. He is right. Not everyone does this, and those who do give good employers a bad name. That is why I made the point in response to the hon. Member for Stirling (Stephen Kerr) about the damage this will do in people’s minds if it is their first experience of the world of work.

I want to square up what the Bill does and why it does it. It is essentially split into two main parts. The first part amends the National Minimum Wage Act 1998. It makes it clear that where someone takes part in a trial shift—it defines what a “trial shift” is—they are to be paid at least the national minimum wage, and that the Bill applies right across the United Kingdom.

I have put in some safeguards based on the feedback I have had from members of the public, as I have been discussing. First, when a member of the public is offered a trial shift, it is to be made clear to them in writing how long it will last so that people cannot be strung along. It will also be made clear how many jobs actually exist. That should put an end to the practice of offering “ghost” shifts where no job actually exists.

Secondly, the person and the employer are to have an agreement that proper feedback is going to be received. In one case, a person—I will not identify them but it was the daughter of a prominent Scottish Labour politician

—went on a trial shift in a bar, worked three or four shifts, and at the end of it the employer said to her, “We’re not taking you on—you don’t have enough experience.” They already knew that from looking at her CV at the application stage.

We have to try to empower applicants a bit, because people are feeling helpless. This is not about ending trials or the ability of an employer to test someone; it is just about ending the ability to take someone for a ride and pay them nothing.

Ruth Cadbury (Brentford and Isleworth) (Lab): I thank the hon. Gentleman for bringing this important Bill forward. I was not really aware of this issue until, when my eldest son was a teenager, a couple of his friends worked several unpaid shifts in a restaurant. Does the hon. Gentleman agree that this is particularly rife in the hospitality industry, which many of us partake of and spend money in? If people were more aware of the issue and the need to plug the hole in existing employment legislation, they would support the Bill. Should not all Members support the Bill?

Stewart Malcolm McDonald: Yes, I do believe that. What the hon. Lady says is funny; I have put a name on it—I have called it an unpaid trial shift. Most folk would say, “What on earth is that?” but when I explain it, they realise that their own kids have done it, their neighbours’ kids have done it or their nieces and nephews have done it. Everybody knows somebody who has done it.

On hospitality, I will say this. I had a very constructive meeting with the British Hospitality Association, which supports measures such as this because it wants the industry to be seen as an attractive place to work and build a career in. Anything this Parliament can do to help hospitality or other sectors can only be a good thing.

Nigel Huddleston (Mid Worcestershire) (Con): Will the hon. Gentleman give way?

Stewart Malcolm McDonald: I know that the hon. Gentleman has an interest in hospitality, so I will give way.

Nigel Huddleston: Not any more, I am afraid. I thank the hon. Gentleman for giving way. He is making some really important points. I am glad he recognises that the hospitality and leisure industry, which employs about 3 million people in the UK, has good and bad practices, but they are generally good. That is important to recognise.

First, I think we are hearing a clear message from this House to the Minister that, depending on how the Bill progresses today, we need to make sure existing legislation works properly, because that is one of the gaps. Secondly, on the great Tory philosophy of “make work pay”, anybody who makes anybody work must make sure they pay them.

Stewart Malcolm McDonald: I never thought I would bring forward a Bill that encompasses Tory philosophy, but this is a Bill that makes work pay. I hope the hon. Gentleman will do everything in the short time left to make sure the Bill proceeds.

[Stewart Malcolm McDonald]

I want to bring my remarks to a close, to allow others to say what they wish. The hon. Gentleman's first point was about whether the law works or not. I do not believe it does, but the Government do. I know that because they have made public statements and because I have had conversations with the Minister. I do not believe the law works, and the legal advice I have suggests that it does not. The trade unions do not believe it does. I shared all that advice with the Government after they asked for it and had no issue in doing so, but it does not seem to have changed their mind. If the law did work, there would have been one tribunal in 20 years of the law that the Minister says covers this, but there has not been. That, in itself, tells me that the law does not work.

I know the Minister believes that the law covers trial shifts and unpaid internships. He said to me, "Stewart, we have no wish to derail your Bill, but we think the law covers it already." Let us split that proposition, because those two things cannot sit comfortably together. If the law as it stands covers this—if the Minister listens, I can educate him—there is a problem for the Minister, because I have found on the w4mp website an unpaid internship from 2012 in his office for three to six months.

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Andrew Griffiths) *rose*—

Stewart Malcolm McDonald: I will allow the Minister to respond; he does not need to get too excited. If it is the case that the law as it stands bans unpaid shifts and unpaid internships, either he has to refer himself to HMRC, or I am afraid I will have to do it for him.

Andrew Griffiths: I would be very interested to see that. I have never, ever had an unpaid internship in my office.

Stewart Malcolm McDonald: I can assure the Minister—I will send it to him when the debate concludes—that there is an unpaid internship advert on the w4mp website. I checked it just before the debate started and am happy to let him see it. I think he is looking it up as I make this point, but I assure him it is there. That is something that many parties in the House take part in. I think internships are enormously valuable, but if the Minister is so convinced that the law as it stands is functional, that raises questions for what he and others have done.

Danielle Rowley (Midlothian) (Lab): I congratulate the hon. Gentleman on his work on the Bill. As the youngest Labour party Member of this place, it would be remiss of me not to mention the adverse effect of unpaid trial shifts on young people. Does he agree that young people are massively affected, and given that they may not have the mechanisms available to older workers, will he join me in calling on all young people to join a trade union?

Stewart Malcolm McDonald: The hon. Lady is right, and I join her in calling on all young people to join a trade union. I should mention that, as I am sure she will know, the Scottish Youth Parliament has endorsed the Bill, and a fine job it made of that.

David Linden (Glasgow East) (SNP): In the light of the information that my hon. Friend has given, will he place a copy of it in the Library of the House so that all Members can familiarise themselves with it? That is a very interesting point.

Stewart Malcolm McDonald: I am happy to place that information in the Library, although I rather suspect that it will find its way on to Twitter soon enough.

In closing—I do not wish to cheat the Minister out of his time—this is a Bill that makes work pay and that empowers people who, as the hon. Member for Midlothian (Danielle Rowley) said, need empowerment. This is supposed to be a Parliament of legislators that makes good law. I believe we have an opportunity today to make good law, so let us not filibuster, kill it or somehow ensure that it cannot pass. I realise that is looking tough, but stranger miracles have happened. I ask Members to get behind the Bill, and to get it into Committee. Let us make good law and protect people who need protecting.

1.51 pm

Chris Philp (Croydon South) (Con): It is a great pleasure to follow the very thoughtful, well-researched and well-considered speech by the hon. Member for Glasgow South (Stewart Malcolm McDonald). I must say that I found myself in agreement with large parts of it, partly because I am a very passionate believer in the national minimum wage.

One of the things I did after I was first elected in 2015 was to seek out the then Chancellor of the Exchequer, George Osborne—I understand he is more than modestly occupied these days—to press him on what I thought was the very strong case for a big increase in the minimum wage, because it is so important, and I was delighted when, a short time later, the Government announced large increases in the minimum wage. I am very proud of the fact that a Conservative Government, between 2010 and today, have increased the minimum wage from £5.93 an hour back in 2010 to £7.83 an hour today, which is a 32% increase. The national living wage is a legally required minimum wage, and I am very proud that a Conservative Government have increased it by 32%. Over that period, inflation has been only 19%, so it has risen by substantially more than inflation.

Stephen Kerr: Does my hon. Friend accept that the premise of the Bill is that it is a wonderful thing to learn to work, which is a very important part of growing up? The Bill is particularly about protecting the young, however, so is it not an important lesson for the young to learn that if they go to work and they work hard, they are also entitled to be paid fairly?

Chris Philp: Yes, I agree with that principle. As my hon. Friend pointed out in his earlier intervention, the idea that people should be fairly paid for a fair day's work, or even for a fair few hours' work, is an important Conservative principle, and I think it is an important fundamental right as well, so I agree entirely with that premise.

I want to put on the record once again my very strong support for the concept of the minimum wage—the national living wage—and the fact that it has been increased by such a large amount. While talking about

wages for those on low earnings, I would point out in passing that the increase in the tax-free allowance in the past few years—from £6,500 to £11,500—means that take-home wages for people on the minimum wage, the topic of the Bill, have actually gone up by 37%, because not only has the minimum wage gone up by 32%, but they are also paying proportionately less tax. It is important to bear it in mind that low tax, as well as a decent wage itself, has a role to play in making sure people are properly paid.

We have talked quite a bit already about enforcement. Clearly, a national minimum wage, or national living wage, is only as effective as its enforcement, as the hon. Member for Glasgow South touched on. In the last financial year, 2016-17, HMRC, the body responsible for enforcing the national minimum wage, took action against 1,134 individual businesses—quite a good track record of taking action to enforce the minimum wage; clawed back £10.9 million—a fairly substantial sum; and took action that encompassed 98,000 workers who had been illegally underpaid. That suggests that HMRC is taking its enforcement role very seriously and enjoying some success in making sure that the national living wage and minimum wage are adhered to.

Bob Stewart: Just to clarify, HMRC did not keep the money but presumably gave it to those who had lost it. Is that right?

Chris Philp: When someone has been illegally underpaid, I believe that they receive retrospective compensation. As to where the funds go, I rather suspect they end up with Her Majesty's Treasury, but certainly the unfair loss suffered by people who have been underpaid is made good.

Lloyd Russell-Moyle: My brother took part in one of these trials for a telephone sales company. He worked for two days unpaid while having to pay for transport up and down. He is a physics graduate—very intelligent—and knows that it is illegal, but he has no confidence that if he reports the matter, it will go anywhere. Is not part of the key to enable easier reporting to HMRC and to require companies to report how many jobs are available, as the Bill requires, and is that not why the Bill is needed?

Chris Philp: I will come to the substance of the Bill in a moment, but I entirely agree that the hon. Gentleman's brother's experience—two days!—is clearly well beyond anything that is remotely reasonable and also that reporting should be made easier. We should put some of these facts into the public domain so that people who think they might have been unfairly abused, either in this area or a related one, can report the companies and action can be taken.

Kevin Foster (Torbay) (Con): My hon. Friend is making an interesting speech. Does he agree that one way of dealing with this is to have very clear guidance on the existing law about what is an acceptable trial period and what is flagrantly trying to dodge the law and the minimum age, as Mooboo Bubble Tea tried to do in Glasgow?

Chris Philp: I will come to that point, but first I want to put two other facts about enforcement on the record. First, HMRC has a team of 400 people working

on this. I am very sorry that the brother of the hon. Member for Brighton, Kemptown (Lloyd Russell-Moyle) did not feel able to report the matter to one of those 400 HMRC staff. Secondly, the budget for enforcement was recently doubled from £13 million to £25 million, which I hope gives some confidence that HMRC and the Government are taking this very seriously.

I turn now to the point just raised by my hon. Friend the Member for Torbay (Kevin Foster). There is clearly an issue with enforcement. My understanding of the law is that excessively long unpaid work trials are currently unlawful and should be paid. We have heard three examples in the Chamber today, two from the hon. Member for Glasgow South and the one we heard a moment ago from the hon. Member for Brighton, Kemptown. All involved periods of work—two days in the last case and periods of two or three days and 40 hours in the other two—that strike me as clearly far in excess of what is reasonable and ought to fail the test of not being excessively long unpaid work trials. I would welcome the Minister's confirmation that those three examples do indeed contravene existing regulations and that, in his view, had they been reported—I think one or two were—the company would likely have been found against.

Michelle Donelan (Chippenham) (Con): Current legislation states that a job should be intended at the end of a trial period, but in some of the examples we have heard that is not happening. There is a potential problem with the enforcement of current legislation, so perhaps we need a review of that, rather than to duplicate our laws.

Chris Philp: If trials are taking place with no certain job at the end, or no vacancy, that is an outrageous abuse.

Stephen Kerr: It's fraud.

Chris Philp: It is indeed fraud as my hon. Friend says, and I entirely agree with his interjection. I look forward to the Minister offering his thoughts on that in due course. *[Interruption.]* Excuse me Madam Deputy Speaker. I am recovering from the remains of a cold that my children kindly gave me last week. *[Interruption.]* Does the hon. Member for Glasgow Central (Alison Thewliss) wish to intervene?

Neil Gray: She was suggesting you could sit down.

Chris Philp: That is a very kind suggestion, but I am afraid I have not yet finished. This is an important matter, and we will give it due consideration—*[Interruption.]* That has made my cough even worse.

As I understand, under current drafting, any period of trial working, even as little as five minutes, would fall foul of the Bill. *[Interruption.]* The hon. Member for Glasgow South is nodding his head in assent. As with any piece of regulation, there is a balance to be struck. I completely agree that all the examples we have heard about are totally unreasonable. Such behaviour should be unlawful, and those companies should be prosecuted and fined. However, there are examples—I am coming to the conclusion of my remarks—of companies that, quite legitimately, want someone to do a reasonable

[Chris Philp]

amount of trial work, by which one might mean a few hours. I would consider three or four hours to be the maximum amount of time considered reasonable, and it could be unfair to impose on those businesses the administration involved in setting up payroll, PAYE, national insurance, a return to HMRC and so on, for a short and reasonable period of trial work.

Stewart Malcolm McDonald: The hon. Gentleman knows about other instruments that exist for employers, and someone's skills can be tested. If he applies to work at my coffee shop and I ask him to prove that he can make a cappuccino, he will do what he has to do, and I will be satisfied with that. I do not need to put him on a shift with the rest of my staff and have him working alongside other colleagues, serving customers and contributing to my profit margin without payment.

Chris Philp: As we have discussed previously, that would be wholly unreasonable for an entire eight-hour shift. However, a trial for an hour, testing someone serving coffee in a live work environment, for example, gives the potential employer information about that person's suitability. In the coffee shop example, I would consider it reasonable to have someone work for one hour as a trial and not require payment. Working an eight-hour shift would and should require full payment. My concern is that the one-hour trial would get caught by the Bill as drafted.

Neil Gray: I am pretty sure that Members who are employers will have it written into their contracts that all staff start with a probationary period. Is that not a more appropriate way to handle this matter?

Chris Philp: I am not sure that it is. If someone is taken on as an employee for a probationary period, the reasonable expectation is for them to work with the company for a few months—a probationary period is typically at least one month, and in some cases three. Asking an employer to employ for between one and three months someone who, it transpires after a few hours, is unsuitable is a little unfair on the employer.

Several hon. Members *rose*—

Chris Philp: I am spoilt for choice, but I will first give way to my hon. Friend the Member for Thornbury and Yate (Luke Hall).

Luke Hall (Thornbury and Yate) (Con): Does my hon. Friend accept that some people are much more comfortable doing a trial period of one hour than they are sitting through an interview of 45 minutes, which they might find extremely stressful and uncomfortable, and for which they might be unprepared?

Chris Philp: I agree with that point. I set up and ran my own businesses for 15 years before being elected, and found that often interviews are not a very good way of ascertaining someone's suitability. People can come up with all sorts of nonsense, but if they get to do the job in some way, even for a short period such as an hour, the employer learns a lot about their capability.

Chris Green (Bolton West) (Con): I appreciate the point about the coffee shop and the mechanical process of producing coffee, but would my hon. Friend accept that a far more subtle process is needed to assess social skills before an offer of employment is made?

Chris Philp: I agree that it is a subtle process.

Stewart Malcolm McDonald: Would you work for free?

Chris Philp: In a sense, all of us here have done a gigantic free trial shift: it is called being a parliamentary candidate. I was first selected in December 2006 and ran in the 2010 election. I then proceeded to lose by 42 votes, so that was a pretty extended unsuccessful four-year unpaid trial period.

Michelle Donelan: Does my hon. Friend agree that a trial period can be beneficial for those trying out for a job, so they can see if they want and like the job? When I was younger, I did a trial period for a few hours. This is about getting the balance right between rights and responsibilities. We do not want to exploit anybody; we want to create and facilitate opportunities and jobs.

Chris Philp: A short trial period—just be clear again, I mean one to two hours—can give an employer the confidence to give someone a job, perhaps someone from a disadvantaged background who does not necessarily come across very strongly in interview. That might give an employer the confidence to employ that person when they might not otherwise do so.

Patricia Gibson (North Ayrshire and Arran) (SNP): I wonder if the hon. Gentleman can clarify something for me. I am listening very carefully to what he says, but I cannot understand why there have to be unpaid trial shifts when it would be much fairer just to put somebody on a temporary contract, then assess them and decide whether to give them a permanent contract.

Chris Philp: To be absolutely clear, I do not think that full, unpaid trial shifts are ethical, right or moral. My understanding is that they are illegal already, and if they are not illegal they certainly should be made so. I definitely do not want full, unpaid trial shifts to be legal. However, a short period of time—one or two hours, I would suggest—should not require a temporary contract. Asking someone to enter into a temporary contract entails a certain amount of paperwork and bureaucracy. Notwithstanding the point about the two years, in relation to discrimination it creates immediately binding legal obligations. To do all that for someone who is essentially going through an interview process imposes an unreasonable burden on a prospective employer. If an employer is interviewing 10 people for one position, to have to give all 10 a temporary contract would be excessive in the context of a one or two-hour trial.

I have spoken for a little bit longer than I planned to. Before I conclude, I will take one last intervention.

Jeremy Quin: My hon. Friend referred to his time as a parliamentary candidate. As we all know, as a parliamentary candidate one receives a lot of feedback whether we like it or not. One of the powerful points made by the hon. Member for Glasgow South (Stewart Malcolm McDonald)

in his excellent speech was in relation to feedback from employers to prospective employees, an excellent idea that should be encouraged. I worry that companies are very nervous about providing honest and helpful feedback. If the Bill moves on to the Committee stage, I hope—as a former employer—that that point is focused on so that a safe harbour can be established.

Chris Philp: I agree. We heard from the Scottish National party Benches about a powerful case study. It is a gross discourtesy—an insult, in fact—to interview someone, have them go to the trouble of coming to your place of work, going through an interview and possibly doing some trial work, and not even provide feedback for them. That discourages people from going to interviews.

Stewart Malcolm McDonald: If the Bill does not get a Second Reading and go on to Committee, that will continue to happen. Does the hon. Gentleman agree that the Bill should go on to the Committee stage?

Chris Philp: I have a very open mind. I would like to hear what the Minister has to say in response to the questions I have posed, in particular on whether one or two hours of work is part of current legislation.

In conclusion, there is a balance to strike. If we impose too many barriers to creating employment—this applies to generally onerous employment legislation—there is a risk that rather than protecting people, we prevent jobs from being created. One of the reasons why this country has created 3 million jobs in the past eight years—more than the rest of Europe put together—is that we have a sensible balance between protections for workers on the one hand and avoiding over-burdening employers on the other. I am very nervous about upsetting that delicate balance.

As I said at the beginning, I agree that practices relating to full shifts in this context should not be lawful. I will listen very carefully to the Minister's comments when he winds up the debate.

2.9 pm

Dr Alan Whitehead (Southampton, Test) (Lab): May I congratulate the hon. Member for Glasgow South (Stewart Malcolm McDonald) on bringing this important and well-constructed Bill to the House? We have perhaps been diverted towards the issue of people not being paid for one or two hours' work, but essentially the Bill is about the principle of a fair day's pay for a fair day's work. Unpaid work trials have become a widespread practice in the hospitality, entertainment and retail sectors, and we need to place that development in a wider context.

In recent years we have witnessed an explosion of exploitative working practices associated with the so-called "gig economy", a commonplace phrase that does not do justice to what is really occurring, namely the avoidance of employment rights, benefits and remuneration on a mass scale. Unpaid work trials must be seen in the broader context of a range of sharp practices associated with low paid, insecure employment in this country, designed to cut the burden on the employer at the expense of hundreds of thousands, if not millions, of workers.

Just in the past few weeks this place, as the hon. Gentleman has mentioned, has discussed tipping practices that take rightfully earned tips from waiting staff and

recycle them to top up the pay of other workers to the level of the minimum wage. In the past two weeks we have seen how major, international companies such as Wagamama and TGI Fridays have failed to pay their staff the minimum wage.

Luke Hall: Does the hon. Gentleman share my shock and concern that the British Retail Consortium failed to acknowledge that that was even a problem and refused to even meet the hon. Member for Glasgow South (Stewart Malcolm McDonald) to discuss the matter?

Dr Whitehead: Yes, I share the hon. Gentleman's shock and concern. That underlines how a number of very important institutions in this country continue to underestimate and even turn a blind eye to all such practices associated with the gig economy, one of which is unpaid work trials. There is a pattern and it has not been clearly addressed by the Taylor review, and it certainly has not been addressed by the Government's weak response to that review.

More than £1 billion is lost in wages every year through unpaid work, and the continuing practice of unpaid work trials is a contributing factor to that.

Stewart Malcolm McDonald: I think I know the report to which the hon. Gentleman refers, but a subsequent report adumbrates that about £3 billion is lost in wages every year.

Dr Whitehead: Obviously, £2 billion has been lost since I last looked. That underlines the big picture. Unite the Union says that there has been a sixfold increase in complaints about the practice in the past three years. Indeed, the personal stories of exploitation collected by the hon. Gentleman chime with many of us, as we have heard today, through the experiences of our constituents, our own children and our local communities.

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): As the second youngest Labour Member in the House, I can speak from relatively recent experience. My first experience of the world of work was an unpaid trial shift against four other candidates for a job. It was a full day's shift and unpaid. That was combined with a zero-hours contract and unfair tipping practices whereby we were never given our tips and they were used to subsidise the minimum wage. Moreover, young people are unaware of trade union rights, how to join a trade union or how to engage in that sort of security in employment. That is the root cause of the problem. It is the duty of this Parliament to legislate for and protect our young people and others who are exploited by such nefarious practices.

Dr Whitehead: My hon. Friend makes an important point. He seems to have personally experienced all the various aspects of this problem: they came together on one occasion, in one place and happened to one person.

Many people have talked about their own experiences. One example comes, in fact, from Scotland. K from Kilmarnock says:

"My son was asked to do a trial shift in our local restaurant. The manager who was on shift did not even speak to him when he was in! He was left in the bar with no direction and when he tried to help the others he was told to get back behind the bar!

[Dr Whitehead]

He wasn't paid a penny for his time. The same restaurant had already done the same thing to a friend of mine's son except it was for a kitchen porter and he did 4 hours, no pay and again at end of his shift he just left waited over a week with no job offered."

The use of unpaid trial shifts is a real problem under the current legislation. The concept of "shadowing" has been used by employers to justify bringing in unpaid workers to cover staff shortages, sickness, or particularly busy periods and events. There is a need to clarify the legal position for employees and employers with legislation, and the Bill seeks to do that by closing current legislative loopholes to ensure that workers are paid for every hour they work and every shift they do.

Bob Stewart: I think that what the hon. Member for Glasgow South (Stewart Malcolm McDonald) has put together is excellent, and I congratulate him. I also congratulate my hon. Friend the Member for Croydon South (Chris Philp). "Souths" seem to be in the air today!

Can it be made absolutely clear that the Bill will not apply to someone who goes along to have a taster for a day, does not necessarily work a shift, but just gets an experience of what the work is like? That is not what the Bill is about, is it?

Dr Whitehead: My clear understanding, which I think will be borne out by the hon. Member for Glasgow South, is that that is not what the Bill is about. It is not about work experience, or any of the other factors that the hon. Gentleman has mentioned.

Andrew Griffiths: May I clarify the position? As drafted, the Bill would exclude those factors. Anything, including making the coffee, briefly, would be outlawed. The Bill sets the threshold at zero. Any moment spent working would be caught by it.

Dr Whitehead: I am not sure, if I may say so, that the Minister has correctly put across the idea of what "working" is. Various activities that do not actually constitute work, but constitute other activities not related to work, would not be covered by the Bill. When what is clearly work is being undertaken, and that work is recognised in the normal sense of the word, it will be covered.

Andrew Griffiths: May I clarify the position again for the hon. Gentleman? That kind of trial, or test, would not be covered by the national minimum wage, so the payment would not be applicable anyway.

Dr Whitehead: I think the point of the Bill is that it is intended to close gaps in legislation in order to make it clear what people are doing when they are working and what constitutes trial work, and to ensure that that is much better defined and protected.

The Bill would require employers to pay applicants undertaking trial work periods at least the national minimum wage. Equally important is the clarity that it will provide about what a "work trial" is, and what is the relationship between the employer and the worker at that point. I am sure we all agree that many unscrupulous employers have taken advantage of that grey area to use unpaid labour when there has not been a job on offer,

simply to cut staff costs. There is an element of coercion as well. A widespread response to the call for evidence was that many people who had undertaken unpaid work trials had felt that they could not refuse to do so or speak up because of a fear of jeopardising their chances of getting a job.

Michelle Donelan: Does the hon. Gentleman not accept that there is a difference between exploiting people by employing them to do shifts when jobs do not exist, and trying people out for an hour or two and giving them an opportunity to prove themselves?

Dr Whitehead: Of course there is a difference, and this Bill does not fundamentally change that position: it is my understanding that it seeks to clarify what it is to actually do work and, following that definition, get paid for that work. The principle is that if someone does work—defined as serious work, which I am sure the hon. Lady agrees the arrangements she mentions would not be—they should get paid for it. It is as simple as that.

Mr Sweeney: There is a world of difference between an exploitative unpaid trial shift in a casualised context such as I experienced in my first job, and going to a controlled and time-bound assessment centre, which took a full day, as I did for my first graduate job, where it was controlled and defined. The Bill seeks to define that difference, and the Government should support it.

Dr Whitehead: If, indeed, methods are being sought not to support the Bill because of quibbles about what is work and what is not work, and what are trials, and when someone is just doing a practice, that would be a great shame. We need to make it clear that this is about a principle and an area of bad practice that needs to be shut down.

There has been widespread public anger about the practice of unpaid trials. We have heard about the two Mooboo Bubble cafés in Glasgow, which sparked this Bill and campaign, and 13,000 people signed the petition objecting to that. Indeed, the petition calling on MPs to support the Unpaid Trial Work Periods (Prohibition) Bill has 137,000 signatures. It is therefore clear that the practice of unpaid work trials goes against the sense of natural justice that most people have.

There is also widespread public support to remedy this issue as soon as possible, through the clarification of the contractual relationship between the worker and the employer, and the amendment of section 54 of the National Minimum Wage Act 1998 to require the minimum wage to be paid to those who participate in work trials.

Of course, as I stated at the beginning of my contribution, the abuses associated with work trials are part of a much broader picture. The serious, long-term remedy for this all-too-common exploitation is a raft of worker protection measures. Right at the head of Labour's manifesto commitment at the last election to a fair deal at work is our pledge to

"give all workers equal rights from day one, whether part-time or full-time, temporary or permanent—so that working conditions are not driven down."

After years of diminution of workers' rights, that will be no easy task, and we will be faced with many similar loopholes to close and abuses to tackle. I am pleased to

offer Labour's full support for this Bill, to deal with this particularly unjust form of exploitation, which, as my hon. Friend the Member for Midlothian (Danielle Rowley) mentioned, affects so many young people across the country at the start of their working lives. It gives them the impression that the world is perhaps stacked against them in their working career. If only for that reason, we need to ensure that this Bill progresses today.

Andrew Griffiths: On a point of order, Madam Deputy Speaker. May I clarify something? The hon. Member for Glasgow South (Stewart Malcolm McDonald) mentioned an advert for an unpaid internship. I can confirm that that position was never filled; it was advertised, but never filled. I am, however, reminded that a paid researcher worked for me for, I think, a brief 20 days of internship with travel expenses paid before she took on the role as a full-paid researcher. It was so brief that it had slipped my mind, but I apologise if I misled the House in any way.

Madam Deputy Speaker (Dame Rosie Winterton): The hon. Gentleman has done exactly the right thing by clarifying that as quickly as possible and putting the record straight.

2.23 pm

David Warburton (Somerton and Frome) (Con): I congratulate the hon. Member for Glasgow South (Stewart Malcolm McDonald) on bringing this Bill before the House. This subject is a fascinating area to explore, and I speak as somebody who has had rather a lot of experience in the jobs market: before being an ornament on these green Benches I was lucky enough to build up a business, before that I enjoyed many years as a teacher, and before all that I did just about everything. I sold sandwiches office to office, I drove a delivery van around London, I cleaned carpets, worked in a nightclub, spent years working in retail, worked as a cleaner, a restaurant pianist—[*Interruption.*] Oh, yes. I also worked as a very nervous bouncer; you name it, I've done it. So I have been a regular paid worker, a casual worker, a zero-hours worker and, like many of us, I have also been a volunteer worker.

For many of those jobs I was expected, quite reasonably, to work a trial shift. It was nothing major or long-lasting; just a test of my limited abilities. Some of those trials were paid, but some were not. It would be just about possible for an unscrupulous employer to work out a way of getting people to work unpaid on an ongoing basis, but they would have to devise a very complicated and convoluted system involving many different workers. Also, that is already illegal, because currently all employers, including many of my former employers, must use only legitimate recruitment practices and tests. In some areas that could include a trial shift, but it must not be excessive in length.

Stewart Malcolm McDonald: Does the hon. Gentleman intend to talk the Bill out?

David Warburton: Certainly not; I am going as fast as I can.

The activities carried out during such a trial assessment would not constitute work. If they did, the trial would need to be paid, and at least at the national minimum

wage. As the House will know, that applies from the worker's first day at work, regardless of whether the employer labels that as a trial. A trial is already not legitimate if an employer has no intention of offering a job and is simply seeking a bit of free labour. Therefore, this is already covered in legislation.

I am worried that the Bill would lead to additional confusion for the voluntary sector and impose yet more regulatory burdens on employers. There is the risk that businesses would think twice about employing more people and expanding. It would also reduce genuine opportunities for people like me to find work. As vice-chair of the all-party group for small and micro businesses, I must add that the Federation of Small Businesses does not support the proposed change, for many of the reasons I have outlined.

The House will note that the Bill has considerable overlap with the Unpaid Work Experience (Prohibition) Bill, which originated in another place and completed its Committee stage on 13 March. That Bill quite rightly seeks to prohibit all unpaid work experience of longer than four weeks.

In conclusion, although I understand the hon. Gentleman's motivation in introducing the Bill, and I commend him for that, I take the view, as someone who has taken part in many work trials and assessments, that not only is the current legislation sufficient, but hardening the law by creating a blanket ban would not be a productive way for us to proceed.

Madam Deputy Speaker (Dame Rosie Winterton): I call Michelle Donelan.

Michelle Donelan: Madam Deputy Speaker, I think that I have already made my views clear in my interventions.

Madam Deputy Speaker (Dame Rosie Winterton): I call Chris Stephens.

Chris Stephens: I, too, have made my views clear, Madam Deputy Speaker.

2.28 pm

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Andrew Griffiths): I congratulate the hon. Member for Glasgow South (Stewart Malcolm McDonald) on his success in the private Members' Bills ballot. I am proud to serve as the Minister responsible for the national living wage and for workers' rights. I am very pleased to respond to this important debate. We all want to see the rights of workers protected; none of us wants to see workers abused, mistreated or unpaid. That is why this Government are at the cutting edge of bringing forward new rights and protections for workers. The House will have seen, just a few weeks ago, our response to Matthew Taylor's truly groundbreaking report, which not only looks at the modern labour force and how we treat people, but seeks to extend rights and protections to workers and employees who have never had those before.

The Government are proud to protect workers' rights and are proving that we do not need the European Union to help us do that; we are doing it here in this Parliament. I am very keen to work with the hon. Member for Glasgow South to address the issues that

[Andrew Griffiths]

he has raised today. There is a very clear way in which we can do that without the need for further regulations. The law is already very clear on this. These practices are outlawed under the current national minimum wage—

2.30 pm

The debate stood adjourned (Standing Order No. 11(2)).
Ordered, That the debate be resumed tomorrow.

Business without Debate

BBC LICENCE FEE (CIVIL PENALTY) BILL

Motion made, That the Bill be now read a Second time.

Hon. Members: Object.

Bill to be read a Second time on Friday 27 April.

INTERNATIONAL DEVELOPMENT ASSISTANCE (DEFINITION) BILL

Motion made, That the Bill be now read a Second time.

Hon. Members: Object.

Bill to be read a Second time on Friday 27 April.

BENEFITS AND PUBLIC SERVICES (RESTRICTION) BILL

Motion made, That the Bill be now read a Second time.

Hon. Members: Object.

Bill to be read a Second time on Friday 27 April.

ELECTRONIC CIGARETTES (REGULATION) BILL

Motion made, That the Bill be now read a Second time.

Hon. Members: Object.

Bill to be read a Second time on Friday 27 April.

UNIVERSAL CREDIT (APPLICATION, ADVICE AND ASSISTANCE) BILL

Motion made, That the Bill be now read a Second time.

Hon. Members: Object.

Bill to be read a Second time on Friday 11 May.

EMERGENCY RESPONSE DRIVERS (PROTECTIONS) BILL

Motion made, That the Bill be now read a Second time.

Hon. Members: Object.

Bill to be read a Second time on Friday 6 July.

BRITISH INDIAN OCEAN TERRITORY (CITIZENSHIP) BILL

Motion made, That the Bill be now read a Second time.

Hon. Members: Object.

Bill to be read a Second time on Friday 27 April.

PEDICABS (LONDON) BILL

Motion made, That the Bill be now read a Second time.

Hon. Members: Object.

Bill to be read a Second time on Friday 27 April.

DOMESTIC PROPERTIES (MINIMUM ENERGY PERFORMANCE) BILL

Motion made, That the Bill be now read a Second time.

Hon. Members: Object.

Bill to be read a Second time on Friday 27 April.

VAGRANCY (REPEAL) BILL

Motion made, That the Bill be now read a Second time.

Hon. Members: Object.

Bill to be read a Second time on Friday 23 November.

VOTER REGISTRATION (NO. 2) BILL

Motion made, That the Bill be now read a Second time.

Hon. Members: Object.

Bill to be read a Second time on Friday 27 April.

KEW GARDENS (LEASES) (NO.2) BILL

Motion made, That the Bill be now read a Second time.

Hon. Members: Object.

Bill to be read a Second time on Friday 27 April.

RIVERS AUTHORITIES AND LAND DRAINAGE BILL

Motion made, That the Bill be now read a Second time.

Hon. Members: Object.

Bill to be read a Second time on Friday 27 April.

WILD ANIMALS IN CIRCUSES BILL

Motion made, That the Bill be now read a Second time.

Hon. Members: Object.

Bill to be read a Second time on Friday 27 April.

FORENSIC SCIENCE REGULATOR BILL

Motion made, That the Bill be now read a Second time.

Hon. Members: Object.

Bill to be read a Second time on Friday 27 April.

Dulwich Hamlet Football Club

Motion made, and Question proposed, That this House do now adjourn.—(*Amanda Milling.*)

2.34 pm

Helen Hayes (Dulwich and West Norwood) (Lab): I am grateful for the opportunity to bring to the House serious issues that threaten the future of my much loved local football club, Dulwich Hamlet, and which have relevance for local non-league and league clubs throughout the country.

I wish to express my heartfelt gratitude to my predecessor as MP for Dulwich and West Norwood, Baroness Jowell of Brixton, whose involvement with Dulwich Hamlet football club goes back a long way and who I know is close to the hearts of Dulwich Hamlet supporters. I also thank my right hon. and learned Friend the Member for Camberwell and Peckham (Ms Harman), in whose constituency the Champion Hill stadium sits and whose support for this campaign has been invaluable, and Lord Kennedy of Southwark, who has raised this issue in the other place and ensured that very few parliamentarians are unaware of the issues facing Dulwich Hamlet and have not been photographed wearing the club's scarf. Finally, I thank the Dulwich Hamlet Supporters' Trust, Dulwich Hamlet football club, my many constituents who have written to me about this issue, and the thousands who turn up regularly at Champion Hill to support the team.

I will speak today about community: a local community emblematic of the diversity and cohesion that makes London so great, and a national community that is galvanised by the same ideals as our pocket of south-east London. Dulwich Hamlet FC are not unique in their current struggle. Their cause has received support from around the world, both from the football community and, significantly, from many who are not archetypal fans of the game but recognise the immense community value that the club brings.

Catherine West (Hornsey and Wood Green) (Lab): I congratulate my hon. Friend on the wonderful idea of promoting young people's access to sport. When we have so much knife and gun crime, it is important that sport can provide a meaningful outlet for young people, and for older people, too.

Helen Hayes: My hon. Friend makes a powerful point about the role that football can play. I shall address some of those issues a little later in my speech.

There are stories similar to Dulwich Hamlet's from the football community throughout the country: from Skelmersdale to Merthyr, Torquay, Hereford and Coventry. Communities are fragile and the spaces and institutions that bring people from a diverse range of backgrounds together can be rare. Local football clubs provide this focus and an opportunity for friendships to be developed and bonds strengthened through the sharing of the passion that football inspires.

Ellie Reeves (Lewisham West and Penge) (Lab): I thank my hon. Friend for securing this debate. Many of my constituents have contacted me about Dulwich Hamlet and they have all spoken about their love and affinity for the club. As my hon. Friend says, football clubs are often the linchpin of communities, but they are increasingly

threatened by buy-outs, as we have seen in Dulwich. Does she agree that the Government should look into strengthening protections for these community assets?

Helen Hayes: I do indeed agree that more can be done to protect these powerful institutions. When such institutions are lost they may be gone forever, so we must do all that we can to keep them alive. The Government may argue that they cannot intervene in the commercial or legal affairs of any individual club, but the situation at Dulwich is not individual; it is representative of a much wider problem, in which short-term financial gain seeks to assert itself over an institution valued not just in pounds and pence, but in people, friendship, aspiration and history.

Stephen Pound (Ealing North) (Lab): I am really pleased that my hon. Friend has brought this issue to the House. The Hamlet has a lot of affection and a lot of people respect it, but this issue is bigger and wider than that one club. If we do not have grassroots football—if we do not have the small teams such as, in my part of the world, Hayes & Yeading, where players like Les Ferdinand and Paul Merson started—how are we going to channel talent into the higher leagues? Without teams like the Hamlet, we will not have top-tier football. The Minister is a great sportswoman and she supports a team in north London, the name of which escapes me. Does my hon. Friend agree that without teams like the Hamlet, we would not have teams like Spurs?

Helen Hayes: I agree wholeheartedly with my hon. Friend's remarks.

This year, Dulwich Hamlet celebrated its 125th anniversary. The historic first formal meeting of Hamlet Old Boys and founder Pa Wilson took place on Friday 28 January 1893 at the Dulwich Hamlet Elementary School in Dulwich village. The team eventually settled at Champion Hill in 1902—the same year in which both Manchester United and Real Madrid were founded—and it has been there ever since.

Dulwich Hamlet has a long history and a strong and proud heritage: they are four-time FA Amateur cup winners; two Hamlet players, Edgar Kail and Bert Coleman, earned full England caps; and in 1948 Champion Hill was used for the London Olympics, hosting football just as the neighbouring Herne Hill velodrome hosted cycling.

It has not all been plain sailing over the years. The club faced closure in the 1960s, and in the 1980s it gave up its old ground to ensure that there was a future and a new stadium. But Dulwich Hamlet is far more than just a football club. It is part of the very fabric of the local community through its inclusive and accessible approach to football, its social activity supporting good causes, and the many initiatives that are led by the club and its army of volunteers—from Dulwich to Dunkirk and to Syria.

One fan told of his days as a beat bobby in south-east London and how Dulwich Hamlet and its loyal supporters—the Rabble—came together to engage the local youngsters, providing school competitions, role models, and an alternative to getting into trouble: just one of countless initiatives the club has led in the community. Under current manager Gavin Rose, who is in the Public Gallery today, the Aspire Academy has been

[Helen Hayes]

developed and works with hundreds more young people every year. Thirty-five players from the academy have moved into the professional game. Aspire is not just about success on the field—although it is certainly that—and it is not just about developing better players; it is also about instilling in our young people the importance of becoming better members of their community.

I am proud of the many young people from Aspire who have not gone on to make a career in football, but who have become outstanding citizens. The academy's work is not limited to young people. In recent years, it has seen the club host a ground-breaking match against the Stonewall 11 in support of lesbian, gay, bisexual and transgender rights; arranged food bank collections; and sent aid to refugees in Calais. I have with me today a special edition scarf to celebrate 100 years of women's suffrage. The list of its work goes on.

Dulwich Hamlet has a strong community identity. It is a family club that has brought pleasure—and admittedly some pain—to generations of supporters. It is very often the first club that children attend because it is local, family friendly and has a great community feel.

Dulwich Hamlet FC fans mainly live nearby and are part of our wider local community. They are rightly proud of the way that they have grown to become a central part of that community, and they are recognised for what they are doing. The efforts made by the club and all its volunteers to ensure that the club connects with all parts of its local community were recognised in 2016, when it was awarded the football foundation community club of the year at the National Game Awards in London. Everyone wants to keep the club that way and, given the chance, I know that it can do even more.

Dulwich Hamlet has business sponsors and partners who back the club financially, put up posters and display its scarves because of the positive image the team has in the local community and the benefit that the supporters bring to their businesses. The club is heading in the right direction. As recently as 2008-09, the club saw average attendances of just 180. That has now risen to more than 1,500 this season, proving the sustainability of the club and the impact that it has on the community.

Dulwich Hamlet has much to celebrate, currently sitting third in the league and chasing a promotion to the Conference South, but off the pitch the picture is entirely different. The club was acquired by Meadow Partners with operating partner Hadley in 2014. The company took day-to-day control of the club and paid off a significant number of debts, which had come very close to driving the club into bankruptcy. It made no secret of the fact that it was looking to redevelop some or all of the current ground, with the club being moved to more appropriate facilities nearby. It publicly stated that giving the club a long-term future was an integral part of its plans.

In March 2016, an application to redevelop the ground was submitted to Southwark Council. The plans included provision for 155 new dwellings, as well as a new stadium for the club to be built on metropolitan open land, which would be handed over to Dulwich Hamlet FC for fan ownership. However, there was no planning policy designation for residential use on that site, and of course there was the very strong planning protection of

metropolitan open land, which meant that, essentially, there was no clear policy framework against which the council could determine the application.

In December 2017, a planning appeal was lodged by Meadow on the grounds that Southwark Council had failed to reach a decision within the required timescale. Subsequent legal wrangling between the developer and the council over the football club's lease resulted in costs, thought to be around £320,000, being awarded against the club, which had played no role in the legal case, and ultimately to the developer withdrawing the planning appeal.

Following the withdrawal of the planning appeal, the developer announced that it had withdrawn all financial support and management of the football club as, in its opinion, there was no chance of its being able to build on the part of the site that was the subject of the dispute concerning the lease. In December 2017, Meadow demanded that the football club sign a new lease to continue playing at Champion Hill or face being evicted.

Recently, things have accelerated further. Dulwich Hamlet has been locked out of its ground—including access to club merchandise, historic memorabilia and the war memorial. In a bizarre turn of events, Dulwich Hamlet FC has even had its own name, nickname and initials registered as a trade mark and was told not to use them. Although I understand that there may have been some progress on this in the past few days, it is nevertheless the case that, last week, Dulwich Hamlet found itself without a home and without a name, putting at risk its historic ground and the basis for all the wonderful work that it does.

None of this is necessary. There are a number of alternative options on the table from potential investors who are interested in doing the right thing: safeguarding the club and building much needed social housing. Southwark Council has made a strong commitment to the club, including taking a formal decision this week that it would make capital funding available to acquire the site. But not every club benefits from such a strong and vocal support base, and a strong and committed council.

The situation developing at Champion Hill is unfortunately far from an isolated one. Across the country, we are seeing clubs whose communities face losing access to vital sports grounds or that have been adversely affected by stadium land deals. After all, many football clubs—particularly in London and not only at non-league level—have found themselves homeless, and in some cases merged or out of business, after falling victim to the ambitions of property developers.

Bob Stewart (Beckenham) (Con): I know that time is of the essence, but what exactly would the hon. Lady like the Government to do to help the club?

Helen Hayes: If the hon. Gentleman bears with me for just a couple of minutes, I will come to exactly those points.

There is a significant housing crisis in London. At least 50,000 new homes a year are needed just to keep up with demand, and the unavoidable fact is that football clubs commonly sit on large, expensive sites and are often considered less valuable than the ground beneath them. This is not an argument against building new

homes, which are essential, but as new homes are being built we must also take care of the fabric of communities—the institutions and the places that knit people together. It is this value that is never captured on the developer's balance sheet.

In London the list of clubs that are under pressure is depressingly long. In recent years Enfield Town, Edgware Town, Hendon and Thurrock football clubs have all lost their historical homes. Away from London and the south-east, where the pressure on housing and the value of land is not always so acute, the story continues. Northampton Town, Kettering Town, Torquay United, Skelmersdale United, Coventry City and Merthyr Town—to name just a few—are all facing battles to survive as the property developers circle. As with Dulwich Hamlet, these teams are very much a part of their communities.

As a symbol of the solidarity and community that exist across the world of local football, Dulwich Hamlet will play out its remaining games this season at arch rival Tooting and Mitcham United's ground. The club has had messages of support from countless teams across the country. More can be done to stop the situation at Dulwich Hamlet happening to other clubs, and I will end by making a number of asks of the Minister.

First, will the Minister commit to an urgent audit of the premises of league and non-league football grounds and stadiums across the country, and quantify the extent and nature of the threat that is exemplified by the situation at Dulwich Hamlet? Secondly, will she use that information to make the case to her colleagues at the Ministry of Housing, Communities and Local Government for greater protection to be afforded to league and non-league football grounds, perhaps using the protections introduced by Labour to safeguard school playing fields as a model?

Thirdly, will the Minister review how it could possibly come to pass that a developer was able to register the trademark of a 125-year-old football club, seemingly without regard to the live and continuous use of the club's name? How could this decision possibly have been approved by the Intellectual Property Office? Will she take steps to ensure that no other football clubs can be threatened with the loss of their identity in this way? Fourthly, will she look at the redistribution of funding within the football world from the premier league to grassroots football, without which the premier league will be starved of the talent it needs to be sustained?

Stephen Pound: I did not want to interrupt my hon. Friend because she has made an incredibly powerful case, and I know that the Minister will be very keen to respond, but I hope that she will pay tribute to the Football Foundation, which is doing a great deal of work in redistributing money. I appreciate that one of the problems with British football is that there is a lot of money at the top and not a lot at the feeder clubs, but the Football Foundation—in my opinion and, I think, in that of many of our colleagues—is doing a really good job for grassroots football.

Helen Hayes: My hon. Friend makes a very important point.

Finally, will the Minister progress reforms to ensure that the fit and proper persons test must apply to non-league ownership and that some form of bond be

attached to any acquisition, and explore how fans can play a greater protective role in the ownership and governance of league and non-league football clubs?

For Dulwich Hamlet the immediate solution is simply for the club to be given its home back. The current breakdown of trust and relationship between Meadow, the council and the club is of grave concern. It would be better for everyone, including Meadow, for the land to be sold at fair market value on terms that guarantee a sustainable future for the club. I hope that the Minister will also join me in calling on Meadow to re-engage with the council and the club, and to negotiate a way forward that places a secure future for Dulwich Hamlet football club at its historical home, Champion Hill, as the highest priority. Forward the Hamlet!

2.49 pm

The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Tracey Crouch): I thank the hon. Member for Dulwich and West Norwood (Helen Hayes) for securing time for this debate. I pay tribute to the efforts that she and others have made to bring to our attention the issues at Dulwich Hamlet which are rightly causing considerable local concern. I am not sure that there was anything in her passionate speech and the interventions of colleagues that I disagreed with.

Dulwich Hamlet football club has been part of the local community for 125 years. It started life, just like my two teams of Chatham Town and Tottenham Hotspur, in the Southern league. When I lived in Herne Hill, I was in fact an occasional visitor myself to Champion Hill. While the club may not have gone on to the dizzy heights of the Lilywhites, its standing in non-league football today cannot be overestimated. It currently sits near the top of the Bostik league, with a dedicated home following of nearly 2,000. This is relatively unheard of for a team that resides in the seventh tier of English football. There is also all the brilliant academy work that the hon. Lady mentioned.

It is a massive shame, therefore, that at a time when we should be celebrating the achievements of this unique club, we are here because of deep concerns for its immediate future. What is disappointing is that those concerns operate almost entirely outside of the club's management control and its on-field performance. Instead, they involve the intersection of land ownership, planning consent and community regeneration. Quite frankly, it has turned into an utter mess. On the one side, we have Meadow Partners, the owners of Champion Hill, and their plans to redevelop the site; and on the other, Southwark Council, which has not accepted the planning application, for reasons that are best explained by the council itself. It is not for me to take sides in the planning dispute, but I will say that it is hugely disappointing that in this instance the football club is stuck in the middle, and that it and the fans are the victims in all this. That is not right. Football clubs remain a matter of great importance to their local communities, and we should never underestimate their value. Every care must be taken by their owners and stakeholders to safeguard their long-term future.

Indeed, it is the special place that football clubs hold in our communities, and the need to preserve that at all costs, that I want to focus my attention on today. With regard to Dulwich Hamlet, I understand that Southwark

[Tracey Crouch]

Council has asked its director of regeneration to start negotiations with Meadow over the sale of the site. Those negotiations must ensure that the needs of the club are protected. Should the negotiations fail—it is clear that there remains something of an impasse—I will look to find and appoint an independent mediator who can facilitate the constructive talks needed between all parties and, in the process, help to secure a future for this well-supported community club for many years to come.

I appreciate that Dulwich Hamlet is not the only football club to have suffered as a result of a land or stadium development dispute. We need to learn lessons from this dispute, where there is a separation between the ownership of the club and that of the stadium. Without pre-empting this, one lesson may be that clubs must be supported to insist on proper contractual agreements with ground owners that make the terms of residence, roles and responsibilities transparent and sustainable.

I will be sitting down with the Football Association to ascertain what further steps it can take to help its member clubs engaged in similar situations, and to prevent further breakdowns between clubs and landowners. I will recommend that the FA begin by speaking to the fan organisation Supporters Direct, which has shown an interest in carrying out a review of the extent to which football stadiums in the English league system are separated from the ownership of their clubs, who are the primary users. Further awareness of ground ownership will help to provide clarity for fans around the ownership structures of their club and an understanding of the potential risk of stadium disposal. With better information on the risks, fans can ask the right questions of the right people at regular intervals.

This approach fits with the Government's work with fan organisations and the football authorities in recent years to help strengthen football supporter ownership and engagement. With regard to the ask by the hon. Lady, this will almost certainly throw up considerations

around the local planning process and role of the local council in protecting football stadiums. I will take further action by speaking to colleagues at the Ministry of Housing, Communities and Local Government to see how they can engage in this process. I will also follow up her point about trademarks, and write to her subsequently.

The football authorities have done much work on regulations around owners and directors. Regulations in place for football ground ownership may also need to be strengthened, as undeveloped land increasingly becomes a financial asset.

Members will remember Wimbledon's controversial move to Milton Keynes all those years ago. Wimbledon stands as a reminder of what can happen when a dispute over a football stadium results in the loss of a club to its community. The Wimbledon case did, however, lead to the football authorities strengthening their rules, which now ensure that plans are in place for clubs to remain in the towns and cities that bear their name.

The current frustrating events at Dulwich Hamlet are a prompt for proper consideration of the regulations that exist in relation to stadium ownership and encompass the better protection of all clubs. The immediate priority is for Dulwich Hamlet to fulfil its fixtures for the remainder of the season, and I thank Tooting and Mitcham for their offer to ground-share.

I fully expect all parties to sit down and try to find a solution that works and, importantly, has the football club as its primary consideration. I urge all parties to work to a solution now, and, as I said, if they need someone to mediate and adjudicate, I will find someone. However, I hope that it does not come to that and that a solution can be found by the start of next season. In the meantime, I wish the club and its supporters the very best for the rest of this season and thank the hon. Lady for her excellent advocacy on behalf of her local club and its fans.

Question put and agreed to.

2.55 pm

House adjourned.

Written Statements

Friday 16 March 2018

TREASURY

European Union Finances

The Chancellor of the Exchequer (Mr Philip Hammond):

I have today laid before Parliament the *European Union Finances 2017: statement on the 2017 EU Budget and measures to counter fraud and financial mismanagement (Cm 9576)*.

This is a routine annual publication. It is the 37th in the series.

The statement gives details of revenue and expenditure in the 2017 European Union Budget, recent developments in EU financial management and measures to counter fraud against the EU Budget. It also includes a chapter and annex updating on the use of EU funds in the UK over the period.

[HCWS556]

EDUCATION

Educational Outcomes

The Secretary of State for Education (Damian Hinds):

This Government are committed to ensuring that every child—regardless of their circumstances—can benefit from their education, ensuring they have the knowledge and skills to fulfil their potential, and the resilience they need for future success.

Since 2010, thanks to Government reforms and the hard work of teachers, we have made significant progress in raising standards in the education system. There are now 1.9 million more pupils in good or outstanding schools compared to 2010 and last year 154,000 more six-year-olds were on track to be fluent readers than in 2012.

Today, I am announcing a programme of work to improve our understanding of the educational experiences and outcomes of all children with additional needs, and those who live in challenging circumstances.

These children perform less well at school on average, are at greater risk of being excluded and are overrepresented in alternative provision. This is an overlapping cohort whose needs are often complex—many have special educational needs and disabilities, or are children in need of help and protection and so are supported through the social care system. This work is about understanding what works for these children and spreading effective practice to ensure they can fulfil their potential.

This programme of work includes:

An external review of school exclusions, led by former Children's Minister Edward Timpson CBE. It will help us to understand how and why schools use exclusion, what drives the variation in exclusion rates and, particularly, the disproportionate exclusion rates of some groups—including black Caribbean boys, children in need, looked after children, and those with special educational needs;

Taking forward reforms to Alternative Provision (AP). AP educates children who are unable to attend mainstream or special schools, for example due to illness or exclusion.

Today the Government are publishing “Creating Opportunity for All: Our Vision for Alternative Provision”; it outlines our plan to ensure consistently high quality education is provided to all children in AP, across the country, and determine a clear role for AP as an integral part of the education system. This package includes a £4 million innovation fund to develop effective practice;

Reviewing the outcomes of and support for children in need, as set out in our manifesto. We are already reforming children's social care to improve children's safety and stability, but our ambition must be for children in need to achieve their full potential. New data published today sets out the challenges they face, and their outcomes through school. The review will develop evidence to understand what works to improve these children's educational outcomes in practice. This starts today with launching a call for evidence.

I will respond fully to the recommendations of Dame Christine Lenehan's review of residential special schools, “Good Intentions, Good Enough?”, later this year. I will take that opportunity to set out how the Government will continue working to achieve the vision of a reformed special educational needs and disabilities system, underpinned by the Children and Families Act 2014.

We will focus on what is effective—using evidence to implement successful policy, and to spread best practice. These measures should help to ensure that all children and young people benefit from their education, transforming their experiences and outcomes.

“Creating Opportunity for All: Our Vision for Alternative Provision” and terms of reference for the exclusions review will be placed in the House libraries, and published on the Department for Education's website. The website will also contain links to supporting documents for both the exclusions and children in need reviews.

[HCWS555]

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Agriculture and Fisheries Council

The Minister for Agriculture, Fisheries and Food (George Eustice): The Agriculture and Fisheries Council will take place on 19 March in Brussels.

As the provisional agenda stands, the primary focus for fisheries will be an exchange of views regarding a regulation on a multi-annual plan for demersal species in the western Mediterranean sea.

The primary focus for agriculture will be the adoption of Council conclusions on “The Future Of Food And Farming”:

There are currently two items scheduled under any other business:

working conditions and safety on board fishing vessels—ratification and transposition of international instruments. joint declaration of 10 Member States (Austria, Croatia, Czech Republic, Germany, Hungary, Poland, Romania, Slovakia, Slovenia and Spain) on future development of freshwater aquaculture in the EU after 2020.

Parliament voted to trigger article 50 and leave the European Union. Until we leave the EU, all the rights and obligations of EU membership remain in force. The outcome of our negotiations with the EU on a future partnership will determine what arrangements apply in future.

[HCWS552]

Environment Council

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Dr Thérèse Coffey):

I attended the EU Environment Council in Brussels on 5 March. Hannah Blythyn AM, Welsh Minister for Environment, also attended.

I wish to update the House on the matters discussed.

Communications on delivering on the circular economy action plan—exchange of views:

- European strategy for plastics in a circular economy;
- monitoring framework for the circular economy;
- implementation of the circular economy package: options to address the interface between chemical, product and waste legislation.

Ministers exchanged views on the presidency's questions regarding the plastics strategy and the interface between chemicals, product and waste legislation. The UK referenced the industrial strategy, clean growth strategy and the 25-year environment plan, highlighting UK actions including eliminating all avoidable plastic waste by the end of 2042 in England; a deposit return scheme for drinks containers in Scotland and a reduction of around 80% of single-use carrier bags in Wales since a charge was introduced. Several member states called for the reopening of the packing and packaging waste directive, others highlighted the role of eco-design for plastics and the role of taxation on plastics.

On the EU's proposed monitoring framework, the UK welcomed the recommendations but called for greater emphasis on the development of indicators earlier in the waste hierarchy to help design out waste. Some member states regretted the lack of concrete measures to address chemicals in the plastics strategy and wanted further references to a non-toxic environment. Others wanted to improve the traceability of chemicals in plastics.

The presidency stated it plans to adopt Council conclusions on the European strategy for plastics, and on the interface between chemical, product and waste legislation at the June Environment Council in Luxembourg.

Greening the European Semester—exchange of views

The Commission noted that there has been increased focus on greening the European Semester, with the Environmental Implementation Review (EIR) providing better information in this regard. Ministers also responded to presidency questions on compliance and sustainable finance. Several member states thought there was a role for the new multi-annual financial framework in supporting a transition to a sustainable, low carbon economy. The Commission noted the need for actions to be integrated strategically.

AOB items

The following items were also discussed under any other business.

21st European forum on eco-innovation for air quality (Sofia, 5-6 February 2018)

The Commission noted that urgent action needed to be taken at national and EU level to tackle air quality. They stated that a co-ordinated approach together with strong regulation and enforcement were required to succeed.

Global Pact for the Environment

The Council took note of the AOB on the global pact for the environment from the French, supported by Luxembourg. Many delegations supported its aims, and the Commission stated it would propose a draft negotiating mandate for the areas within its competence.

Amsterdam declarations—combating imported deforestation

Delegations took note of the joint AOB from France, Denmark, Netherlands, Germany and the UK on eliminating deforestation from supply chains. The UK intervened to support the declaration and to encourage other member States to join this initiative.

Implementation of the regulation on invasive alien species

The Danish delegation, supported by the Lithuanian and Greek delegations, provided information on the implementation of the EU regulation on invasive alien species.

Review of the regulation on Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH)

The Commission provided information on the review on Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH).

Current legislative proposal (public deliberation in accordance with Article 16(8) of the Treaty on European Union) regulation on CO2 standards for cars and vans

The Commission introduced its proposal for a regulation on emissions standards in cars and vans, with the intention of reaching a general approach at the October Environment Council. The presidency confirmed it will table a policy debate for the June Environment Council.

Developments regarding shipping and the International Maritime Organisation (IMO)

The Commission provided an update on progress ahead of the April IMO meeting in London.

24th session of the Conference of the Parties to the United Nations framework convention on climate change (COP 24, Katowice, 3-14 December 2018)

Poland introduced an AOB on the 24th Session of the Conference of the Parties (COP24). They noted the importance of adopting the implementing rules underpinning the Paris Agreement and acknowledged the Talanoa dialogue as a fundamental step towards achieving the Paris temperature goals. Many delegations, including the UK, agreed on these two priorities with several member states calling for the publication of a Commission communication on the EU's long-term strategy in early 2019.

Commercial trade in raw ivory within the EU

The UK introduced a joint AOB with France calling for a ban on the intra-EU trade in raw ivory. This received support from Germany and Luxembourg. The Commission noted it will release a progress report on the EU action plan against wildlife trafficking in July, detailing its next steps.

Parliament voted to trigger Article 50 and leave the European Union. Until we leave the EU, all the rights and obligations of EU membership remain in force. The outcome of our negotiations with the EU on a future partnership will determine what arrangements apply in future.

FOREIGN AND COMMONWEALTH OFFICE

Foreign Affairs Council

The Minister for Europe and the Americas (Sir Alan Duncan): My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs will attend the Foreign Affairs Council (FAC) on 19 March. The Foreign Affairs Council will be chaired by the High Representative of the European Union (EU) for Foreign Affairs and Security Policy (HRVP), Federica Mogherini. The meeting will be held in Brussels.

Prior to the FAC there will be an informal meeting, over breakfast, with the Ukrainian Foreign Minister. The Foreign Secretary will brief EU Ministers on developments in our response to the incident in Salisbury. The FAC will then discuss Ukraine, Syria and Iran. There will also be a lunch with the Foreign Minister of the Republic of Korea to discuss recent events.

*Foreign Affairs Council**Ukraine*

Ministers will have a substantive discussion on Ukraine. This will address the twin strategic challenges facing Ukraine: its crucial reform agenda and ongoing Russian aggression, including in Crimea. The UK remains fully engaged in Ukraine, and will focus on continuing our support to Ukraine in tackling these fundamental challenges.

Syria

Ministers will be joined by UN Special Envoy Staffan de Mistura to discuss Syria, including implementation of UN Security Council resolution 2401 and support for the UN-led Geneva talks. Ministers will also discuss preparations for the second Brussels conference, which will take place on 24-25 April and will focus on humanitarian support and bolstering the UN-led political process in Geneva.

Iran

Ministers will discuss shared concerns around Iran's destabilising regional activity and the EU's role in responding to this.

[HCWS553]

INTERNATIONAL TRADE

Informal Trade Foreign Affairs Council

The Minister for Trade Policy (Greg Hands): The EU Foreign Affairs Informal Council (Trade) took place in Sofia on 27 February 2018. I represented the UK at the meeting. A summary of the discussions follows:

On follow up to the 11th WTO ministerial conference held in December 2017, Ministers discussed the lack of negotiated outcomes at the multilateral level. Nonetheless, there was a broad welcome for the new joint initiative statements at MC11. The objective was for a critical mass of interested WTO members to make progress in the areas addressed by the joint statements. These discussions should be open to everybody to join. Developments around the WTO appellate body were also discussed.

Commissioner Malmström updated the Council on the state of play of the EU's free trade agreements, stating that Japan and Singapore would be presented to Council imminently, and that negotiations with Indonesia and Chile were ongoing. Negotiations with Malaysia were set to resume in the near future.

Discussion revolved around Mexico and Mercosur, which were both reported to be in the end game but with a number of issues remaining to be resolved. I called on the Commission to show ambition on data flows in the Mexico agreement.

Under AOB, and after I had had to leave, the Commission gave an update on EU-US relations, and assessed that the US's likely imposition of import tariffs or quotas on steel and aluminium on national security grounds was unjustified. The Commission and member states agreed to continue to engage the US Government and Congress in order to argue against any measures, highlighting the knock on impact of safeguards on global markets. Since the President's announcement on 1 March that he intends to impose tariffs, discussions with the EU have continued and the UK will stay closely engaged on this live issue.

[HCWS551]

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